

# Conservation Committee Report

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Jack Walters—Conservation Chairman

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## The Conservation Pledge

I give my pledge as an American to save and faithfully defend from waste, the natural resources of my country; the soil, the water, the air, the minerals, the plant life and the wildlife.

This is my Pledge!

## Inside this issue:

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## EPA Makes Preliminary Determination to Regulate Strontium in Drinking Water

The U.S. Environmental Protection Agency has made a preliminary determination to regulate strontium in the nation's drinking water. Strontium is a naturally occurring element that, at elevated levels, can impact bone strength in people who do not consume enough calcium.

A regulatory determination is a formal decision on whether EPA should initiate a rulemaking process to regulate a specific contaminant. The Safe Drinking Water Act requires that every five years, EPA develop a contaminant candidate list and then make a regulatory determination for at least five con-

taminants on the list.

Based on available information, the agency has initially determined that strontium has adverse health effects. Strontium replaces calcium in bone, affecting skeletal

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## EPA Releases Guidance to Improve Schools' Indoor Air Quality and Energy Efficiency

The U.S. Environmental Protection Agency (EPA) released new guidance to help school districts protect indoor air quality while increasing energy efficiency during school renovations.

"This guidance provides common-sense solutions for improving energy efficiency and indoor air quality in schools across the country," said Janet McCabe, acting assistant administrator for EPA's Office of Air and Radiation. "By using these guidelines,

school districts can cut their energy bills and help ensure that students have a healthy and safe learning environment."

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## EPA Makes Preliminary Determination to Regulate Strontium in Drinking Water (continued)

development. Although strontium affects all life stages, infants, children, and adolescents are of particular concern because their bones are developing. Strontium has been detected in 99 percent of public water systems and at levels of concern in 7 percent of public water systems in the country.

Four other contaminants (dimethoate, 1,3-dinitrobenzene, terbufos, and terbufos sulfone) are either not found, or are found at low levels of occurrence in public water systems, thus requiring no regulation at this time.

These determinations are preliminary. EPA will evaluate public feedback following a 60-day public comment period and determine whether to issue a final determination to regulate strontium. If EPA makes such a determination, the Agency will begin the process of developing a proposed rule, with hopes of publishing the final regulatory determinations in 2015.

For more information, please visit: <http://water.epa.gov/scitech/drinkingwater/dws/ccl/ccl3.cfm>

Source: The U.S. Environmental Protection Agency

## EPA Releases Guidance to Improve Schools' Indoor Air Quality and Energy Efficiency (continued)

Both energy management and protection of indoor air quality (IAQ) are important considerations for school facility management during energy upgrades and retrofits, and schools can protect occupant health by addressing both goals holistically. These renovation and construction activities can create dust, introduce new contaminants and contaminant pathways, create or aggravate moisture problems, and result in inadequate ventilation in occupied spaces. EPA's *Energy Savings Plus Health: Indoor Air Quality Guidelines for School Building Upgrades* offers opportunities to prevent and control potentially harmful conditions during school renovations.

The practices outlined in the new guidance support schools as healthy, energy-efficient buildings that play a significant role in local communities. Nearly 55 million elementary and secondary students occupy our schools, as well as 7 million teachers, faculty and staff. In addition, many communities use school buildings after regular school hours as after-care facilities, recreation centers, meeting places and emergency shelters during natural disasters.

For more than a decade, EPA has made significant strides in protecting children's health in schools by equipping personnel at the state, district and school level with the necessary knowledge and tools to create healthy indoor environments. The new guidance builds on EPA's existing programs, such as ENERGY STAR for schools and Indoor Air Quality Tools for Schools, which helps schools identify, resolve and prevent air quality problems, often with low- and no-cost measures.

Today, half of the schools in the United States have adopted indoor air quality (IAQ) management plans, the majority of which are based on EPA's IAQ Tools for Schools. However, there are still about 25 million children in nearly 60,000 schools who are not yet protected by IAQ management programs.

