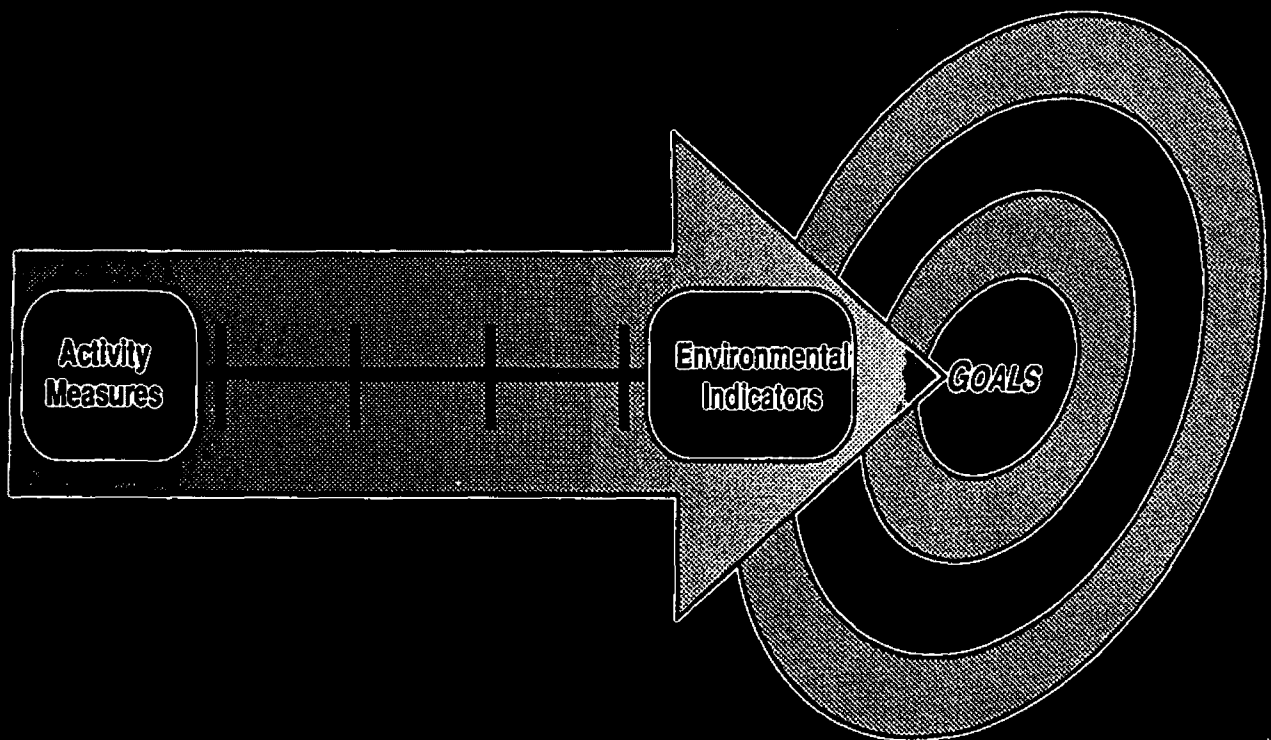




# Quarterly Progress Report



**U.S. Environmental Protection Agency**  
**Quarterly Progress Report**  
**First Quarter FY 1992**

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# **FY 1992 FIRST QUARTER PROGRESS REPORT**

## **INTRODUCTION**

The Quarterly Progress Report is designed to summarize and track the goals that each program has established for itself in its four-year strategic plan. The measures of progress toward these goals are defined in the FY 1992 Agency Operating Guidance. The first quarter progress report focuses primarily on describing program priorities and their linkage to FY 1992 measures and targets. The purpose is to set the stage for analyzing progress in the coming quarters.

## **PROGRAM HIGHLIGHTS**

### **OFFICE OF AIR AND RADIATION**

OAR has developed a new regional tracking system, Memorandum Of Agreement Reporting System (MOARS). An important feature of MOARS is its tailored negotiation of commitments by region. This report will gather its information from MOARS and other sources to track implementation of OAR's Strategic Plan.

### **OFFICE OF ENFORCEMENT**

OE and the regions have developed a new multi-media measure that describes enforcement activity across several program areas. The measure will be included in this report starting second quarter.

### **OFFICE OF PREVENTION, PESTICIDES, AND TOXIC SUBSTANCES**

Eighty percent of the total New Chemical Premanufacturing Notices received contained voluntary reports on pollution prevention practices and activities.

Thirty-five enforcement cases were closed with settlement terms that included environmentally beneficial expenditures (EBEs); the dollar ratio of EBEs to mitigated penalties is averaging six to one.

### **OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE**

The Office of Solid Waste has selected environmental indicators for hazardous waste, established a schedule for collecting data, and is prioritizing its hazardous waste facilities by environmental risk. Of five remaining states, California applied in December 1991 for authorization to carry out the RCRA base program.

All the strategic plan objectives for Superfund have STARS measures to track progress, an achievement not matched elsewhere in the Agency. Superfund measures address timeliness as well as activities.

## **OFFICE OF WATER**

Construction grant outlays and NPDES permit reissuances are proceeding at a target pace.

There are fewer STARS measures in FY 1992 than there were in FY 1991. Notable improvements include measuring progress in addressing industrial and municipal storm water pollutants; tracking total maximum daily load (TMDLs) in state priority water bodies; counting construction grant projects coming on line in FY 1992 as a measure of environmental results; and, streamlining enforcement data points.

## OFFICE OF AIR AND RADIATION

Office of Air and Radiation (OAR) programs address many of the highest risk environmental problems faced by EPA, as ranked in the Science Advisory Board report, Reducing Risk: Setting Priorities and Strategies for Environmental Protection. OAR's mission, stated in their Strategic Plan, is to protect human health and the environment, including ecological and aesthetic effects, from airborne pollutants and radiation.

OAR is in the second year of their Implementation Strategy for the Clean Air Act Amendments of 1990 (CAAA). OAR's recent planning efforts, including its 1993-1996 Strategic Plan, build off of its Implementation Strategy. Specific goals, strategies, and FY 1992 activities are listed below, organized by OAR's 1993 - 1996 Strategic Plan.

