EPA National Environmental **Justice Community Engagement Call**

June 21, 2022

Expanding the Conversation



Housekeeping



Please join by phone or computer, not both



You are on mute, please enter questions and comments into the Q&A pod



If selected to speak during dialogue, please limit comment to 1 minute



Recording and transcript will be available online in the near future





Welcome

Mindfulness Moment

EPA Leadership Updates

Agenda

BIL Water Infrastructure Investments and Community Technical Assistance

Gasoline Distribution Technology Review

OECA Office of Compliance overview about Enforcement and Compliance History Online (ECHO)

Upcoming Engagement Opportunities

Closing Remarks



What We Will Cover

- What is the Bipartisan Infrastructure Law (BIL)?
- How can the BIL help communities address water infrastructure needs?
- Where are we now with BIL implementation?
- Opportunities to learn more

What is the Bipartisan Infrastructure Law (BIL)?

- \$50 billion appropriation to EPA for water single largest federal investment in water ever
- Large amount of funding will be grants/principal forgiveness for "disadvantaged communities"
- 5 year appropriation timeline
- EPA implementation goals include:
 - Targeting resources to disadvantaged communities.
 - Making rapid progress on lead-free water for all.
 - Tackling forever chemicals.
 - Supporting resilience (including climate resilience) & 'One Water Innovation'

How can the BIL help communities address water challenges?

Non-exhaustive list of project examples include:

- Lead service line identification and replacement
- Drinking water treatment plant and pipe upgrades or building new drinking water infrastructure
- Wastewater treatment plant or pipe upgrades or building new infrastructure
- Connecting households or small drinking water/wastewater systems to larger systems
- Stormwater and flood mitigation and water conservation projects
- Addressing PFAS contamination challenges

Where are we now with BIL implementation?

- BIL signed into law: November 2021
- EPA BIL SRF implementation memorandum released: March 2022
- EPA releases \$100 million TA provider funding opportunity through the Environmental Finance Center program: *April 2022 (closes July 1)*
- States submit their first request for SRF BIL funding: Spring-Fall 2022
- EPA begins rolling out new BIL SRF-focused TA: beginning late Summer 2022

Technical assistance to help communities access BIL funding

- Need: communities across America need technical assistance to access SRF funding
- Goal: collaborate with states, territories and tribes to expand availability of technical assistance (TA) to help communities access SRF funding
- Focuses:
 - Support communities to develop SRF applications
 - Accelerate lead service line removal
 - Help communities with decentralized wastewater infrastructure challenges
- Timeline: expect to see announcements beginning later this summer

Opportunities to learn more!



SEPA

REGISTER AT:

https://www.zoomgov. com/webinar/register/WN tvhAEDGwQz2z-ha7Op9YSg Water Infrastructure
Funding in the Bipartisan
Infrastructure Law



July 13, 2022 | 1:00PM-2:00PM ET

The U.S. Environmental Protection Agency (EPA) invites communities to join our July 13 webinar to learn how the Bipartisan Infrastructure Law (BIL) funding can help communities improve their water and wastewater infrastructure. For example, the BIL invests \$43 billion through the State Revolving Funds (SRFs), with a significant portion of funding provided as grants or principal forgiveness loans to disadvantaged communities.

Opportunities to learn more!

EPA.gov/infrastructure

- EPA BIL SRF implementation memorandum to states (document + webinar)
- Interactive map showing state funding allocations

EPA.gov/waterfinancecenter

- Water Finance Clearinghouse
- Free SRF learning module
- Link to sign up for update emails
- More resources to be posted soon



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF WATER

March 8, 2022

MEMORANDUM

SUBJECT: Implementation of the Clean Water and Drinking Water State Revolving Fund Provisions

of the Bipartisan Infrastructure Law

FROM: Radhika Fox

Assistant Administrator

TO: EPA Regional Water Division Directors

State SRF Program Managers

Overview

President Biden signed the Bipartisan Infrastructure Law on November 15, 2021. The law's investment in the water sector is nothing short of transformational. It includes \$50 billion to the U.S. Environmental Protection Agency (EPA) to strengthen the nation's drinking water and wastewater systems – the single largest investment in clean water that the federal government has ever made.