Visit [www.epa.gov/iaq/schools/energy\\_savings\\_plus\\_health.html](http://www.epa.gov/iaq/schools/energy_savings_plus_health.html) to download the new guidance and [www.epa.gov/schools](http://www.epa.gov/schools) for other valuable school environmental health resources.

Source: The U.S. Environmental Protection Agency (EPA)

## ***ENERGY STAR Day: Administrator McCarthy Recognizes Billions in Savings to Consumers and Businesses Through ENERGY STAR***

Hello, we wanted to make sure you saw this blog post with a video from EPA Administrator Gina McCarthy about the accomplishments of the ENERGY STAR program in recognition of ENERGY STAR Day. View the Administrator's blog and video on the EPA Connect blog online:

<http://go.usa.gov/Guj5>

### **ENERGY STAR Day: The Power of the Little Blue Label**

*Click here to view videos and photos online:* <http://go.usa.gov/Guj5>

Let's start with a few numbers:

**300 billion dollars in savings.** That's how much consumers and businesses have saved on utility bills in the last 22 years because of the ENERGY STAR program.

**Two billion metric tons of greenhouse gas emissions avoided,** or the equivalent to the annual emissions of more than 420 million cars. Thanks to our little blue ENERGY STAR label, folks are doing their part to reduce their greenhouse emissions and combat climate change.

Since President Obama took office, ENERGY STAR has helped American consumers and businesses save over **one billion metric tons of greenhouse gas emissions and approximately \$110 billion on their utility bills.**

That's one powerful little label. *Click here to view the ENERGY STAR logo online:* <http://go.usa.gov/Guj5>

For more than 20 years, people across the country have looked to EPA's ENERGY STAR program for guidance on how to save energy and money while protecting the environment. Today, on ENERGY STAR Day, we are celebrating the accomplishments of our program, and recognizing the important partnership between businesses, consumers, and the government to find commonsense ways to save money, fight climate change, and leave the world a better place for our kids.

The ENERGY STAR Community Service Tour, in partnership with private and public sector organizations, are working to improve the quality of life for families, children and our veterans through energy efficiency service projects, while inspiring folks to think about what they can do to make a difference through energy efficiency in their communities. Projects include an energy-saving makeover at the Edgewood, Maryland Boys and Girls Club, featuring energy efficient lights that will save the club money on their electric bills; upgrades to appliances and other

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## ***ENERGY STAR Day: Administrator McCarthy Recognizes Billions in Savings to Consumers and Businesses Through ENERGY STAR (continued)***

equipment a Denver Housing Authority building to increase the comfort of residents and save energy, water and money; and to wrap it all up, today, we are partnering with a non-profit housing facility for homeless veterans in Phoenix to celebrate an extensive energy efficiency upgrade that included ENERGY STAR certified lighting, appliances, insulation, weatherization and windows, plus upgraded HVAC equipment.

*Click here to view photos of the Edgewood, Maryland, Boys & Girls Club basketball court before and after ENERGY STAR efficiency upgrades: <http://go.usa.gov/Guj5>*

**Here are a few things you can do now to spread the word about how your family and friends can save money and do their part to combat climate change through ENERGY STAR:**

1. Share the Administrator's video and blog on your social media sites and encourage your friends to retweet: <http://go.usa.gov/Guj5>
2. Take the pledge to save energy through the My ENERGY STAR tool at [www.energystar.gov](http://www.energystar.gov)
3. Join our ENERGY STAR Twitter chat on October 29<sup>th</sup> at 2 p.m. by using the hashtag #ESPositiveEnergy for more information about what you can do to make a difference now and in the future.
4. Keep an eye out for that little blue label and switch to ENERGY STAR certified products.

Source: The U.S. Environmental Protection Agency (EPA)

## EPA Proposes to Remove 72 Chemicals from Approved Pesticide Inert Ingredient List

The U.S. Environmental Protection Agency (EPA) is requesting public comment on a proposal to remove 72 chemicals from its list of substances approved for use as inert ingredients in pesticide products.

