

# Conservation Committee Report

Volume 24 Issue 11

Jack Walters—Conservation Chairman

November 2022



## 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:

DEP Documents Farmers' Efforts in 2021-22 to Improve Water Quality in Chesapeake Bay Water-	7
DEP to Host Public Hearing Regarding Pocono Manor Permit Application for Wastewater Treatment	9
DEP Tours Kettle Creek Stream Restoration Project	11
DEP Urges Residents to Recycle Household Goods and Clothing	13
EPA Awards \$7.7 Million for Research Grants to Improve Risk Assessment	16
EPA Reaches Settlement with Evergy Kansas Central	18
City of Elyria, Ohio Agrees to Federal/State Plan	21
EPA Responds to Petitions to Address Harmful Emissions from Locomotives	24

## Biden-Harris Administration Announces Selection of 29 EPA Environmental Finance Centers to Help Communities

The U.S. Environmental Protection Agency (EPA) announced the selection of 29 Environmental Finance Centers (EFCs) that will help communities across the country access federal funding for infrastructure and greenhouse gas reduction

projects that improve public health and environmental protection. The EFCs will deliver targeted technical assistance to local governments, states, Tribes, and non-governmental organizations to protect public health, safeguard the environment, and advance environmental justice. Thanks to President Biden's Bipartisan Infrastruc-

ture Law, the selected EFCs will help underserved communities that have historically struggled to access federal funding receive the support they need to access resources for water infrastructure improvements.

"The Biden Administration is committed

(continued on page 2)

## Drought Watch Remains for 20 Counties, Lifted for 16 Counties

The Pennsylvania Department of Environmental Protection (DEP) announced after a meeting of the Commonwealth Drought Task Force that drought watch

has been lifted for 16 counties and remains for 20 counties. Residents in those counties are asked to continue their voluntary water conservation.

"While significant recent rainfall has helped, groundwater and some public water supply levels re-

main lower than normal ranges in some counties," said DEP Acting Secretary Ramez Ziadeh. "We ask Pennsylvanians in these and adjacent counties to continue to use water wisely and follow

(continued on page 5)

## **Biden-Harris Administration Announces Selection of 29 EPA Environmental Finance Centers to Help Communities (continued)**

to ensuring that all people have access to clean air to breathe, safe water to drink, and clean land to live on,” **said EPA Deputy Administrator Janet McCabe**. “To achieve this goal and protect public health, we must uplift and support underserved and overburdened communities across rural, suburban, and urban areas. The new Environmental Finance Centers EPA is announcing today will help connect communities in need with federal funding opportunities, including historic water infrastructure investments through the Bipartisan Infrastructure Law and investments in greenhouse gas and air pollution projects through the Inflation Reduction Act.”

EPA will award up to \$150 million in grants to EFCs over the next five years, once all legal and administrative requirements are satisfied. The Bipartisan Infrastructure Law provides \$98 million of the total investment through EPA’s Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF), with the remainder of funds coming from EPA appropriations.

The newly selected EFCs will work to strengthen communities through projects focused on drinking water, wastewater, stormwater, solid waste, clean air, greenhouse gas reduction, and toxic substances—and a focus of their work will be supporting overburdened and underserved communities. EPA will be engaging with the selected grantees to ensure communities in need receive this critical technical assistance

### **About the Environmental Finance Centers Grant Program**

Many communities with significant pollution challenges and infrastructure needs have not been able to access federal funding and financing programs to address these concerns. EPA recognizes that existing environmental gains cannot be preserved, nor further progress achieved, unless states, Tribes, and local governments, and non-governmental organizations have the resources to develop and sustain environmental projects.

Through the EFC grant program, technical assistance providers will help communities develop and submit project proposals, including State Revolving Fund (SRF) applications for Bipartisan Infrastructure Law (BIL) funding and greenhouse gas reduction projects through the Greenhouse Gas Reduction Fund. EFCs will support underserved communities with technical assistance to identify sustainable infrastructure solutions. These entities will provide states, Tribes, and local governments or water systems with technical assistance services to advance equitable health and environmental protections.

The 2022 selected recipients for the Environmental Finance Center Grant Program are:

Category 1 – Regional Multi-Environmental Media EFCs:

- Low Impact Development Center Inc.

(continued on page 3)

- Michigan Technological University
- National Rural Water Association
- Rural Community Assistance Corporation, West Sacramento
- Syracuse University
- University Enterprises, Inc. dba Sac State Sponsored
- University of Maine System
- University of Maryland
- University of New Mexico
- University of North Carolina at Chapel Hill
- Urban Sustainability Directors Network
- Wichita State University

Category 2 – Regional Water Infrastructure EFCs:

- Delta Institute
- Hawaii Community Foundation
- National Rural Water Association
- Rural Community Assistance Corporation, West Sacramento covering EPA Region 9
- Rural Community Assistance Corporation, West Sacramento covering EPA Region 10
- Southeast Rural Community Assistance Project, Inc.
- Syracuse University
- University of Maine System
- University of Maryland
- University of New Mexico
- University of North Carolina at Chapel Hill
- Wichita State University
- WSOS Community Action Commission, Inc.