EPA is committed to a productive partnership with states, tribes, and territories to maximize the impact of these funds in addressing urgent water challenges facing communities. The majority of water infrastructure dollars will flow through the Clean Water and Drinking Water State Revolving Funds





FACT SHEET

Bipartisan Infrastructure Law: State Revolving Funds Implementation Memorandum March 2022

President Biden signed the Bipartisan Infrastructure Law (BIL) on November 15, 2021. The law's investment in the water sector is nothing short of transformational. It includes \$50 billion to the Environmental Protection Agency (EPA) to strengthen the nation's drinking water and wastewater systems—the single largest investment in clean water that the federal government has ever made. A significant portion of water infrastructure dollars will flow through the Clean Water and Drinking Water State Revolving Funds (SRFs), which represent a partnership between the Agency, states, tribes, territories, and local communities. EPA is committed to maximizing the impact of these funds in addressing urgent water challenges facing communities.

EPA's implementation memorandum provides information and guidelines on how EPA will administer the SRF capitalization grants appropriated to states under the law. The implementation memorandum is expected to be applicable to all five years of BIL appropriations.

Provide Flexibility to Meet Local Water Needs

A fundamental principle of the SRFs is the flexibility provided to states and borrowers to address a wide variety



Water Infrastructure and Resiliency Finance Center



The Water Finance Center provides financing information to help local decision makers make informed decisions for drinking water, wastewater, and stormwater infrastructure to protect human health and the environment.