OAR is in their first year of implementing their new management system consisting of Memorandum Of Agreement (MOA) between the Regional Administrators and the Assistant Administrator for Air, and the MOA Reporting System (MOARS) to track progress against these MOAs. This report will use information generated from MOARS and other sources to track OAR's progress toward implementing their Strategic Plan.

### STRATOSPHERIC OZONE PROTECTION

The goal of the stratospheric ozone program is to reduce chlorine concentrations in the stratosphere to less than two parts per billion.

The major item STARS will be tracking in FY 1992 will be the accelerated phaseout of CFCs, including regional CFC enforcement efforts.

### GLOBAL WARMING PREVENTION

OAR's Strategic Plan has no medium or short range goals for global warming, although their long term strategic objective is to limit the average increase in global temperatures to a 0.3°C rise by the middle of the 21st century.

Specific items that STARS will track are:

- Status of green lights program and other "green" initiatives; and,
- Status of methane emissions reduction efforts.

## ACID RAIN REDUCTION

OAR's strategic objective in the acid rain program, as defined by the CAAA, is to achieve a permanent 10 million ton per year reduction in SO<sub>2</sub> emissions and a 2 million ton per year reduction in NO<sub>x</sub> emission, both by the year 2000.

The development of the Acid Rain Data System is a key to the successful implementation of the permitting, allowance trading, and emissions tracking programs for these acid rain reductions.

## NAAQS ATTAINMENT

The Office of Air Quality Planning and Standards (OAQPS) focuses on air pollution problems derived from stationary point and area sources, while the Office of Mobile Sources (OMS) focuses on vehicles. STARS measures track National Ambient Air Quality Standards (NAAQS) activities, air toxics, permits, mobile sources, as well as related enforcement activities.

NAAQS attainment goals include 1) Achieve and maintain NAAQS in most nonattainment areas within 10 years and all areas within 20 years. 2) Achieve substantial near-term reductions in NAAQS pollutants and precursors within six years. 3) Prevent significant deterioration of air quality in attainment areas.

STARS will track the following specific information:

### PM-10

- Status of PM-10 monitoring networks in the 30 most serious PM-10 nonattainment areas;
- Number of submitted enforceable SIPS from designated nonattainment areas;
- Number of significant violators in attainment areas;
- Status of emission inventories.

### Ozone/CO

- RACT fix-up submittals;
- changes to non-attainment designations;
- Status of emission inventories (especially VOCs/NO<sub>x</sub>).

**Inspection and Maintenance (I/M) Programs**

- Status of basic and enhanced program implementation,
- Program audits (site inspections),
- Status of state efforts to implement I/M programs,
- State decisions on opting into the reformulated gasoline/California tailpipe standards;

**AIR TOXICS REDUCTION**

Air toxics are not covered under the NAAQS. To address concern that risks due to emission of large numbers of toxic substances are high, controls will be established to restrict these emissions. The CAAA established a list of 189 toxic pollutants to be regulated. The first phase will be based on technological standards requiring industry to install Maximum Achievable Control Technology (MACT).

Air toxics reduction goals include: 1) Reduce air toxics risk from major point sources by 80% by 1997. 2) Reduce risk from mobile and area sources by 50% by 2000.

STARS will track the following:

- Status of early reduction program;
- Status of first round of MACT standards;
- Site inspections for radionuclide NESHAPS .

**RADON, AND INDOOR AIR****RADON**

One of the overarching goals of EPA's radon program as expressed in the OAR Strategic Plan is to empower state radon programs. The Program Evaluation Division (PED) of The Office of Policy, Planning and Evaluation (OPPE) has recently concluded a study with a senior managers task force on efficacy of the Radon program. Although not included in OAR's Strategic Plan, the PED study was a major effort and its recommendations will be important to the Radon program; therefore, STARS will track:

- Status of state programs;
- Status of implementation of PED radon task force recommendations;

## **INDOOR AIR**

The major goal of the indoor air program is to make prevention and mitigation of indoor air quality problems a routine aspect of the design, construction, maintenance, and operation of homes and other buildings. STARS will track report on the status of: building operators who are using model building standards, aware of indoor air problems and testing/mitigating.

## **OPERATING PERMITS**

State operating permits will be a new emphasis for the air program, both integrating and enhancing the effectiveness of the acid rain, NAAQS attainment, and air toxics programs. Operating permits apply not only to State Implementation Plans (SIPs), but also to New Source Performance Standards (NSPS), Maximum Achievable Control Technology (MACT), etc.

The primary work will be done by States and localities, with OAR supporting the development of approvable state and local operation permit and fees programs. This has been identified as a top priority in OAR's Strategic Plan and the work might increase dramatically in FY 1992. STARS will track the development of state and local program's legislation and regulations.

## **OFFICE OF ENFORCEMENT**

OE will be tracking and reporting on the following broad enforcement categories that were established in 1985 for all program offices and apply to both EPA and state activity. These categories are: significant violators, compliance rates, inspections, administrative actions, judicial actions. At the time this report was published, OAR was verifying the data with the Regions. This information will be presented in second quarter.



## **OFFICE OF ENFORCEMENT**

### **INTRODUCTION**

The Office of Enforcement (OE) Strategic Plan is an operative guide for media-specific, cross-program, and multi-media enforcement. Activities within OE's purview are being aimed toward targeting compliance monitoring and enforcement resources to achieve environmental results, screening for enforcement response in order to realize the full potential of enforcement authority, and gaining maximum leverage from each individual enforcement action.

### **CIVIL ENFORCEMENT**

#### **CONSENT DECREE REVIEW**

During first quarter of FY 1991, OE reported forwarding one consent decree to the Department of Justice (DOJ). The decree was referred under the Clean Water Act and it required 57 days for review.

#### **CONSENT DECREE TRACKING AND FOLLOW-UP**

Regions report that there were 701 active consent decrees at the end of first quarter, FY 1992. Of these, the regions reported the status for 599 (85%) decrees and reported that the status of 102 (15%) consent decrees was unknown or unreported. Of the 599 consent decrees with known status: 498 (83%) were reported in compliance; 72 (12%) were in violation and had an enforcement action taken; 21 (4%) were in violation and had a formal enforcement action planned; and, 8 (1%) were in violation, but had no formal enforcement action planned or deemed necessary.

#### **CIVIL REFERRAL ACTIVITY**

The regions referred 31 new cases directly to DOJ during first quarter. In addition, the regions referred one new case to Headquarters (HQ) and initiated 14 new pre-referral negotiation cases and 7 new consent decree enforcement cases.