## **Biden-Harris Administration Announces Selection of 29 EPA Environmental Finance Centers to Help Communities (continued)**

### Category 3 – National Water Infrastructure EFCs:

- Moonshot Missions
- Rural Community Assistance Partnership, Washington, DC
- Sand County Foundation
- U.S. Water Alliance

EPA announced the Request for Applications in April, and the period for submitting applications ended on July 1, 2022.

Learn more about the [Environmental Finance Centers](#).

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

## **Drought Watch Remains for 20 Counties, Lifted for 16 Counties (continued)**

simple water conservation tips to ease the demand for water.”

The following counties remain on drought watch: Cameron, Carbon, Centre, Clearfield, Clinton, Columbia, Dauphin, Juniata, Lebanon, Luzerne, Lycoming, Mifflin, Montour, Northampton, Northumberland, Perry, Potter, Schuylkill, Snyder, and Union counties.

Drought watch has been lifted for Berks, Bradford, Bucks, Delaware, Lackawanna, Lehigh, McKean, Monroe, Montgomery, Philadelphia, Pike, Sullivan, Susquehanna, Tioga, Wayne, and Wyoming counties.

For a map of drought declarations that’s updated daily, see the [DEP drought web page](#).

Residents on drought watch are asked to reduce their individual water use by 5% to 10%, or a reduction of three to six gallons of water per day.

Varying localized conditions may lead water suppliers or municipalities to ask residents for more stringent conservation actions. See the list of [public water suppliers](#) that have requested or mandated water conservation in their communities.

### **Ways to Conserve Water at Home**

There are many ways to conserve water at home, including:

- Run water only when necessary. Don’t let the faucet run while brushing your teeth or shaving. Shorten the time you let the water run to warm up before showering.
- Run the dishwasher and washing machine less often, and only with full loads.
- Water your garden in the cooler evening or morning hours, and direct the water to the ground at the base of the plant, so you don’t waste water through evaporation.
- Water your lawn only if necessary. Apply no more than 1 inch of water per week (use an empty can to determine how long it takes to water 1 inch). Avoid watering on windy and hot days. This pattern will encourage healthier, deeper grass roots. Over-watering is wasteful, encourages fungal growth and disease, and results in shallow, compacted root systems that are more susceptible to drought.
- When mowing your lawn, set the blades to 2-3 inches high. Longer grass shades the soil, improving moisture retention. It also grows thicker and develops a deeper root system, so it can better survive drought.
- Check for and repair household leaks. For example, a leaking toilet can waste up to 200 gallons of water daily.
- Sweep your sidewalk, deck, or driveway instead of hosing it off.

(continued on page 6)

## Drought Watch Remains for 20 Counties, Lifted for 16 Counties (continued)

- Replace older appliances with high-efficiency, front-loading models that use about 30 percent less water and 40%- 50% less energy.
- Install low-flow plumbing fixtures and aerators on faucets.
- Set up a rain barrel to be ready to repurpose rain when it does fall. For information, see this [Penn State Extension guide](#).

[Find more tips at the U.S. Environmental Protection Agency.](#)

### How DEP Determines Drought Conditions

To determine drought conditions, DEP assesses information on public water supply levels and data on four indicators: precipitation, surface water (stream and river) flow, groundwater level, and soil moisture.

The DEP Drought Coordinator monitors the indicators in close partnership with the U.S. Geological Survey (USGS), which maintains gauges in streams and wells in many locations across Pennsylvania.

There are normal ranges for all four indicators. DEP makes drought status recommendations after assessing departures from these ranges for all indicators for periods of 3-12 months. For a map that's updated daily to show the status of all four indicators for each county, see the [USGS Pennsylvania drought condition monitoring website](#).

DEP shares these data and its recommendations with the state and federal agencies and other organizations that make up the Commonwealth Drought Task Force. Drought watch and warning declarations are determined by DEP, with the concurrence of the task force.

Drought emergency declarations follow the same process, with final approval by the governor. No county is in drought warning or emergency status at this time.

For more information on how DEP monitors conditions and makes drought status declarations, see the [drought management fact sheet](#).

The next Commonwealth Drought Task Force meeting will be held in approximately three weeks.

Source: The Pennsylvania Department of Environmental Protection (DEP)

## **DEP Documents Farmers' Efforts in 2021-22 to Improve Water Quality in Chesapeake Bay Watershed**

108,000 acres under superefficient nutrient application

The Pennsylvania Department of Environmental Protection (DEP) announced 2021-22 agricultural compliance data in the Chesapeake Bay Watershed. Visits to 2,670 farms documented superefficient nutrient use on 108,000 acres and 1,524 new structural best management practices (BMPs) to improve the health of streams and rivers in Pennsylvania's largest watershed.