Water Finance Clearinghouse



Water Finance Clearinghouse

Effective Financing



Leading edge financing

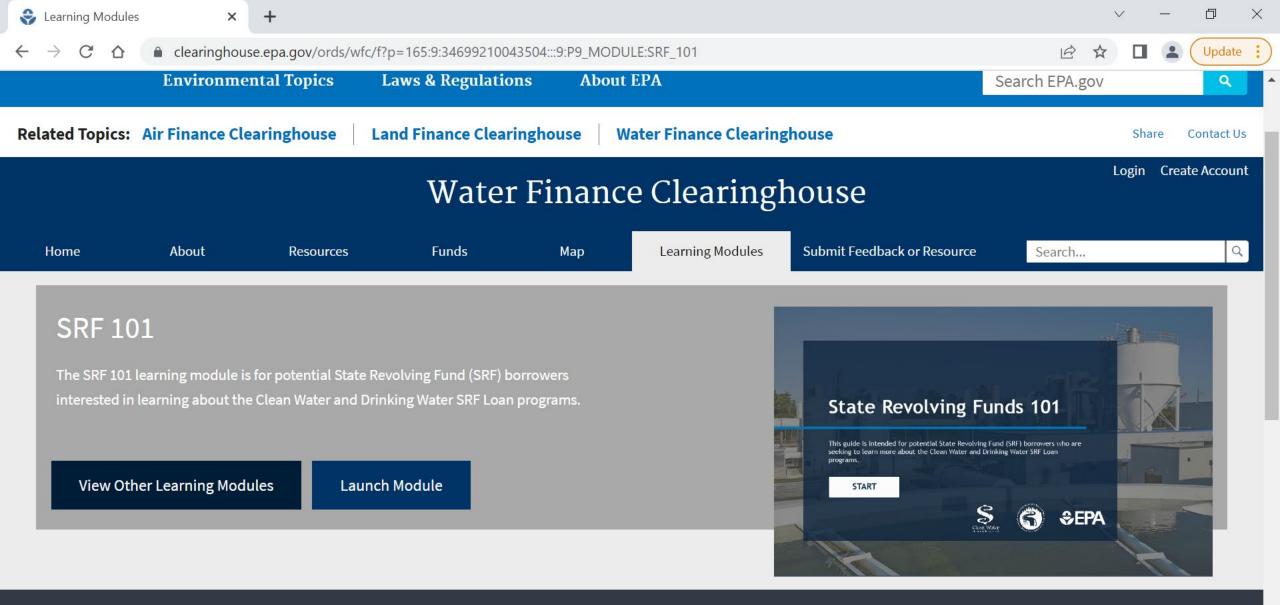
Upcoming Public Webinar

EFAB Pollution Prevention Finance Forum

- June 22, 2022
- View webinar details and register







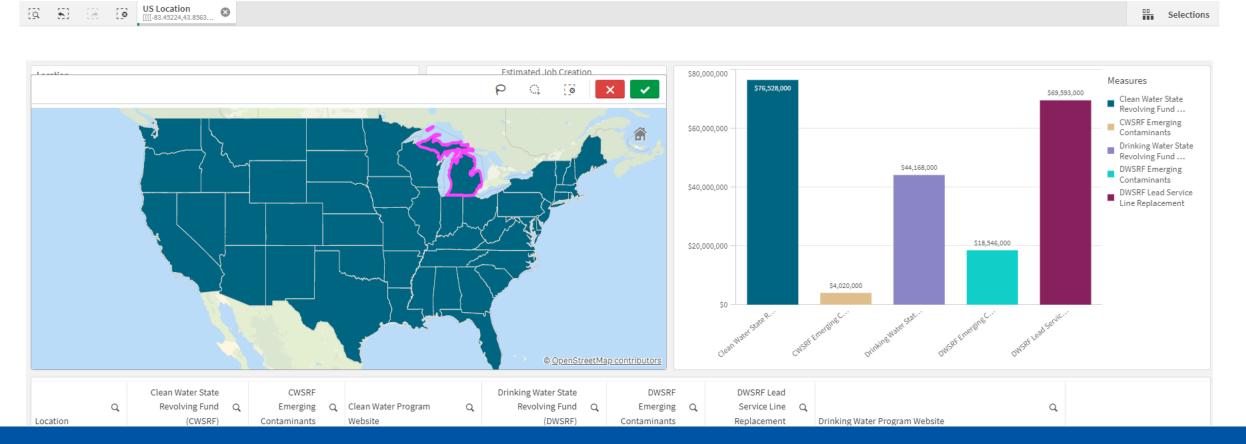


epa.gov/infrastructure/2022-bipartisan-infrastructure-law-clean-water-and-drinking-water-state-revolving
 Q ⋈ ☆

This interactive tool facilitates exploration of funding EPA has announced that states, Tribes, and territories will receive for 2022 through the Bipartisan Infrastructure Law. Read the news release announcing the 2022 Bipartisan Infrastructure Law SRF funding. The tool also includes estimated job creation from these investments.

A note about tribal funding: EPA anticipates distributing \$154 million to tribes – including Alaska Native Villages – for 2022. This is the first of 5 years of funding to the SRFs through the Bipartisan Infrastructure Law. EPA is working with the Indian Health Service and has begun consultation with tribes on the allocation of this funding.

Select a location below to explore 2022 Bipartisan Infrastructure Law Clean Water and Drinking Water State Revolving Funds (SRFs).





Proposed Amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Gasoline Distribution Technology Review and Standards of Performance for Bulk Gasoline Terminals Review

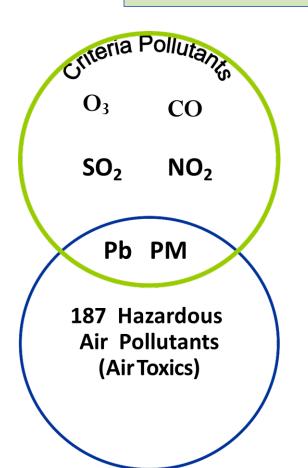
Webinar Overview

- Air Toxics Program Overview
- Technology Review under the Clean Air Act
- Gasoline Distribution Background
 - Source Category
 - Rule History
- Proposed Gasoline Distribution Technology Review Rulemaking
 - Schedule
 - Summary

What are "Air Toxics"?