#### **FOLLOW-THROUGH ON ACTIVE CIVIL CASE DOCKET**

There were 1,088 civil cases active (not concluded) at the start of FY 1992. The status of these cases at the end of first quarter end was as follows: 363 were pending at DOJ; 68 were returned to the regions; 9 were concluded before filing; 620 were filed in court; and, 28 were concluded after filing. Of the 1,088 active pre-FY 1992 cases, 306 have been ongoing for more than two years since being filed.

New active FY 1992 civil cases are those cases referred to DOJ on or after October 1, 1991. Thirty-four new FY 1991 civil cases were referred to DOJ during first quarter of FY 1992. The status of FY 1992 civil case referrals at the end of first quarter was as follows: 28 were pending at DOJ; 4 were filed in court; 1 was concluded before filing and 1 was concluded after filing.

## **CRIMINAL ENFORCEMENT**

### **NEW CRIMINAL REFERRAL ACTIVITY**

There were 39 new criminal investigations opened during first quarter of FY 1992 compared to 35 during first quarter of last year. At the end of first quarter, a total of 270 criminal investigations remained open. The regions referred 21 new cases to HQ during first quarter and HQ referred 18 new cases to DOJ.

### **FOLLOW-THROUGH ON ACTIVE CRIMINAL CASE DOCKET**

One hundred fifty-four criminal cases had been referred, but not closed, before the beginning of FY 1992. The status of these pre-FY 1992 active criminal cases at the end of first quarter is as follows: 16 of the cases were under review at DOJ, 73 were undergoing a grand jury investigation, 55 had charges filed, 5 were closed following prosecution, and 5 were closed by DOJ without prosecution.

Eighteen new criminal cases (referred during FY 1992) were referred to DOJ during first quarter compared to 16 during first quarter of FY 1991. At the end of first quarter, 7 cases were under review at DOJ, 9 were undergoing a grand jury investigation, and charges had been filed in 2 of the cases.

## **OFFICE OF FEDERAL FACILITIES ENFORCEMENT**

In fourth quarter of FY 1991, 390 federal facility inspections were concluded (data was unavailable for Region I) and 93 violations were detected (quarterly violation rate of 24%). Sixty-eight enforcement actions were taken against federal facilities during fourth quarter.

### **LAGGED DATA**

The Office of Federal Facilities Enforcement's compliance data is lagged by one quarter. This section provides information for second quarter of FY 1991.

During FY 1991, a total of 1,124 federal facility inspections were conducted; 312 violations were detected yielding a violation rate of 28% (72% compliance). This compares to a violation rate of 32% in FY 1990 (276 violations detected out of a total of 868 inspections).

## OFFICE OF GENERAL COUNSEL

### INTRODUCTION

The Office of General Counsel (OGC) reports one measure in STARS; the measure expresses workload and timeliness in the completion of legal (Red Border) evaluation and review.

### RESPONSE TO RED BORDER REVIEW DOCUMENTS

OGC reviewed 18 Red Border packages during first quarter, FY 1992. Of these, eight reviews (44%) were completed within three weeks of receipt; four additional reviews (67% of total packages received) were completed during the fourth week following receipt.

FY 1992	Regulatory Packages Received	Completed within three weeks (#/%)	Completed within four weeks (#/%)	Incomplete after four weeks (#)	Non Concurrence (#)
1st Qtr.	18	8/44%	12/67%	6	0
2nd Qtr.					
3rd Qtr.					
4th Qtr.					
FY (total)	18	8/44%	12/67%	6	0

During first quarter, six Red Border Reviews were delayed beyond the four week timeframe:

#### OGC's Air And Radiation Division

Regulation And Comment: Nonconformance Penalties for 1994 Model Year Emission Standards for Heavy-duty Vehicles and Engines (91-10-11FR). The attorney assigned to this rule was new and had to get up to speed on the issue associated with this regulation.

#### OGC's Solid Waste And Emergency Response Division

Regulation And Comment: 40 CFR Parts 148, 261, 268, 270, and 271 -- Land Disposal Restrictions for Newly Listed Wastes and Contaminated Debris (91-09-35FR). The issues on the regulation contained a number of complicated and technical aspects which had to be resolved before the General Counsel would concur.

Regulation And Comment: Regulatory Determination Under the 1988 EPA/EDF-NWF Consent Decree for Pulp and Paper Mill Sludge Landfills and Surface (91-12-19FR). The

Program office sent several revisions of this rule after Red Border began. OGC did not receive the final version until the review period had closed.

Regulation And Comment: 40 CFR Parts 261-265 -- Amendment of the Hazardous Waste Information Reporting; Biennial Report (91-11-26FR). The Program office granted an extension until OGC staff had an opportunity to fully brief the General Counsel. Briefing with the General Counsel was delayed during the holiday period which caused the review period to slip.

Regulation And Comment: Designation of Areas and Area Committees under the Oil Pollution Act 1990 (91-12-06FR). This rule was misplaced at the division level prior to receiving the General Counsel concurrence, which caused it to slip the review period.

#### OGC's Water Division

Regulation And Comment: 40 CFR 228 -- Reorganization and Corrections to List of Ocean Dumping Sites. The Program office allowed more than the four week review period for the regulation.

## OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

### INTRODUCTION

STARS attempts to track the most important of a program's activities; to the degree that it is successful, STARS provides the feedback necessary to determine what and how well a program is doing toward achieving the goals and objectives set forth under the auspices of a program's mission. The Office of Prevention, Pesticides and Toxic Substances (OPPTS) expresses priorities through two distinct strategic plans: one for the Office of Pesticide Programs (OPP) and one for the Office of Pollution Prevention and Toxics (OPPT); strategies specific to the Office of Compliance Monitoring (OCM) are incorporated within the OPP and OPPT plans. Each Office is in the process of improving the measures they report in STARS.

OPPT is taking a critical look at measuring program progress and has submitted a substantially improved set of measures for FY 1992. Improvements include a broader look at various phases of the existing chemical review process as well as a more structured look at regional and state roles in first and second generation projects and outreach programs.

In FY 1992, OPP Headquarters measures will continue to address statutory mandates, ecological risk, food safety and human exposure. An expansion of OPP's regional measures will more clearly reflect progress in the areas of ground water, worker protection, and endangered species at the state, territory, and tribe levels. Regional activities in these areas flow from strategies driven by pollution prevention and risk reduction themes.