"Pennsylvanians' actions on the ground continue to demonstrate our strong commitment to improving the health of the watershed," said DEP Acting Secretary Ramez Ziadeh. "The data show that many farms have conservation plans and are putting in place best management practices to reduce nutrient and sediment pollution here in Pennsylvania and on down to the bay."

"Pennsylvania farmers are managing their farms in ways that protect and improve our soil and water resources," said Pennsylvania Department of Agriculture Secretary Russell Redding. "These numbers make it clear that the investments we are making in conservation on our farms is paying off for all of us – our farms are feeding our future."

In 2016, the U.S. Environmental Protection Agency asked that DEP expand its agricultural compliance program to inspect 10% of the farmland in Pennsylvania's share of the Chesapeake Bay Watershed each year. The goal is to ensure that farms that are required to have a completed manure management plan, nutrient management plan, or agricultural erosion and sediment control plan have their plan and are implementing the BMPs specified in it.

Many agricultural BMPs help reduce nutrient (excess nitrogen and phosphorus) and sediment pollution in streams and rivers. Examples include: applying fertilizer efficiently, practicing no-till farming, having cover crops over the winter, planting trees on streambanks, installing fencing to keep livestock out of water, protecting animal heavy use areas, having a proper manure storage, and using prescribed grazing to improve both water quality and soil health.

County conservation district and DEP regional office staff inspected 2,670 farms in 2021-22, covering 322,750 acres, or 10.5% of farmland in the watershed.

Fully 685 out of 822 farms visited for a required nutrient management plan had their completed plan and were carrying out their BMPs.

Thanks to a new tool developed by the State Conservation Commission, the 2021-22 data also documents farmers' supplemental nutrient management practices for the first time.

(continued on page 8)

## DEP Documents Farmers' Efforts in 2021-22 to Improve Water Quality in Chesapeake Bay Watershed (continued)

Over 108,000 of the inspected agricultural acres are under "4R" nutrient management, meaning the right fertilizer source is being applied to the crop at the right rate at the right time, and in the right place. Superefficient nutrient application is one of the most cost-effective ways to reduce excess nutrient runoff and lowers the amount of money farmers need to spend on fertilizer.

Out of 1,186 farms initially visited for a required erosion and sediment control plan, 792 had their plan. Notably, 526 farms volunteered to demonstrate their BMP implementation at the same time and were found to be successful. Another 81 farms demonstrated BMP implementation in accordance with their plan at a second visit.

On first visits for manure management plans, 858 out of 1,250 farms had their completed plan. Again, 527 farms volunteered to demonstrate BMP implementation at the same time and were found to be successfully achieving manure management. A further 96 farms demonstrated BMP implementation in accordance with their plan at a second visit.

Overall, the data show that farmers installed 1,524 new structural BMPs for manure management or erosion and sediment control in 2021-22.

The expanded [agricultural compliance program](#) reviews larger scale livestock or poultry operations, such as federally permitted Concentrated Animal Feeding Operations and concentrated animal operations, for nutrient management and erosion and sediment control plans. It reviews smaller operations for manure management and erosion and sediment control plans.

One of a complement of programs that provide farmers technical assistance on water quality improvement, the compliance program enables county conservation districts to individualize education and collaboration to help a farm meet its legal requirements for conservation planning and implementation. It also ensures that farmers' conservation practices are counted toward Pennsylvania's nutrient and sediment reduction goals in the watershed.

To date, the DEP agricultural compliance program has inspected 16,566 farms, comprising over 1.8 million acres, in Pennsylvania's share of the Chesapeake Bay Watershed. To learn more, read the [2021-22 Agricultural Inspections Summary](#) online and visit the [DEP Agricultural Compliance website](#).

Pennsylvania has more than 3 million acres of farmland in the watershed, which spans all or part of 43 counties and includes over 30,000 farms. Learn more in the [Healthy Waters, Healthy Communities](#) storymap.

Source: The Pennsylvania Department of Environmental Protection (DEP)



## DEP to Host Public Hearing Regarding Pocono Manor Permit Application for Wastewater Treatment

The Pennsylvania Department of Environmental Protection (DEP) will host a public hearing Wednesday, December 7, regarding the Pocono Manor Investors LP application for a National Pollutant Discharge and Elimination System (NPDES) permit to discharge treated sewage from its facility in Pocono Township, Monroe County.

The in-person public hearing will take place from 6:00 PM – 9:00 PM at the Tunkhannock Township Volunteer Fire Company Hall, 1539 Long Pond Road, Long Pond, PA 18334.

This permit is for a portion of [Swiftwater Creek that has a designated use of Exceptional Value](#), and is afforded special protections under state regulations.

DEP published a draft notice of the NPDES permit in the *Pennsylvania Bulletin* on July 23, 2022, to allow for public comment regarding this proposal. DEP received several comments and requests to host a public hearing on the permit application.