Air Toxics Program

- Also known as Hazardous Air Pollutants (HAPs)
- ▶ 187 substances specified by Congress
- May cause cancer and other serious health effects
- Regulated differently than common, widespread pollutants like ozone or particulate matter, which are called "criteria pollutants"
 - ▶ Regulations limit *emissions* from sources



1990 Clean Air Act Amendments Changed The Way We Regulate Air Toxics Air Toxics Program

 Required EPA to regulate air toxics emissions from "source categories" based on existing technology

- Source categories generally consist of industrial facilities with the same or similar types of processes, products, and equipment
- The Gasoline Distribution source category is one of the categories that is required to be covered by national emissions standards





Clean Air Act Section 112: Industrial Source Regulations Air Toxics Program



- Two types of National Emissions Standards for Hazardous Air Pollutants (NESHAP)
 - Maximum Achievable Control Technology (MACT) standards
 - Apply to "major sources" of air toxics
 - Generally Available Control Technology (GACT) Standards
 - Apply to sources that are not major sources (known as "area sources")

What are Major and Area Sources?

Air Toxics Program

- Major source "means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants"
- Area source "means any stationary source of hazardous air pollutants that is not a major source."

MACT Standards: Required Reviews

Air Toxics Program

- Clean Air Act Section 112(f)(2) requires EPA to conduct two types of reviews of MACT standards
 - A "residual risk review"
 - To determine whether the MACT standard protects public health with an "ample margin of safety"
 - Required within eight years after a MACT standard is issued
 - A "technology review"
 - To review and revise standards, if necessary, to account for improvements in air pollution controls and/or prevention
 - Required within eight years after a MACT standard is issued, and every eight years afterward.

Clean Air Act Section 111: Industrial Source Regulations Air Toxics Program



- New Source Performance Standards (NSPS)
 - These standards only apply to New, Modified, or Reconstructed sources
 - These rules limit the pollution of volatile organic compounds (VOC)

 Similar to NESHAP Technology Reviews, NSPS reviews are required every 8 years

Clean Air Act Required Reviews: What's Considered

• Technology review takes into account new developments in practices, processes and control technologies, considering cost and feasibility

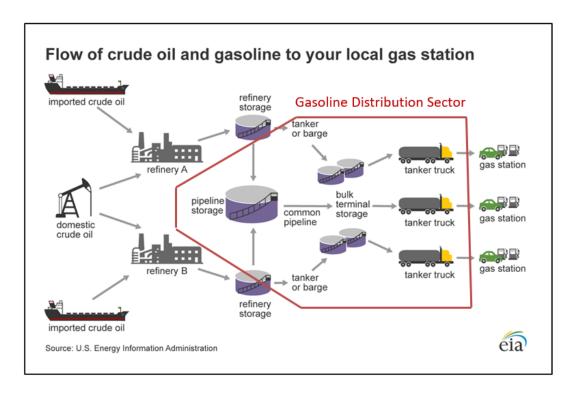
 EPA also considers previously unregulated processes and emission points and makes technical corrections

 Under technology review, a new regulation must be considered costeffective

Gasoline Distribution

Source Category

- The Gasoline Distribution source categories regulates all stationary facilities that are in between refineries and gasoline dispensing facilities (gas stations), including terminals and pipeline facilities
- Emission points regulated by the gasoline distribution NESHAP and NSPS include loading racks, storage vessels, and equipment leaks



Gasoline Distribution

Rule History

1994

Final Gasoline Distribution NESHAP for major sources

2003

Final Gasoline Distribution NSPS

2006

 Final Risk and Technology review for Gasoline Distribution major sources

2008

Final Gasoline Distribution NESHAP for area sources

2011

Amendments to the Gasoline Distribution NESHAP for area sources

Schedule

- June 1, 2022: Proposal signature
- June 10, 2022: Notice published in Federal Register
- June 27, 2022: Virtual Public Hearing
- August 9, 2022: Comment period closes
- June 1, 2023: Court-ordered deadline to issue final rule

Summary

- In the proposed rulemaking, EPA has:
 - Reviewed advancements in practices, process, and controls
 - Addressed other revisions (i.e., Electronic Reporting, etc.)
- Proposed amendments:
 - Provide clarifications, corrections, and improved compliance
 - Reduce hazardous air pollutants (HAP) emissions from major and area sources by 2,220 tons per year (does not include HAP reduced by the NSPS)
 - Reduce VOC emissions by 47,400 tons per year
 - Most of the HAP and VOC emission reductions result from new requirements on area sources