### OFFICE OF POLLUTION PREVENTION AND TOXICS

OPPT is focusing on three priority areas: better utilization of the authorities granted under the Toxic Substances Control Act (TSCA), coupled with a balanced mix of regulatory and non-regulatory risk management approaches; more effective and efficient sharing of toxics data and information inside and outside EPA; and, enhancement of regional and state roles, especially in implementing OPPT Second Generation Chemical Programs (including the Toxic Release Inventory (TRI), the 33/50 Project, and components of the Lead Strategy).

### EXISTING CHEMICALS (EC)

Under TSCA, OPPT ensures that chemicals in commerce do not present an "unreasonable risk of injury to health or the environment." OPPT completed two existing chemical risk management actions during first quarter of FY 1992; a Section 6 Notice of Proposed Rulemaking (NPR) for Acrylamide and N-methylolacrylamide grouts (this NPR was published in the Federal Register on October 2, 1991) and a Section 4(f) designation was announced in the Federal Register (on November 21, 1991) for Refracted Ceramic Fibers (RCF).

An earlier stage of the Risk Management (RM) process produced decisions on three chemical cases which together accounted for a total of 41 chemicals. Diisocyanates (27 chemicals) were placed into the queue for RM2 (the second stage of the RM process); testing will proceed for 8 IRIS (Integrated Risk Information System) chemicals identified in the 28th ITC (Interagency Testing Committee) report; and, the testing strategy will be refined for 6 TRI high release chemicals.

## **NEW CHEMICALS**

Authorized by TSCA, OPPT's objective is to review all new chemicals and apply risk management as necessary to prevent unreasonable risk. During first quarter, OPPT received 514 valid new chemical notices (505 notices were received in first quarter one year ago). Of these, there were 340 Premanufacture Notices (PMNs), 165 exemption applications (i.e., 68 applications for polymer exemption, 96 for low volume exemption, and 1 for test market exemption), and 9 biotech notices. Ninety-one of the new chemical notices received were targeted for regulatory review or action.

OPPT reports taking 54 control actions during first quarter: Section 5(E) Consent Orders were issued for 7 PMNs (and modified or revoked for 4 others) and 12 PMNs were withdrawn in the face of regulatory action. Thirty-one new chemical notices were dropped from further review.

During first quarter, 272 of the PMNs received (80% of the total PMNs received) contained voluntary reports on pollution prevention practices and activities.

## **STATE AND REGIONAL ENHANCEMENT**

OPPT is seeking to increase state administrative capacity for current asbestos and PCB activities (First Generation Chemical Programs). The program also will rely heavily on regional involvement in implementing the Second Generation Chemical Programs.

### **Asbestos Abatement**

These measures provide feedback on OPPT efforts to enhance worker safety by requiring proper training and accreditation of personnel performing asbestos inspections and abatement actions. Through course audits, regional representatives ensure that asbestos training programs meet EPA Model Accreditation Plan criteria.

Currently, 48 states have some type of accreditation program for asbestos abatement professionals. Twenty-seven of those states have accreditation programs which are fully approved by EPA across all disciplines; two states were added to this total during first quarter. Eight additional states have programs which are partially approved by EPA in one or more disciplines. Only Wyoming and Arizona have no accreditation programs.

Regional 33/50 and TRI Activities

The objective of this measure is to highlight regional 33/50 and TRI activities. Seven Regions (I, II, III, V, VII, VIII and X) reported first quarter activities under this measure. The following, by region, are some of first quarter's highlights.

TRI

Region I spent much of first quarter gearing up for its spring TRI outreach program; current plans call for offering eight workshops for New England States and one additional workshop for consultants.

Region III has taken the lead in developing a public outreach newsletter which aims to publicize innovative and creative ways of using and accessing TRI data. The EPCRA Targeting System (ETS) was installed in Region III during first quarter; the Region plans to use this system in targeting the majority of its FY 1992 inspections.

Region V facilitated a presentation to journalists on TRI and public access through the National Library of Medicine's TOXNET system; the meeting was sponsored by the Environmental Health Center at Northwestern University.

Region X focused on compliance and enforcement during first quarter with most inspections conducted jointly by both OPPTS and OSWER "sides" of EPCRA. The Region also reviewed and commented on the draft TRI Enforcement Response Policy.

33/50

Region I continues to receive and respond to inquiries from facilities and corporations about 33/50 and pollution prevention. Staff have been actively "piggybacking" 33/50 program information to industry via other outreach activities. The Region is collaborating with Region II to produce a 33/50 conference (to be held in Boston) with the theme, "Pollution Prevention in the '90s."

Region II is participating in a 33/50 HQ initiative (the "33/50 Regional Administrator Phone Call to Non-responders") which, after screening, requests RAs to contact selected companies seeking commitment or an understanding of impediments for participation in 33/50. In addition, the Region is coordinating the Boston 33/50 conference, "Pollution Prevention in the '90s."

Region V, in cooperation with Region VII, Iowa, and Illinois, hosted an expanded 33/50 meeting for industry around Illinois's Quad City area; the Region also held a technical assistance meeting with ORD for the metal finishing and fabricating industries.

Region VII is continuing its approach to 33/50 as a limited geographic initiative focusing on specific counties and key municipal areas identified through the 33/50 listing of top 100 parent companies; the approach encourages emissions reductions for all reported chemicals in addition to the 17 chemical 33/50 focus.

Region X has sent notices of pollution prevention workshops to all facilities within the Region with 33/50 releases. Two presentations on the 33/50 program have been made to state program officials and a state and industry 33/50 meeting is scheduled in San Francisco for second quarter.

### Regional Initiatives And Outreach Activities

This measure provides regions an opportunity to highlight regional initiatives and innovative regional projects. Only Region II reported under this measure for first quarter.

Region II is continuing its pilot enforcement program under which the Region can both issue and close Civil Administrative Complaints. The program has been very successful (average lapse from complaint issuance to case closure has been 109 days) and the Region plans to continue the program as an ongoing component of its TSCA/EPCRA enforcement effort. A number of other regions are inquiring about this pilot program.