DEP will accept and record testimony concerning Pocono Manor Investor's application. Anyone who wishes to present testimony at the hearing should contact Colleen Connolly, DEP's Northeast Community Relations Coordinator, at [coconnolly@pa.gov](mailto:coconnolly@pa.gov) or at 570-826-2035 before 4:00 PM Tuesday, December 6.

People who are unable to attend the hearing may submit written statements on the permit application to the Pennsylvania Department of Environmental Protection, Clean Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915. Written statements hold just as much weight as in-person testimony. The written statements must contain the following:

- Name, address, and telephone number of the person submitting the comments.
- Identification of the proposed draft NPDES Permit No. (PA0029149).
- Concise statements regarding the relevancy of the information or objections to issuance of the NPDES Permit.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate your needs.

(continued on page 10)

## **DEP to Host Public Hearing Regarding Pocono Manor Permit Application for Wastewater Treatment (continued)**

**WHAT:** Public hearing regarding Pocono Manor LP NPDES permit application

**WHEN:** Wednesday, December 7, 2022, 6:00 PM – 9:00 PM

**WHERE:** Tunkhannock Township Volunteer Fire Company Hall at 1539 Long Pond Road, Long Pond, PA 18334

To review the DEP files on this permit application, the public can schedule a review by calling the DEP File Review Coordinator at its Northeast Regional Office in Wilkes-Barre at 570-826-5472.

Source: The Pennsylvania Department of Environmental Protection (DEP)

## **DEP Tours Kettle Creek Stream Restoration Project, Highlights Countywide Action Plan Progress**

The Pennsylvania Department of Environmental Protection (DEP) visited a stream restoration project today at the Lucky 7 Hunting Club property on Kettle Creek to view the recently completed work and discuss how it will improve water quality in this Exceptional Value stream as part of Clinton County's Countywide Action Plan for the Chesapeake Bay.

The project was designed to reduce erosion that threatens property, decrease pollution, and improve aquatic and riparian habitats. Project partners include the Clinton County Conservation District, Kettle Creek Watershed Association, Native Creations, Lucky 7 Hunting Club, and the Kettle Creek/Tamarack Sportsmans Club.

"This project restored more than 400 feet of eroding streambank in the Kettle Creek Watershed," said Toby Boyer, watershed specialist with the Clinton County Conservation District, who led the tour. "An estimated 17 tons of sediment per year will be reduced, and this section of stream will provide much needed habitat for trout and other aquatic species."

The stream channel has been unstable for decades after it was partially relocated into an area lacking bedrock during utility construction in the 1950s. An estimated 20-30 feet of streambank has been eroded in the past two decades, threatening the hunting club property. A 2017 bank pin study determined the streambank was being lost at a rate of approximately two feet per year.

"The design techniques utilized in this project have been incredibly successful at restoring eroding and degraded streams across our region over the past decade," said DEP Acting Regional Director for the Northcentral Regional Office Jared Dressler. "DEP remains committed to helping our county and non-profit partners accelerate their efforts to tackle local stream issues and contribute toward the overall restoration of the Chesapeake Bay watershed."

The project design used mounds, root ball deflectors, bank regrading, and native plantings to stabilize the reconstructed channel, slow water velocity, and allow floodplain access. Invasive shrubs were also removed and approximately 350 trees covering more than an acre were planted as part of the project.

"The Kettle' has played a significant role in my life," said Board Chairman of the Kettle Creek Watershed Association Jim Toth. "Following my return from Vietnam, this is the place I came to get away. This watershed has given my family and me so much, and projects like this are a way that the Kettle Creek Watershed Association can help to give back to this place and all of the people who come here to enjoy it."

(continued on page 12)

## **DEP Tours Kettle Creek Stream Restoration Project, Highlights Countywide Action Plan Progress (continued)**

“This project is an example of how the power of partnerships and collaboration can benefit our natural resources,” said District Manager for the Clinton County Conservation District Wade Jodun. “The joint effort of various agencies, nonprofits, sportsman's clubs, and volunteers will now benefit the watershed for generations.”

In addition to the project partners listed above, funding was provided by the [Pennsylvania Coldwater Heritage Partnership](#), which is a collaborative effort between DEP, the Pennsylvania Department of Conservation and Natural Resources, the Pennsylvania Fish & Boat Commission (PFBC), the Pennsylvania Council of Trout Unlimited, and the Foundation for Pennsylvania Watersheds; and by DCNR through the [Community Conservation Partnerships Program](#).

The Clinton County Conservation District, DEP, and PFBC also assisted in the planning and permitting phases of the project.

Source: The Pennsylvania Department of Environmental Protection (DEP)

## DEP Urges Residents to Recycle Household Goods and Clothing

### PAReMaDe Circular Merchant App, Secondhand Retailers Offer Advice

The Pennsylvania Department of Environmental Protection (DEP) with invited guests reminded Pennsylvania residents that recycling unwanted, gently used items commonly found in households, such as furniture and clothing, is an effective strategy to curb pollution. The site of today's press conference was in the Midtown neighborhood of Harrisburg at NEON Vintage & Thrifts (located inside the Urban Snob building at 1006 N. Third Street, Harrisburg, Pa. 17102).