“We are taking action to ensure that these ingredients are not added to any pesticide products unless they have been fully vetted by EPA,” said Jim Jones, Assistant Administrator for the Office of Chemical Safety and Pollution Prevention. “This is the first major step in our strategy to reduce risks from pesticides containing potentially hazardous inert ingredients.”

EPA is taking this action in response to petitions by the Center for Environmental Health, Beyond Pesticides, Physicians for Social Responsibility and others. These groups asked the agency to issue a rule requiring disclosure of 371 inert ingredients found in pesticide products. EPA developed an alternative strategy designed to reduce the risks posed by hazardous inert ingredients in pesticide products more effectively than by disclosure rulemaking. EPA outlined its strategy in a May 22, 2014 letter: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPP-2014-0558-0003> to the petitioners.

Many of the 72 inert ingredients targeted for removal, are on the list of 371 inert ingredients identified by the petitioners as hazardous. The 72 chemicals are not currently being used as inert ingredients in any pesticide product. Chemicals such as, turpentine oil and nitrous oxide are listed as candidates for removal.

Most pesticide products contain a mixture of different ingredients. Ingredients that are directly responsible for controlling pests such as insects or weeds are called active ingredients. An inert ingredient is any substance that is intentionally included in a pesticide that is not an active ingredient.

For the list of 72 chemical substances and to receive information on how to provide comments, see the Federal Register Notice in docket # EPA-HQ-OPP-2014-0558. To access this notice, copy and paste the docket number into the search box at: <http://regulations.gov>. Comments are due November 21, 2014.

General information on inert ingredients can be found at: <http://www2.epa.gov/pesticide-registration/inert-ingredients-overview-and-guidance>.

Source: The U.S. Environmental Protection Agency (EPA)

## **DEP Fines Wilkinsburg-Penn Joint Water Authority for Failure to Maintain Minimum Disinfection of Drinking Water**

The Department of Environmental Protection (DEP) has imposed one of the largest civil penalties in the last 20 years for violations of Safe Drinking Water regulations in the southwest region of the state. The \$114,000 fine was brought against the Wilkinsburg Penn Joint Water Authority (WPJWA) for failing to maintain adequate disinfection of water the Authority delivered to its customers in November 2013.

“Safe Drinking Water regulations require that community water systems maintain a minimum disinfectant concentration in the water entering the distribution system,” DEP Regional Director Susan Malone said. “On at least fifteen occasions during November 2013, WPJWA failed to meet this requirement. In addition, the regulations require that a community water system notify the department within one hour and notify its customers within twenty-four hours. WPJWA did neither.”

Failure to maintain adequate disinfection is a violation that poses a threat to the health of those who receive and consume water supplied by community water systems, and timely notice allows the department and customers to take steps to protect public health. Due to the serious nature of these violations, DEP imposed a fine and outlined steps the Authority must take to ensure a similar incident does not occur in the future.

According to WPJWA, the violations occurred because its Certified Water Treatment Officials did not know that they were required to maintain the minimum disinfectant concentration. To address this claimed shortcoming, the Authority will provide 15 hours of disinfection training to the nine Certified Water Treatment Officials it employs. The training must be completed by Feb. 28, 2015.

WPJWA serves a population of approximately 120,000 individuals through approximately 40,000 connections. Its main office is located in Wilkinsburg.

For more information, visit [www.dep.state.pa.us](http://www.dep.state.pa.us) or call 412-442-4000.

Source: The PA Department of Environmental Protection (DEP)

## **RACT Final Rulemaking Will Impose More Stringent Requirements to Protect Air Quality**

The Department of Environmental Protection (DEP) announced it has revised its Reasonably Available Control Technology (RACT) final rulemaking to impose more stringent requirements than originally proposed in April to improve air quality, while still protecting grid reliability.