## **OFFICE OF PESTICIDE PROGRAMS**

Risk reduction and pollution prevention are major strategies for OPP. OPP is focusing efforts in four priority areas: food safety; safer pesticides; pesticide exposure and environmental burden reductions; and, field operations. The program is also seeking to maximize productivity across the board.

### **FOOD SAFETY AND SAFER PESTICIDES**

#### Registration Activities

Registration activities measures focus on maximizing productivity to meet FIFRA statutory mandates. These measures represent a significant portion of OPP HQ activities. During first quarter of FY 1992, the following final decisions were made to register a new chemical or biological, or to amend or add a new use for an existing chemical: 2 new active ingredients (biochemical) were registered meeting a target of 2; 157 old chemical final decisions were made against a target of 340; 613 amended registration applications were acted on exceeding the target of 525; and, 6 new use application decisions were made against a target of 8.

#### Emergency Exemptions For Pesticides

An emergency exemption is granted by a federal or state agency if EPA determines that emergency conditions exist (e.g., a pest outbreak is identified and an effective pesticide is not registered for that use). During first quarter, OPP made 26 final decisions: 24 exemptions were granted and 2 were denied.

#### Pesticide Tolerance Petitions

A tolerance petition decision applies to all requests for a tolerance level or exemption from requirement of a tolerance level for pesticide residue in or on raw agricultural commodities, processed foods, or minor uses. OPP made final decisions on 24 tolerance petitions against a target of 8 during first quarter.



### Pesticide Special Reviews

A Special Review is a review of an active ingredient for which data indicate a potential for unreasonable adverse effects on public health or the environment. During first quarter, OPP did not complete any special reviews against a target of two.

## **REDUCING EXPOSURE AND ENVIRONMENTAL BURDEN**

In 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) amendments mandated an accelerated reregistration process for currently registered pesticides. This process is to be carried out in five phases over a nine year period. OPP's reregistration activities are an integral part of its strategic objectives: food safety, worker protection, reduction of ecological risks, protection of ground water, protection of endangered species and their habitats, and pollution prevention.

### Data-Call-Ins (DCIs)

As part of the reregistration process, information submitted to support current registration of pesticide chemical cases is reviewed for adequacy based on Pesticide Health Assessment Guidelines. Inadequate submissions must be resubmitted to the Agency in response to a DCI. During first quarter, OPP completed 23 DCIs against a target of 24; 10 were sent to the Office of Management and Budget for clearance and 11 were mailed to affected registrants.

### Reregistration Eligibility Decisions/Documents (REDs)

The reregistration process requires a determination of reregistration eligibility for each pesticide chemical case that has satisfied all FIFRA, section 4(g)(2)(A) requirements addressing health and ecological risk factors. At the end of first quarter the universe of cases requiring such review was 401; Congress has mandated that all reviews be completed by the end of 1997. OPP plans to issue 16 REDs during FY 1992.

## **FIELD OPERATIONS**

A goal of OPP is to enhance regional, state, territorial, and tribal capacity. The primary objective under this goal is to decentralize program activities that directly impact regions, states, territories, and tribes. The program office and the regions have developed a series of activity measures showing progress toward achieving this objective. These measures address worker exposure, ground water protection, and certification and training programs.

### Reducing Exposure And Environmental Burden

**Certification And Training:** successful implementation of regional and state programs relies on training. Regions report the incorporation of new and updated training materials and competency standards for state, territory, and tribe ground water, endangered species, and worker protection programs.

At the end of first quarter, regions reported that 48 states (plus the District of Columbia and Puerto Rico), 1 territory, and 6 Federally recognized tribes had applicator training programs that include information on worker protection, endangered species, and ground water initiatives.

**Pesticide Worker Protection:** all states, Puerto Rico, the Virgin Islands, the Pacific Islands territories, and 18 tribes are accepting federal grant money to prepare for federal worker protection standards. Activities include: building networks, developing communication outreach systems, and materials development.

Measures reporting the number of worker protection programs submitted, approved, and implemented are contingent upon publication of final worker protection standards. The program plans to publish these new standards during FY 1992.

#### Pollution Prevention (Ground Water Protection)

All states, Puerto Rico, the District of Columbia, 5 territories, and 4 tribes are accepting federal funds for ground water protection activities including aquifer vulnerability assessments and outreach programs to industry and communities. At the end of first quarter, regions reported that 43 states, 4 territories, and 11 federally recognized tribes were developing generic pesticide and ground water management plans.

Measures reporting the number of ground water management plans submitted for review and approved by EPA are contingent upon the issuance of the Pesticides State Management Plan Guidance which is an element of the Pesticide and Ground Water Strategy.

### **OFFICE OF COMPLIANCE MONITORING**

OCM is focusing on increasing the rate of compliance within the regulated community to reduce risk and raise pollution prevention awareness.

Last year was the first year for the environmentally beneficial expenditures (EBEs) measure; in this measure the regions specify, on a cumulative basis, the number of cases closed containing one or more EBEs. An EBE is an expenditure a violator may incur beyond the cost of returning to compliance that the participants in the case settlement expect will provide an immediate or future environmental benefit; negotiated EBEs are usually made in conjunction with a mitigation of administrative civil penalties.

In the first quarter of FY 1992, the regions and headquarters closed 35 cases (19 under TSCA, 15 under EPCRA, and 1 under FIFRA) that contained settlement terms with EBEs. The ratio of the cost to the respondent versus the associated penalty reduction was approximately six to one (6:1) under these EBE settlements.

**FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)**Inspections And Compliance Levels (State data is lagged one quarter.)

In fourth quarter of FY 1991, the states completed 32,026 FIFRA use and restricted use pesticide dealer inspections, completing 156% of their state grant targets. The states reported taking 3,245 enforcement actions during fourth quarter with a violation rate of 10% for "use" inspections. Through fourth quarter of FY 1990, the states had completed 181% of their state grant targets with a violation rate of 27%. (Note: in FY 1990, warning letters were included as enforcement actions; they were not included in FY 1991.)

In the first quarter of FY 1992, Regions VII and VIII, each with non-delegated programs, completed a total of 75 use and restricted use dealer inspections, achieving 136% of their target.

Addressing Significant Noncompliance (SNC)

At the beginning of first quarter, FY 1992, 123 FIFRA SNC violations were outstanding. At the end of first quarter, 39 cases were issued within 180 days and 84 issued beyond 180 days. Sixteen cases were closed during first quarter. [Note: all SNCs are listed together (current & previous years); there are no targets for SNCs.]