"Pennsylvanians have opportunity around them to curb pollution, and they can start by looking in their closets and around their homes," said Acting DEP Secretary Ramez Ziadeh.

DEP estimates that approximately 10% of the municipal waste stream, or approximately 500,000 tons, is made up of textiles, furniture, and other household goods.

"The potential for recovering much of this waste for recycling/reuse is great," said DEP Manager of Division of Waste Minimization and Planning Lawrence Holley.

A resource for Pennsylvanians looking for direction and insight on how to properly recycle their household items is the Circular Merchant web platform ([www.circularmerchant.com](http://www.circularmerchant.com)) and mobile application developed by the [Pennsylvania Recycling Markets Center](#). Circular Merchant is an online exchange platform where interested citizens, businesses, or public officials can post recycled items and materials for others who may be interested in acquiring these items. Circular Merchant is equipped with smart device capabilities such that photos can be immediately uploaded; built-in mapping is available to locate the desired pick-up or send locations; and emails are automatically sent to notify interested parties of postings. The mobile application is available in mobile app stores. With the intent of finding real-time solutions for recycled materials and items, the Pennsylvania Recycling Markets Center (PRMC), with funding from DEP, launched the Circular Merchant platform.

"We are now able to benefit from use of Circular Merchant, especially at a time when our economy favors reuse and recycling of goods and materials," said PRMC President and CEO Robert Bylone Jr.

DEP is urging Pennsylvanians to be mindful of different ways they can reduce, reuse, and recycle household goods and clothing. One consideration could be shopping at secondhand retailers. Secondhand retailers sell previously used items.

(continued on page 14)

## DEP Urges Residents to Recycle Household Goods and Clothing (continued)

In Harrisburg, secondhand retailers NEON Vintage & Thrifts, Stash Vintage, and The Midtown Dandy offer the following advice to Pennsylvanians who want to support secondhand retailing.

"My favorite part about being a secondhand curator is showing people how much can be found at the thrift store," said Alana Cornish, owner of NEON Vintage & Thrifts. "The thrift store, for some, can be overwhelming and intimidating to shop with aisles upon aisles of merchandise, but if you go in with a plan, it can cut down on much of the anxiety."

"A good starting place when buying secondhand clothing is, to begin with, the basics—having basics in your wardrobe maximizes flexibility when putting together an outfit. Plus, essential items such as jeans, blue or black trousers, and white button-down shirts may be of better quality depending on the date and era of the garment. Typically, the older the date, i.e., 'vintage,' are better quality than big box stores selling fast fashion. A good motto to remember is: 'if it's from the past, it will last,' which cuts down on clothing going to landfills," Cornish said.

"When purchasing secondhand items, concentrate on which type of retailer might be best equipped to help support you," said Anela Bence, owner of Stash Vintage. "If you're looking for something vintage (25 years or older), or from a specific decade with a distinct style, visit a local vintage shop or collaborative. You will save a lot of time going straight to a vendor who specializes in vintage. If you're looking for newer or modern pieces and have the time to do so, check local thrift stores or consignment shops. Apps, an online marketplace specializing in second-hand items, or popular sites like eBay are the way to go when looking for something very specific or items made by a particular designer. They can also be great for online 'window shopping.'"

"Secondhand/vintage shopping is a very environmentally-conscious way to make an impact with your dollars. First off, it keeps discarded clothing out of landfills," said Andrew Kintzi, owner of The Midtown Dandy. "By shopping secondhand, you keep these clothing items in the cycle."

"Mending/repairing is another way to keep your clothing around longer. Adding a patch or mending a torn seam or hole adds a 'battle scar' to your piece, carrying memories along with it. One thing to keep in mind regarding donation - if you donate damaged or stained clothing, the charities will likely just dispose of it. If you can mend/repair clothing, it has a better chance of lasting longer. Tailors/seamstresses are a very inexpensive way to keep your clothing looking great and lasting longer and can also be used as a way to keep your clothing longer if you grow out of them!" Kintzi said.

(continued on page 15)

## **DEP Urges Residents to Recycle Household Goods and Clothing (continued)**

“Vintage clothing by and large is usually constructed better and tends to last longer. A piece that has been around since, say, the 1970s has obviously stood the test of time and will last for years to come, where as a modern, fast-fashion piece may last a couple wears before it begins to fall apart, resulting in its quick disposal,” Kintzi said.

The Midtown Dandy and Stash Vintage are both located at 11 S. Third Street, Harrisburg, Pa., 17101.

Neon Vintage & Thrifts is located inside the Urban Snob building. Urban Snob, a fashion boutique, is owned by fashion maven Dimitra Diggs.