The rulemaking establishes additional requirements for existing major stationary sources of nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOCs), such as electric generating units (EGUs) and combustion units. As defined by the U.S. Environmental Protection Agency (EPA), RACT is the lowest emissions limitation that a particular source is capable of meeting by the application of control technology that is reasonably available, considering technological and economic feasibility.

“When implemented, this plan will result in considerable emissions reductions of ozone precursor emissions,” DEP Deputy Secretary for Waste, Air, Radiation and Remediation Vince Brisini said.

In April, the Environmental Quality Board (EQB) published the proposed RACT rulemaking in the Pennsylvania Bulletin for public comment. As originally proposed, allowable emissions rates were lower than the current allowable rates, and certain EGU owners and operators would have needed to optimize existing control technology to meet reduction requirements.

The final proposed rulemaking requires all EGUs to operate emission control equipment. If operating conditions do not allow for the operation of control technology, EGUs must meet reduced NO<sub>x</sub> and VOC emission levels. A 30-day emission averaging period will provide operational flexibility and protect the reliability of the electric grid system. As revised, emission limits apply during all conditions, including start-ups, shut-downs and malfunctions.

With the implementation of this RACT final rulemaking, and other previous regulations, NO<sub>x</sub> emissions from coal-fired EGUs will be reduced by over 85 percent from 1990 levels.

“The revised rule is the result of significant public input and the re-evaluation of achievable emission levels,” Brisini said. “The proposed final RACT requirements are yet another demonstration of our commitment to an open, transparent process and improving air quality for all Pennsylvanians.”

DEP received comments on the proposal from 134 commenters during the public comment period, which closed on June 30. Commenters included EPA, other states, industry representatives, environmental organizations, concerned citizens, and the Independent Regulatory Review Commission.

The emissions reduction plan will be discussed by the Air Quality Technical Advisory Committee (AQTAC) on Nov. 7. At that meeting, DEP will request AQTAC to concur with the department’s recommendation to move the final rulemaking to the EQB for consideration.

## **RACT Final Rulemaking Will Impose More Stringent Requirements to Protect Air Quality (continued)**

The AQTAC meeting is open to the public and will be held from 9:15 a.m. to 2:15 p.m., adjourning for lunch from 11:45 a.m. to 12:30 p.m. The meeting will be held in room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg.

The federal Clean Air Act (CAA) requires the re-evaluation of state RACT requirements for major stationary sources following the creation of new national ambient air quality standards (NAAQS). RACT is required for non-attainment areas, and because Pennsylvania is located in the Ozone Transport Region, all major sources in the state are treated as being located in at least a moderate ozone non-attainment area. Based on monitoring data for 2012 through 2014 ozone season, all ozone monitors in the Commonwealth, except one, are measuring attainment of the 2008 ozone NAAQS.

To review the draft final rulemaking and supporting documents, visit [www.dep.state.pa.us](http://www.dep.state.pa.us), click "Public Participation Center," "DEP Advisory Committees," and then "Air Quality Technical Advisory Committee."

Source: The PA Department of Environmental Protection (DEP)

# United States Reaches Settlement with Hyundai and Kia in Historic Greenhouse Gas Enforcement Case

## ***Hyundai and Kia to pay record \$100 million penalty for selling vehicles that emit more greenhouse gases than automakers certified to EPA***

The U.S. Environmental Protection Agency (EPA) and the U.S. Department of Justice today announced an historic settlement with the automakers Hyundai and Kia that will resolve alleged Clean Air Act violations based on their sale of close to 1.2 million vehicles that will emit approximately 4.75 million metric tons of greenhouse gases in excess of what the automakers certified to EPA.