Enforcement Activity

The regions issued 35 FIFRA administrative complaints in first quarter of FY 1992. Two FIFRA criminal cases were referred to the Department of Justice (DOJ).

**TOXIC SUBSTANCES CONTROL ACT (TSCA)**Inspections And Compliance Levels

In first quarter of FY 1992, regions and HQ completed 363 TSCA compliance inspections; this is 114% of their first quarter target. States with inspection grants conducted 461 inspections or 101% of their first quarter target.

Response To Significant Noncompliance

At the beginning of FY 1992, the regions had 415 TSCA SNCs with violations outstanding. At the end of first quarter, 108 actions had been issued within 180 days and 309 issued beyond 180 days. Thirty-eight cases were closed during first quarter. For federal facility SNCs, 21 violations were outstanding at the beginning of first quarter. By the end of first quarter, 9 had been issued within 180 days and 12 beyond 180 days. Five cases were closed. [Note: all SNCs are listed together (current & previous years); there are no targets for SNCs.]

Enforcement Activity

The regions issued 70 TSCA administrative complaints during first quarter. No TSCA civil or criminal cases were referred to DOJ during first quarter.

**EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)**Inspections And Compliance Levels

During first quarter, FY 1992, the regions completed 204 EPCRA inspections which equals 156% of their first quarter target.

Response To Significant Noncompliance

At the beginning of FY 1992, 216 EPCRA SNC violations were outstanding. At the end of first quarter, 79 cases had been issued within 180 days and 137 issued beyond 180 days. Thirty-five cases were closed by the end of the quarter.

Enforcement Activity

Forty-two EPCRA administrative complaints were issued by the regions during first quarter; no civil or criminal cases were issued.

**OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE****INTRODUCTION**

OSWER's mission is to protect human health and the environment from unacceptable risks posed by solid and hazardous wastes as well as the release of oil and chemicals into the environment. OSWER's FY 1992-1995 Strategic Plan outlines four major program objectives to accomplish this:

1. Minimize the quantity and toxicity of waste created by commercial, domestic, and governmental activities;
2. Ensure environmentally sound management of solid and hazardous wastes;
3. Prevent harmful releases of oil and hazardous substances into the environment; and
4. Prepare for and respond in a timely and effective manner to releases of hazardous materials into the environment.

This report organizes OSWER's progress by environmental problem area:

- Solid Waste,
- Hazardous Waste,
- Superfund,
- Accidental Releases, and
- Oil,

and by goals and objectives from the OSWER Strategic Plan.

**NEW THIS YEAR IN OSWER**

- A solid waste program, environmental indicators for solid waste, and an Executive Order on Federal Agency Recycling;
- Prioritizing hazardous waste facilities, environmental indicators for hazardous waste, and inspections of hazardous waste generators;
- Tracking the timeliness of key Superfund actions, in addition to tracking the actions. *This is the first any Agency program has reported this through STARS.*
- Every strategic plan objective for Superfund has at least minimal STARS measures to track progress. *This is not matched by any other Agency program.*

**SOLID WASTE****MINIMIZE THE QUANTITY AND TOXICITY OF WASTE****Source Reduction by Municipalities**

The Office of Solid Waste (OSW) reports it has a three stage project on volume-based pricing of municipal solid waste:

- The 1st stage will list the 100 plus communities with volume-pricing systems.
- The 2nd stage will include a set of case studies from the surveyed communities.
- The 3rd stage will include a study methodology to study the effects of volume-pricing on a community.

Increase Markets For Secondary MaterialsFederal Procurement Guidelines

Although OSW reports that regions have reported their progress in implementing the federal procurement guidelines, no information has been reported to STARS.

Federal Agency Recycling Executive Order

The Executive Order on Federal Agency Recycling (October 31, 1991) mandates a "program to promote cost-effective waste reduction and recycling of reusable materials...such as paper, plastic, metals, glass, used oil, lead acid batteries, and tires...." Administrator Reilly appointed Gail Wray the Federal Recycling Officer. By April 30, 1992, each federal agency is to report to EPA its progress on adopting an affirmative procurement program of recovered materials.

OSW reports several efforts to implement this Executive Order:

- The Social Security Administration in Baltimore MD wants to expand recycling from computer paper to desktop in their headquarters campus (7 buildings and 13,000 employees). Next step: SSA facilities nationwide.
- The Director of the Federal Bureau of Prisons wants to aggressively implement recycling and waste reduction, including:
  - Recycling general solid waste;
  - Recycling/reducing waste from manufacturing processes;
  - Creating markets by using recycled materials as feedstock into current manufacturing processes; and
  - Developing new processes to use recycled materials such as retreaded tires, renewed batteries, furniture, yard compost, and cellulose insulation.
- December 1991, OSW and GSA co-sponsored the Federal Recycling Conference II in Washington DC. Over 300 federal personnel learned how to institute a materials recovery program and to implement EPA's procurement guidelines.

## HAZARDOUS WASTE

### ENVIRONMENTALLY SOUND MANAGEMENT

More Effective and Rational RCRA Subtitle C ProgramState Authorizations

The number of states authorized to carry out several parts of the Resource Conservation and Recovery (RCRA) program include:

- 49 states (all but Hawaii, Alaska, California, Wyoming, and Iowa) are authorized for the RCRA *Base* program, as well as Guam and the District of Columbia. California submitted a final application in December 1991 to implement the RCRA program.

- 27 states are authorized for the RCRA *Mixed Waste* program.
- Eight states (Idaho, Utah, Colorado, Texas, Minnesota, Illinois, Georgia, and South Dakota) are authorized for the RCRA *Corrective Action* program.

For the nation as a whole, states are authorized to implement about 25% of RCRA Subtitle C rules. *This is reported in STARS for the first time.*

#### Permitting and Closure

STARS tracks regional permitting and closure activities for about 5,300 storage and treatment, land disposal facilities, and incinerators. The regions report:

- Four permits were issued (one denied), and two permit modifications were issued.
- Twenty-two facilities had closure plans approved, and 18 certified closure.
- Three land disposal facilities called in Part B Applications for post-closure permits, and three (of six targeted) final post-closure permit determinations were made.
- 281 (exceeding their target of 212) facilities have been ranked for environmental priority out of about 2,600 scheduled for the year. *This is reported in STARS for the first time.*

#### Corrective Action

About 2,400 RCRA facilities are scheduled to be prioritized under the National Corrective Action Prioritization System (NCAPS) this year. The regions have:

- Prioritized 288 facilities (out of 749 targeted). Of these, 15 facilities had environmental priority assessments completed. *This is reported in STARS for the first time.*
- Evaluated 10 facilities for stabilization measures.