For more information on recycling programs in Pennsylvania, please visit: <https://www.dep.pa.gov/Business/Land/Waste/Recycling/pages/default.aspx>

Source: The Pennsylvania Department of Environmental Protection (DEP)

## **EPA Awards \$7.7 Million for Research Grants to Improve Risk Assessment of Chemical Mixtures in the Environment**

The U.S. Environmental Protection Agency (EPA) announced \$7,770,044 in research grant funding to 11 institutions to develop and evaluate innovative methods and approaches to inform our understanding of the human health risks that may result from exposure to chemical mixtures in the environment.

“Protecting public health is an essential part of EPA’s mission,” **said Chris Frey, Assistant Administrator of EPA’s Office of Research and Development.** “The research announced today will advance the science for evaluating mixtures of chemicals and their toxicity so we can better understand the human health impacts, and ultimately, better protect public health.”

Toxicology studies have traditionally focused on the effects of single chemicals on human health. However, chemicals in the environment are often present as mixtures in the air, water, soil, food, and products in commerce. These chemical mixtures include PFAS, phthalates, polycyclic aromatic hydrocarbons (PAHs), disinfection by-products (DBPs) and other well-characterized mixtures. There is a need to assess the toxicity of chemical mixtures to understand how their combined effects on our health and the environment differ from what we know about individual chemicals. Due to their lower cost and higher throughput, new approach methods (NAMs) and use of alternative animal models have emerged as potential approaches to advance the risk assessment of mixtures.

To help address this research need, the institutions receiving these grants will conduct research focused on the development and improvement, evaluation, and integration of predictive toxicology methods to evaluate environmental chemical mixtures.

Below are today’s grantees and their project titles:

- Georgia Institute of Technology, Atlanta, Ga. – High-Throughput Lung Damage and Inflammation Assessment of Polyaromatic Hydrocarbon Mixtures
- Medical University of South Carolina, Charleston, S.C. – Developing an Integrated Framework for Evaluating Toxicity of Real-life Chemical Mixtures
- Purdue University, West Lafayette, Ind. – Protein Binding Affinity as the Driver for Studying PFAS Mixture Toxicity
- The Research Foundation of CUNY, New York, N.Y. – Innovative Approach to Assess the Effect of Metal Mixtures from Infant Meconium Associated with Adverse Infant Outcomes by Identifying Methylation Loci in Mothers and Infants

(continued on page 17)



## **EPA Awards \$7.7 Million for Research Grants to Improve Risk Assessment of Chemical Mixtures in the Environment (continued)**

- Texas A&M University, College Station, Texas – A Tiered Hybrid Experimental-Computational Strategy for Rapid Risk Assessment of Complex Environmental Mixtures Using Novel Analytical and Toxicological Methods
- University at Buffalo, Buffalo, N.Y. – Assessment of Neurotoxicity of Mixtures of PFAS and Other Neuroactive Organic Pollutants Through Integrated in silico, in vitro Cellular, and in vivo Models
- University of Georgia Research Foundation, Inc., Athens, Ga. – Development of a Quantitative Adverse Outcome Pathway Network to Assess Neurodevelopmental Toxicity of PFAS Mixture in *C. Elegans*
- University of Houston, Houston, Texas – Oral Toxicity Assessment of PAH Mixtures Using an in vitro 3D Cell Culture Bioreactor Mimicking the in vivo Intestinal Tract Environment
- University of Massachusetts Boston, Boston, Mass. – Whole Animal New Approach Methodologies for Predicting Developmental Effects of Air Pollutant Mixtures
- University of North Carolina at Chapel Hill, Chapel Hill, N.C. – Wildfire Smoke Mixtures Toxicity Testing
- Wayne State University, Detroit, Mich. – Assessment of Underlying Molecular Mechanisms Promoting Adipogenic Outcomes in Complex Mixtures

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

## EPA Reaches Settlement with Evergy Kansas Central Inc. on Actions to Address Compliance with Coal Combustion Residuals Regulations

The U.S. Environmental Protection Agency (EPA) announced a settlement under the Agency's Coal Combustion Residuals (CCR) program with Evergy Kansas Central Inc. at the company's retired Tecumseh Energy Center coal-fired power plant in Tecumseh, Kansas.

In the settlement, Evergy will take certain actions to address potential groundwater contamination from a CCR impoundment at the Tecumseh site, under the federal Resource Conservation and Recovery Act (RCRA).

"The EPA is committed to ensuring that coal ash surface impoundments and landfills operate and close in a manner that protects public health and the environment," **said Acting Assistant Administrator Larry Starfield for EPA's Office of Enforcement and Compliance Assurance**. "The action will require Evergy to investigate and determine the extent of contamination from their operations."

"EPA is encouraged by Evergy's willingness to work cooperatively with EPA on this coal ash matter and its commitment to protecting Kansas waters," **said EPA Region 7 Administrator Meg McCollister**. "This settlement is an important step forward in the federal government's nationwide effort to ensure energy providers clean up the harmful effects of CCR pollution."