Major and Area Source NESHAP

- Identified cost-effective developments in practices, processes and control technologies for loading racks, storage vessels, and equipment leaks
- Amendments will strengthen control requirements for these emission sources
- Additionally, the proposal eliminates exemptions for startup, shutdown, and malfunction (SSM)
- Proposing to require electronic copies of notification of compliance status reports and submit electronic copies of performance test results and reports

Major and Area Source NESHAP

Emission Source	Major Source Revisions	Area Source Revisions
Loading Racks	 Require submerged filling Enhanced initial and continuous compliance demonstration requirements 	 Lower the allowable emission limit at large bulk terminals Require vapor balancing at bulk gasoline plants Enhanced initial and continuous compliance demonstration requirements
Cargo Tanks	 Reduce the amount of allowable pressure drop 	 Reduce the amount of allowable pressure drop
Storage Vessels	 Require more stringent fitting controls for external floating roof tanks Require lower explosive limit monitoring for internal floating roof tanks 	 Require more stringent fitting controls for external floating roof tanks Require lower explosive limit monitoring for internal floating roof tanks
Equipment Leaks	 Require semiannual instrument monitoring Allow optical gas imaging (OGI) for instrument monitoring 	 Require annual instrument monitoring Allow optical gas imaging (OGI) for instrument monitoring

NSPS

Emission Source	New Standards	
Loading Racks	 Lower the allowable emission limit for new, modified, and reconstructed sources Require submerged filling Enhanced initial and continuous compliance demonstration requirements 	
Cargo Tanks	Reduce the amount of allowable pressure drop	
Equipment Leaks	 Require quarterly instrument monitoring Allow optical gas imaging (OGI) for instrument monitoring 	

2022 Proposed Gasoline Distribution Review Seeking Comment

- The comment period will be open until August 9, 2020
- Submit comments online: https://www.regulations.gov/
- Email comments: a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2020-0371
- Fax comments: (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2020-0371
- Mail comments: EPA Docket Center, U.S. Environmental Protection Agency, Mail Code: 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2020-0371
- Deliver comments in person: EPA Docket Center, 1301 Constitution Ave., NW, Room 3334, Washington, DC
 - In-person deliveries (including courier deliveries) are only accepted during the Docket's normal hours of operation
 - Special arrangements should be made for deliveries of boxed information

Additional Information

- Docket ID number: EPA-HQ-OAR-2020-0371
- For more information about this proposed action:
 - https://www.epa.gov/stationary-sources-air-pollution/gasoline-distribution-mact-and-gact-national-emission-standards





ECHO Notify

Environmental Justice Engagement Call - June 21, 2022

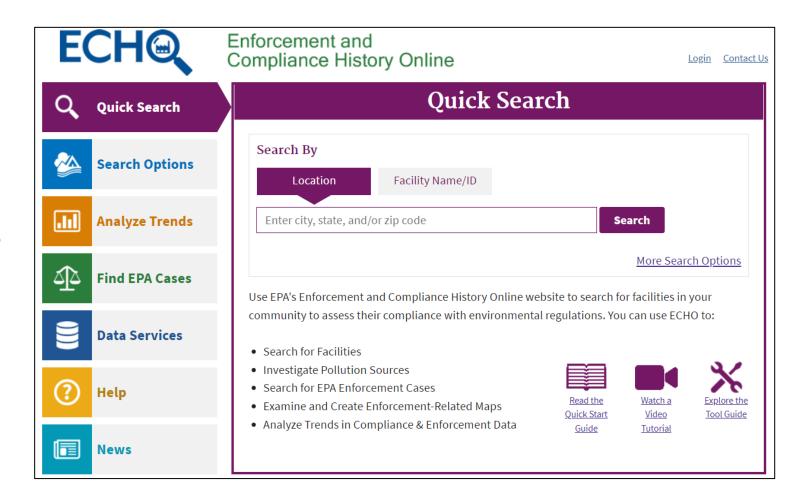
Mike Barrette (Branch Chief, EPA – Office Of Compliance)

Madeline LaPatra (EPA – Office of Compliance)



What is Enforcement and Compliance History Online (ECHO)?