#### Enforcement

The RCRA enforcement strategy has been to maintain a strong base enforcement program that focuses on addressing Significant Noncompliers (SNC), "timely and appropriate", enforcement response goals, and routine inspection schemes. As the regulated universe becomes larger, more sophisticated approaches are needed to gain the maximum leverage from each enforcement action.

In order to maximize deterrence, specific segments of the regulated community or specific types of violations of regulatory requirements will be targeted for enforcement in FY 1992. These targeted initiatives will be coordinated nationally among EPA regions, the states and the Department of Justice. While recognizing the importance of the base program, the Agency will make use of new targeting approaches for special initiatives that will direct a portion of its compliance and enforcement resources at environmental problems which may not be addressed through the current regulatory, statutory, or

organizational framework, or where existing authorities could be applied in a more concerted manner to maximize environmental improvements.

#### Inspections

During first quarter, both EPA and the states performed well on yearly inspections targets for land disposal facilities (141 against a target of 119 (118%)) and for treatment, storage and disposal facilities (210 against 166 (127%)). Federal, state and local treatment, storage and disposal facilities did not make their first quarter target (30 against 44 (68%)). There were 799 inspections performed at hazardous waste generators.

#### Addressing Significant Noncompliance

At the end of first quarter, the RCRA program reported 512 handlers in SNC that are High Priority Violators, having been addressed by a formal enforcement action, but have not returned to full compliance and 536 SNCs not having a formal enforcement action within 135 days of an inspection, record review or other compliance monitoring event.

#### Return to Compliance

Several new measures were added in FY 1991 to track the number of SNCs returned to compliance. As of October 1, 1991, as a result of an inspection, record review, or other compliance monitoring event conducted prior to October 1, 1988, there were two handlers that returned to compliance without a formal enforcement action at the end of the first quarter. There were no SNCS that had a formal enforcement action and had returned to compliance with all violations which caused them be in SNC and none were currently undergoing legal proceedings.

#### Enforcement Activity

During first quarter, EPA referred five RCRA civil and 12 criminal cases to the U.S. Department of Justice compared to four civil cases and seven criminal cases for the same period last year. EPA issued 46 formal administrative actions compared to 59 for the same period last year. The states issued 186 administrative actions compared to 183.

### **MINIMIZE THE QUANTITY AND TOXICITY OF WASTE**

The Offices of Solid Waste and Waste Programs Enforcement have several activities under objectives to achieve this goal. STARS does not track these activities.

## **SUPERFUND**

### **ENVIRONMENTALLY SOUND MANAGEMENT**

#### Make greater use of innovative technology for site remediation and corrective action.

An integral part of all of OSWER's programs is the increasing application of innovative technologies for source control and ground water remediation, providing more options for greater effectiveness at lower costs. Efforts are predicated on improvements in the processes by which innovative technologies are developed, evaluated, selected, marketed, and implemented.



STARS tracks the number of Superfund sites nominated as locations for demonstration projects under the Superfund Innovative Technology Evaluation (SITE) program. Fifteen sites in the remedial investigation/feasibility study (RI/FS) stage were nominated in first quarter, in Regions I, IV, V, and IX. *This is the first year that OSWER has reported this information to STARS.* The STARS reports for second and fourth quarters of FY 91 reported on the implementation of innovative technologies at NPL sites.

#### Ensure the long-term effectiveness of response actions under Superfund.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 increased the emphasis on designing long-term cleanup solutions for Superfund sites. Superfund's strategy includes greater emphasis on improved technologies and technology transfer, and improved evaluations of the remedies used.

STARS tracks the completion of final remedial actions (RAs) as one measure of site completion, there are two other ways not tracked in STARS that a site may be rendered complete; removal actions and a decision not to take an action. In first quarter, the regions completed eight final RAs (target of seven), with three of these in Region IV. The national end-of-year target is 34 sites. Prior to this year, 63 sites had been completed. Site completion occurs when the National Contingency Plan (NCP) criteria for deletion have been met, or that the only activity remaining is performance monitoring.

In July, 1991, OSWER completed the Superfund 30-Day Task Force Report which focused on accelerating site cleanups. Recommendations include an aggressive targeting strategy for site completions. The targets proposed for NPL site completions are:

- 130 sites completed by the end of FY 92,
- 200 by the end of FY 93, and
- 650 by the end of the year 2000.

In addition to final Remedial Actions, OSWER will also count as completed those sites with final removal actions (no further work is required) and sites with no-action RODs.

### **PREPARE FOR AND RESPOND TO HAZARDOUS RELEASES**

#### Better integrate OSWER's cleanup programs.

OSWER will work to integrate the relevant aspects of the Agency's cleanup programs, such as Superfund, the Oil Pollution Act, RCRA's subtitles, and parts of the Clean Water Act, to increase the efficiency and effectiveness of cleanup efforts. By FY 94, OSWER is to develop integrated technical training programs, develop Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)/ RCRA strategy and policy for lead-in-soil cleanups, and complete the Environmental Priorities Initiative (EPI).

Under EPI, Superfund monies are used to pay for Preliminary Assessments (PAs) at RCRA facilities. OSWER reported completion of 102 PAs under EPI. Half of these occurred in Regions III and V. *This is the first year STARS has collected this information;* only those RCRA PAs funded by Superfund are reported under this STARS measure.

Improve identification and remediation of hazardous and petroleum waste sites.

As the cleanup programs continue to develop, OSWER will seek to address the highest risks first, reduce the time from site identification to effective response, and reduce costs in order to address more sites. The strategies to implement improvements are broad and aggressive.

The Superfund process, or "pipeline," is divided into three principal stages: Pre-Remedial Investigation, Remedial Alternatives Evaluation, and Remedial Action Implementation. The main steps of the pipeline are tracked in STARS. Traditionally only the numbers of activities have been tracked; beginning in FY 92 STARS will also track the timeliness of certain pipeline activities.