The settlement requires Evergy to assess the nature and extent of CCR contamination at a CCR impoundment at the Tecumseh site. Evergy will install additional monitoring wells, conduct groundwater sampling and analysis, and update closure plans for the facility's CCR impoundment. If Evergy determines that remediation is necessary, then it will meet with EPA to discuss next steps. The company will also pay a civil penalty of \$120,000.

Produced primarily from the burning of coal in coal-fired power plants, CCR is a large industrial waste stream by volume and can contain harmful levels of contaminants such as mercury, cadmium, arsenic, and cobalt. Without proper management, contaminants from CCR can pollute waterways, groundwater, drinking water, and the air.

The administrative settlement was finalized on November 7. In the agreement, EPA alleges that Evergy did not meet certain requirements under the CCR program, including:

- Failure to adequately prepare annual groundwater monitoring and corrective action reports.
- Failure to comply with groundwater monitoring system requirements.
- Failure to comply with groundwater sampling and analysis requirements.
- Failure to complete an assessment monitoring program.

(continued on page 19)

## **EPA Reaches Settlement with Evergy Kansas Central Inc. on Actions to Address Compliance with Coal Combustion Residuals Regulations (continued)**

- Failure to comply with CCR impoundment closure and post-closure reporting requirements.

Evergy is a utility company engaged in the generation, purchase, transmission, distribution, and sale of electricity in Kansas and is headquartered in Topeka and Kansas City. The Tecumseh coal-fired power plant began operations in 1925 and was retired from operations in 2018. According to EPA, Evergy identified CCR contaminants leaching into groundwater from an impoundment at the Tecumseh facility in 2018, and did not fully comply with the CCR program to adequately address the contamination.

To address the risks from disposal and discharge of coal ash, including leaking of contaminants into groundwater, blowing of contaminants into the air as dust, and the catastrophic failure of coal ash surface impoundments, EPA established national rules for coal ash management and disposal. In April 2015, EPA promulgated a comprehensive set of requirements for the safe handling and disposal of coal ash from coal-fired power plants, which established technical requirements for CCR landfills and surface impoundments.

EPA is increasing its efforts and working with its state partners to investigate compliance concerns at coal ash facilities around the nation to ensure compliance and protect the health of communities overburdened by pollution such as coal ash residuals.

For more information on coal ash and the Agency's CCR program activities, please visit [EPA's Coal Ash \(CCR\) website](#).

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

## Wolf Administration Invites Applicants for 2023 Governor's Awards for Environmental Excellence

### Spirit of resilience to be highlighted

The Wolf Administration invites all Pennsylvanians who've recently worked on a successful environmental project to apply for the 2023 Governor's Awards for Environmental Excellence, the state's top environmental honor.

Any Pennsylvanian or Pennsylvania business, farm, government agency, educational institution, or nonprofit organization who has developed or participated in a project that promotes environmental protection and stewardship in the commonwealth may apply.

The Pennsylvania Department of Environmental Protection (DEP) oversees the award selection process, evaluating projects on eight criteria: degree of environmental protection, environmental justice, climate change, sustainability, partnership, economic impact, innovation, and environmental education and outreach.

In addition, the 2023 awards aim to highlight the spirit of resilience.

"With the 2023 awards, we're looking to recognize the spirit of resilience demonstrated by individuals and entities who've transformed environmental obstacles into opportunities in pursuing environmental protection, education, and justice," said DEP Acting Secretary Ramez Ziadeh. "I encourage all who've worked in this capacity to apply to be considered for an award. By nominating yourself or others, you help to highlight the many ways Pennsylvanians improve and protect the environment we all depend on."

Projects do not have to meet all criteria to merit an award. Projects must have been completed between October 4, 2021 and October 11, 2022.

Applications are submitted online. Find more information on eligibility and the application at the [Governor's Award for Environmental Excellence web page](#).

DEP will accept applications through 11:59 PM on Wednesday, December 21, 2022.

[Fifteen businesses, non-profits, schools, and agencies earned 2022 Governor's Awards for Environmental Excellence](#). Awardees expanded environmental education, developed environmental planning tools, and restored streams and natural areas, among other accomplishments.

Source: The Pennsylvania Department of Environmental Protection (DEP)

## **City of Elyria, Ohio Agrees to Federal/State Plan to Eliminate Sewage Discharges into the Black River**

### **Investments In Municipal Wastewater System Will Improve Water Quality**

The city of Elyria, Ohio, has entered into a consent decree with the United States and the State of Ohio to complete a series of capital projects designed to eliminate discharges of untreated sewage from its sewer system into the Black River, 10 miles upstream from Lake Erie.

The construction projects that Elyria has designed and agreed to implement will significantly increase the amount of wastewater that receives treatment and prevent overflows from sanitary and combined sewer outfalls when the system becomes overloaded. When completed, the Black River's water quality, around which the City of Elyria is situated, will be greatly improved. Elyria is expected to spend nearly \$250 million to improve its sewer system. It will also pay a civil penalty of \$100,000 to the United States and pay \$100,000 to Ohio's Surface Water Improvement Fund.