- https://echo.epa.gov
- ECHO is EPA's public website that provides compliance information about regulated facilities
 - How they are regulated
 - When they were inspected
 - Whether violations of environmental regulations were found
 - Whether enforcement action was taken
- The site also provides dashboards with views of overall enforcement and compliance status trends and some bulk datasets for download
- The ECHO website integrates data from major EPA information systems for public use



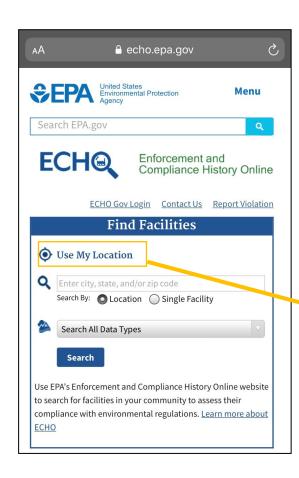


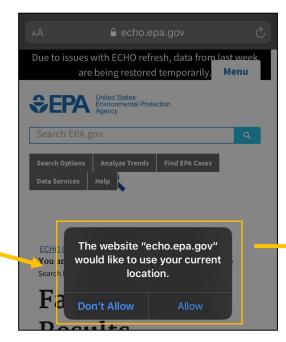
ECHO Content

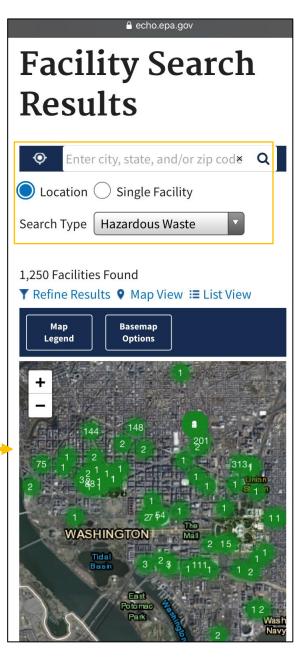
- Compliance history for more than 1,000,000 EPA-regulated facilities
 - Three—year compliance status and five-year inspection and enforcement history
 - EPA and state, local, and tribal environmental agency data for:
 - Clean Air Act stationary sources
 - Clean Water Act permitted dischargers
 - Resource Conservation and Recovery Act hazardous waste handlers
 - Safe Drinking Water Act public water systems
- EPA data for other statutes like Emergency Planning and Community Right-to-Know Act (EPCRA), Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and Toxic Substances Control Act (TSCA):
 - Inspections
 - Enforcement Action Details

Using ECHO with your Mobile Device

- Enable Location Services on your phone.
- Search on your mobile device by selecting 'Use My Location' when you open the ECHO homepage on your mobile device to search for facilities within approximately 3 miles of your current location.
- A pin represents the location at the time of the search relative to the nearby facilities on the map view.









ECHO Notify Public Release – March 22, 2022

"EPA is committed to empowering communities with the information they need to understand and make informed decisions about their health and the environment," said EPA Administrator Michael S. Regan. "We've also seen that increased transparency leads to stronger deterrence of environmental violations. As more people play an active role in protecting their neighborhoods from pollution, EPA has developed ECHO Notify so that finding updates on environmental enforcement and compliance activities is as easy as checking your email."

Press Release: https://www.epa.gov/newsreleases/new-epa-tool-provides-public-customized-updates-local-enforcement-and-compliance



What is ECHO Notify?

- On March 22, 2022, EPA's Office of Compliance released 'ECHO Notify' to advance the Agency's commitment to transparency and environmental justice.
- ECHO Notify is a **public notification system** that helps people stay informed about important compliance and enforcement activity taking place in their community.
- ECHO Notify provides information on all EPA enforcement and compliance activities as well as activities of state and local governments under the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, and the Safe Drinking Water Act.
- The email notification will provide facility-level information that includes the Agency's Environmental Justice (EJ) screening criteria, so users can see whether each facility is in an EJ area of concern, which is defined as having at least one EJ indicator above the 80th percentile nationally.