The automakers will pay a \$100 million civil penalty, the largest in Clean Air Act history, to resolve violations concerning the testing and certification of vehicles sold in America and spend approximately \$50 million on measures to prevent any future violations. Hyundai and Kia will also forfeit 4.75 million greenhouse gas emission credits that the companies previously claimed, which are estimated to be worth over \$200 million. Automakers earn greenhouse gas emissions credits for building vehicles with lower emissions than required by law. These credits can be used to offset emissions from less fuel-efficient vehicle models or sold or traded to other automakers for the same purpose. The greenhouse gas emissions that the forfeited credits would have allowed are equal to the emissions from powering more than 433,000 homes for a year.

“Greenhouse gas emission laws protect the public from the dangers of climate change, and today’s action reinforces EPA’s commitment to see those laws through,” said EPA Administrator Gina McCarthy. “Businesses that play by the rules shouldn’t have to compete with those breaking the law. This settlement upholds the integrity of the nation’s fuel economy and greenhouse gas programs and supports all Americans who want to save fuel costs and reduce their environmental impact.”

“This unprecedented resolution with Hyundai and Kia underscores the Justice Department’s firm commitment to safeguarding American consumers, ensuring fairness in every marketplace, protecting the environment, and relentlessly pursuing companies that make misrepresentations and violate the law,” said Attorney General Eric Holder. “This type of conduct quite simply will not be tolerated. And the Justice Department will never rest or waver in our determination to take action against any company that engages in such activities – whenever and wherever they are uncovered.”

The complaint was filed jointly by the United States and the California Air Resources Board in the U.S. District Court for the District of Columbia. It alleges that the car companies sold close to 1.2 million cars and SUVs from model years 2012 and 2013 whose design specifications did not conform to the specifications the companies certified to EPA, which led to the

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## United States Reaches Settlement with Hyundai and Kia in Historic Greenhouse Gas Enforcement Case (continued)

misstatements of greenhouse gas emissions. These allegations concern the Hyundai Accent, Elantra, Veloster and Santa Fe vehicles and the Kia Rio and Soul vehicles.

Additionally Hyundai and Kia gave consumers inaccurate information about the real-world fuel economy performance of many of these vehicles. Hyundai and Kia overstated the fuel economy by one to six miles per gallon, depending on the vehicle. Similarly, they understated the emissions of greenhouse gases by their fleets by approximately 4.75 million metric tons over the estimated lifetime of the vehicles.

In order to reduce the likelihood of future vehicle greenhouse gas emission miscalculations, Hyundai and Kia have agreed to reorganize their emissions certification group, revise test protocols, improve management of test data and enhance employee training before they conduct emissions testing to certify their model year 2017 vehicles. In the meantime, Hyundai and Kia must audit their fleets for model years 2015 and 2016 to ensure that vehicles sold to the public conform to the description and data provided to EPA.

EPA discovered these violations in 2012 during audit testing. Subsequent investigation revealed that Hyundai's and Kia's testing protocol included numerous elements that led to inaccurately higher fuel economy ratings. In processing test data, Hyundai and Kia allegedly chose favorable results rather than average results from a large number of tests.

In November 2012, Hyundai and Kia responded to EPA's findings by correcting the fuel economy ratings for many of their 2011, 2012 and 2013 model year vehicles and establishing a reimbursement program to compensate owners for increased fuel costs due to overstated fuel economy.

This case involves five different entities: Hyundai Motor Company, Hyundai Motor America, Kia Motors Corporation, Kia Motors America, and Hyundai America Technical Center, Inc.

The California Air Resources Board joined the United States as a co-plaintiff in this settlement, and will receive \$6,343,400 of the \$100 million civil penalty. The proposed consent decree is subject to a 30-day public comment period and court review and approval. A copy of the consent decree is available on the Department of Justice website at [http://www.justice.gov/enrd/Consent\\_Decrees.html](http://www.justice.gov/enrd/Consent_Decrees.html).

For more information on the settlement, go to: <http://www2.epa.gov/enforcement/hyundai-and-kia-clean-air-act-settlement>.

For more information on Hyundai and Kia's 2012 relabeling, go to: <http://epa.gov/fueleconomy/labelchange.htm/>.

Source: The U.S. Environmental Protection Agency (EPA)