The consent decree would resolve the violations alleged in the underlying complaint filed by the United States and the state of Ohio. The complaint alleges that Elyria's sanitary sewers overflowed on more than 1,100 occasions since 2011, resulting in discharges of untreated sewage into the Black River or a tributary to the river. The complaint also alleges that Elyria failed to comply with a previous court order to stop these illegal discharges.

"The City of Elyria's infrastructure investment will not only reduce untreated sewage from entering the Black River, but also improve water quality for residents," **said Acting Assistant Administrator Larry Starfield of the EPA's Office of Enforcement and Compliance Assurance.** "EPA and the State of Ohio worked with the City of Elyria to develop a comprehensive solution to protect water quality."

"The Clean Water Act requires adequate infrastructure to limit discharges of untreated sewage," **said Assistant Attorney General Todd Kim for the Justice Department's Environment and Natural Resources Division.** "These settlements require meaningful investments that will improve the health of the Black River and Lake Erie."

(continued on page 22)

## City of Elyria, Ohio Agrees to Federal/State Plan to Eliminate Sewage Discharges into the Black River (continued)

Under the proposed consent decree, Elyria will construct various projects within its sewer system to be completed by Dec. 31, 2044. The most environmentally-significant of these projects will be completed within the first 15 years. This includes completion of the city's East Side Relief Sewer, increasing capacity at Elyria's wastewater treatment plant, and adding processes to mitigate the harm from any bypasses around the wastewater treatment plant, and twelve other projects that will control waste overflows or the flow of non-wastewater into the sewer system. Elyria will submit semi-annual progress reports to the United States and the State until all work has been completed.

The proposed agreements are subject to a 30-day public comment period and final court approval after publication in the Federal Register.

More information about this settlement can be found at [The Elyria, Ohio Clean Water Act Settlement Information Sheet | US EPA](#).

*The consent decree, lodged in the U.S. District Court for the Northern District of Ohio, is subject to a 30-day public comment period and final court approval. The consent decree will be available for viewing on the [Justice Department website](#).*

Source: U.S, EPA

## EPA Responds to Petitions to Address Harmful Emissions from Locomotives

The U.S. Environmental Protection Agency (EPA) announced it is responding to petitions from the California Air Resources Board, the San Joaquin Valley Air Pollution Control District, and the California Air Pollution Control Officers Association to address harmful nitrogen oxide (NOx) and particulate matter (PM) emissions from locomotives. As part of EPA's response to these petitions, the Agency is taking immediate steps to develop options and recommendations to address pollution from new locomotives as well as those already operating in communities nationwide.

"Locomotives remain a significant source of emissions, often disproportionately impacting the health of communities that are located near railyards and ports," **said Joseph Goffman, Principal Deputy Assistant Administrator for EPA's Office of Air and Radiation.** "EPA's response reflects a commitment to deliver significant and needed public health benefits for underserved communities across the country that are overburdened by higher levels of diesel exhaust."

"I'm proud to help lead the charge in California to defend our nationally leading clean air protections and reduce vehicle emissions," **Senator Alex Padilla said.** "But EPA must also do their part by regulating emissions from locomotives nationwide. That's why I'm grateful to EPA for heeding my calls and those from California's air pollution agencies. Workers and neighborhoods near ports and industrial rail yards have been subject to increased air pollution from locomotives for decades, facing higher instances of respiratory illnesses and premature death. Thanks to the passage of the Inflation Reduction Act, the time to make a generational investment in transitioning to cleaner locomotives is now."

Additionally, EPA plans to propose revisions to existing locomotive preemption regulations to ensure they don't inappropriately limit California's and other states' authorities under the Clean Air Act to address their air quality issues.

Further, EPA has formed a rail study team to evaluate how best to address air pollutant emissions from the locomotive sector.

In the coming months, this team will collect information and evaluate the following:

(continued on page 24)

## **EPA Responds to Petitions to Address Harmful Emissions from Locomotives (continued)**

- a range of technologies that may be available to further reduce locomotive emissions;
- policy options to accelerate locomotive fleet turnover to newer, cleaner technology;
- policy options to ensure that remanufactured locomotives are as clean as possible;
- engagement with partners, such as state, non-governmental organizations, environmental justice organizations, and industry stakeholders, to gather input as needed to inform the required evaluations.

Additionally, the passing of the Inflation Reduction Act (IRA) provides an enormous opportunity in the locomotive space. This funding accelerates the transition to a zero emissions future by providing funding opportunities in so many subsectors of transportation. EPA will explore opportunities to leverage these historic resources moving forward.

Diesel emissions contribute to concentrations of ozone and PM<sub>2.5</sub> and their resulting health effects, which include premature death, respiratory illness (including childhood asthma), and cardiovascular problems. Diesel emission reductions from locomotives would improve health and air quality for communities across the country, including those already overburdened by pollution from freight transportation.

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

Learn more and view EPA's official petition response.