ECHO Notify Use Cases

Public Use Cases:

- An individual member of the public signs-up to receive notifications for facilities in their immediate area
- A non-governmental organization or academic institution is interested in tracking activity over a wider area and greater number of facilities, so they sign-up for notifications at the state level. They may wish to narrow their notifications to just the most significant violations and formal enforcement
- A corporate environmental manager signs-up to receive notifications for the facilities that they manage

Regulator Use Case:

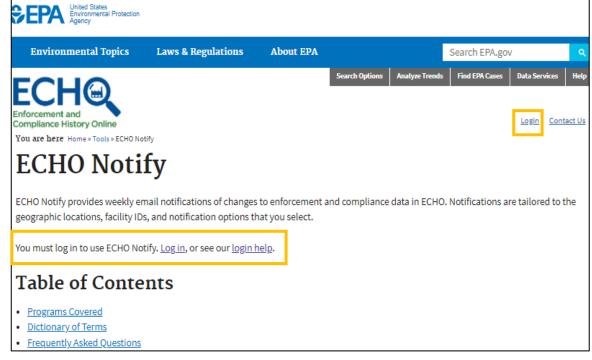
EPA / States / locals and tribes follow activity within their jurisdiction

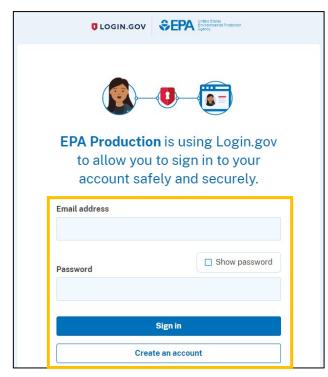
ECHO Notify Sign-up Process

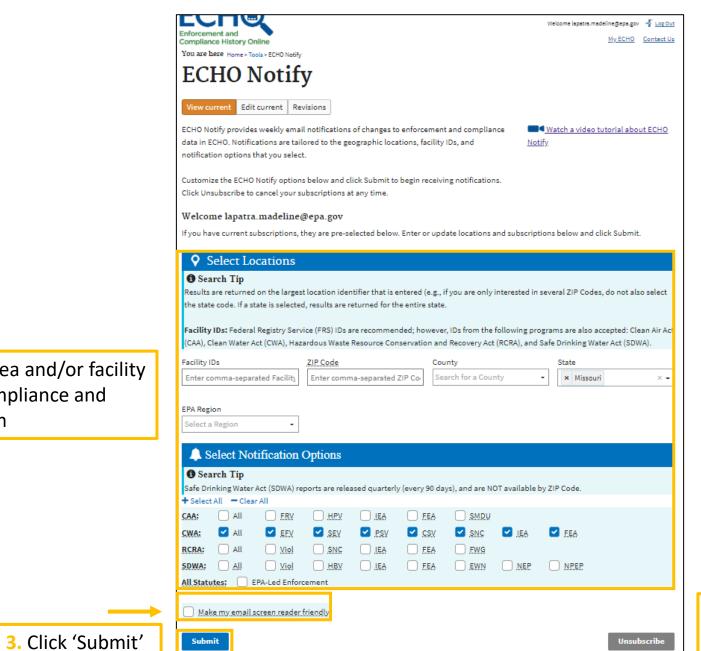




 Go to the ECHO Notify webpage (https://echo.epa.gov/tools/echo-notify) and login to (or create) a Login.gov account









2. Select a geographic area and/or facility ID(s) and the type of compliance and enforcement information

4. Update notification selections or unsubscribe at any time

Email Notification Content:



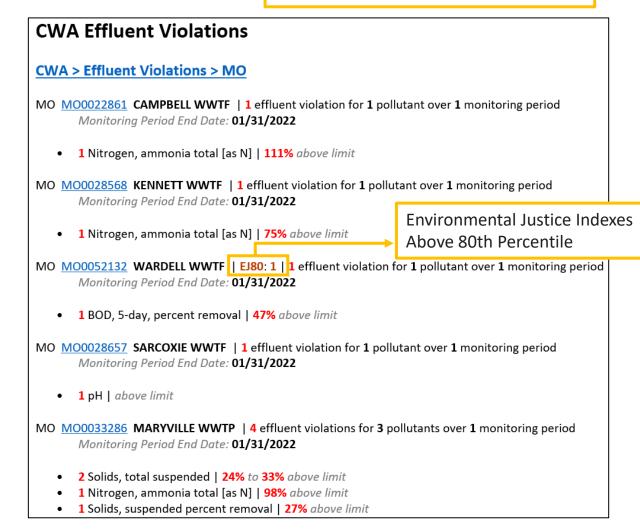
Example ECHO Notify Weekly Email

Once subscribed, you will receive an email (typically on Sunday) containing new information from the prior weeklong period

 If no new information is available, no email will be sent

Email notifications include links to view additional information on ECHO, including a link to each facility's Detailed Facility Report (DFR)

 The DFR contains details on demographic and environmental justice indicators



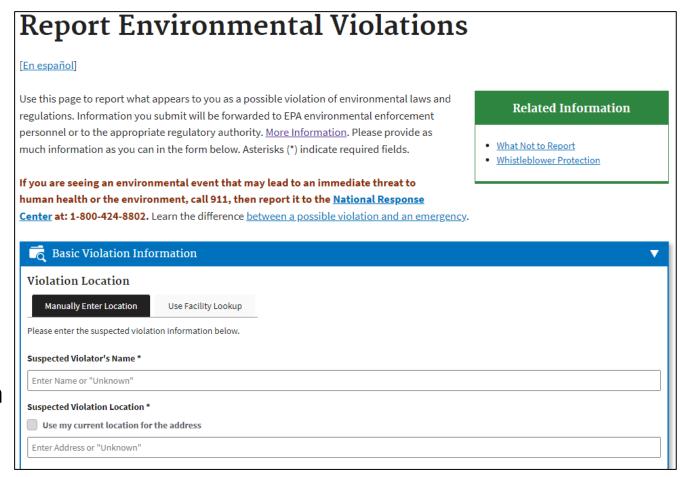




Report a Violation (RAV): https://echo.epa.gov/report-environmental-

violations

- Provides the public an opportunity to report potential violations of environmental laws or regulations to the EPA
- Information submitted will be forwarded to EPA environmental enforcement personnel or to the appropriate regulatory authority (More Information)
- A RAV tip is not a request for information (such as how to apply for a grant or applying for a permit)





ECHO Notify Resources:

- ECHO Notify Link (https://echo.epa.gov/tools/echo-notify)
 - Login help
 - Programs Covered
 - <u>Dictionary of Terms</u>
 - Frequently Asked Questions
- ECHO Notify Video Tutorial (6 min long) -(https://echo.epa.gov/help/tutorials#notify)
- Contact the ECHO Team with any questions or comments you have on ECHO Notify

Upcoming Engagement and **Training** Opportunities

Closing

Next National EJ Community Engagement call:

July 19, 2022, at 2 p.m. Eastern
 https://www.epa.gov/environmentaljustice/
 national-environmental-justice-community-engagement-calls
 Learn from nonprofits leading brownfield reuse

Subscribe to EPA's Environmental Justice listserv:

- o For up-to-date information about EJ funding opportunities, events, and webinars:
- Send a blank email to: join-epaej@lists.epa.gov

Follow us on Twitter:

o @EPAEnvJustice

Send follow-up questions or comments to:

o Environmental-Justice@epa.gov



Closing

Non-Profits leading Brownfields Webinar:

 June 22, 2022 1-2:30pm ET/10-11:30am PT https://usepa.zoomgov.com/webinar/register/WN_ kMTLX9GtSgiKMpFEksYbPQ

 July 20, 2022 1-2:30pm ET/10-11:30am PT https://usepa.zoomgov.com/webinar/register/WN_i iG6lOo0R2aDi4OF_cSRmA