The changes recommended by Don Clay, Assistant Administrator, in the 30-Day Study are intended to speed the completion of site cleanups. Key among the recommendations are:

- standardized solutions for cleanup investigations, remedy designs, and enforcement activities;
- higher priority on resolving conflicts between EPA, DOJ, the states, and other parties;
- improved public communication of Superfund accomplishments;
- modifications to the requirements for deleting sites from the NPL; and
- an aggressive targeting strategy for site completions.

Pre-Remedial Investigations

In first quarter, Superfund completed 547 Site Investigations, against a target of 253. Superfund has surpassed this target for several quarters.

Remedial Alternatives Evaluation

Regions addressed three sites, either with a first removal action or RI/FS start, meeting the target. One year ago Regions had addressed seven sites.

There were five Records of Decision (RODs) completed, against a target of twelve. The end-of-year target is 128 RODs. One year ago, Regions completed 18 of 20 targeted RODs. ROD completions have often been a bottleneck in the pipeline.

Remedial Action Implementation

Regions completed nine remedial designs (RD), against a target of 11; the end-of-year target is 128 RDs. One year ago, regions had completed 12 of 18 targeted RDs.

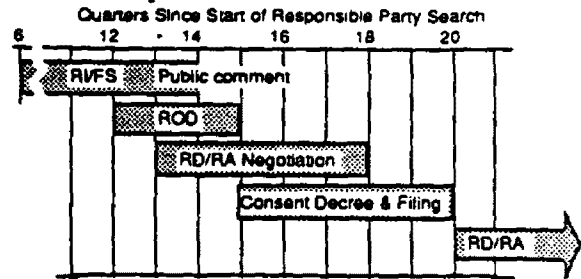
There were 12 Remedial Action (RA) starts (contract awards) at NPL sites in first quarter, against a target of 4. The second quarter target is 31; and the end-of-year target is 92. One year ago regions had completed two of seven targeted RA starts.

Superfund completed ten RAs, against a target of eight. The end-of-year target is 77. One year ago ten RA completions were reported, against a target of two. Due to site complexity, there may be more than one remedial action at a site; however, the final RA completed at a site is an indication of overall site completion.

Response Timeliness

One of OSWER's objectives is to move sites efficiently from remedy selection to response. For the first time, STARS tracks the timeliness of certain Superfund activities, providing key information about efforts to continually improve the speed of remedial response development.

Regions reported in first quarter that, on average nationally, the duration from ROD to RD start was 3.7 quarters, and from ROD to RA start was 10 quarters. The CERCLA Enforcement Timeline can be used as a generic baseline for gauging improvements to performance.



This segment of the enforcement timeline illustrates part of the generic schedule of remedial and enforcement activities. Due to space limitations, some stages of the process have been omitted. *From the Enforcement Project Management Handbook, OSWER, 1989.*

Enforcement

In FY 92, the Superfund enforcement program will continue to focus on using enforcement authorities to compel Potentially Responsible Parties (PRPs) to participate in the Superfund process, managing the RD/RA negotiation process within the timeframes established under Section 122, maximizing cost recovery to the Trust Fund and working toward achieving the Management by Objective Goal of \$300 million in FY 93. The regions will continue to use RD/RA settlement tools, including unilateral administrative orders (UAOs), *de minimis* and mixed funding settlements, referral of treble damage cases, referral of cases against non-settlers and penalty authorities, along with close inter-agency and intra-agency coordination in the settlement process.

Enforcement Activity - RD/RA Settlements

During the first quarter, there were nine consent decree referrals under Sections 106, 107 and 122(d) for PRPs to conduct or pay for RD/RA. There were three Section 106 UAOs issued for RD/RA (in compliance), bringing the total number of RD/RA settlements to 12 (against a target of four).

There were no Section 106 or Section 106/107 injunctive referrals to compel PRPs to conduct RD/RA (without settlement). The target for the first quarter was also zero. There were two Section 106 UAOs issued to compel PRPS to conduct RD/RA (without settlement).

Enforcement Activity Information Request Orders/Removals

There were no Section 104 (e) (5) orders issued or cases referred to compel PRPs to comply with information requests.

Nineteen orders (Administrative Orders on Consent and UAOs) were issued under Sections 104, 106 and 122 for PRPS to conduct removal actions and/or RI/FS. Regions III and VII had six orders each.

**Enforcement Activity - RD/RA Negotiations Process**

The average duration between ROD and RD/RA negotiation completion for all RD/RA negotiations completed or planned for completion in FY 92 was 27 quarters.

**Enforcement Activity - Cost Recovery Referrals**

In the first quarter, there were five Section 107 or 106/107 judicial referrals (greater than or equal to \$200,000) for Fund-financed removals, RI/FS, RD or RA (against a target of seven).

In the OE Docket, the total number of CERCLA Section 107 cost recovery referrals to DOJ, including those less than \$200,000 and/or those involving proof of claim bankruptcy issues, was 6 for the first quarter of FY 91. There were 6 Section 106/107 referrals. Overall, there were 15 CERCLA civil referrals during the first quarter.

**Enhance state capabilities to clean up hazardous and petroleum waste sites.**

The Superfund program has been building toward developing state-run programs so that more sites can be addressed sooner. Over the next five years, OSWER will place increasing emphasis on enhancing state capabilities, and will establish the Agency's position on the state role under CERCLA, and improve cooperation and exchanges with the states.

In January of 1991, a federal court ruled that EPA has until July 1992 to complete PAs at federal facilities, and one year after that to determine whether any of the sites should be placed on the NPL. As of February 1991, this included about 50 facilities. Due to the recent OSWER measures reduction, STARS no longer tracks PAs.

Success measures include an increasing number of state-conducted non-NPL responses and increases in the amount of contaminated media managed by the states.

There are no STARS measures that track progress of Superfund state capabilities.

## ACCIDENTAL RELEASES

### PREVENT HARMFUL RELEASES

**Improve release prevention practices and technologies.**

OSWER's strategy focuses on efforts to collect and share information regarding accident prevention, provide stakeholder support, and continuous improvement. The Chemical Emergency Preparedness and Prevention Office (CEPPO) will identify and use the most effective communication mechanisms, and work with stakeholders in identifying and implementing their responsibilities and enhancing capabilities. OSWER will develop ways to measure the success of these risk management programs.

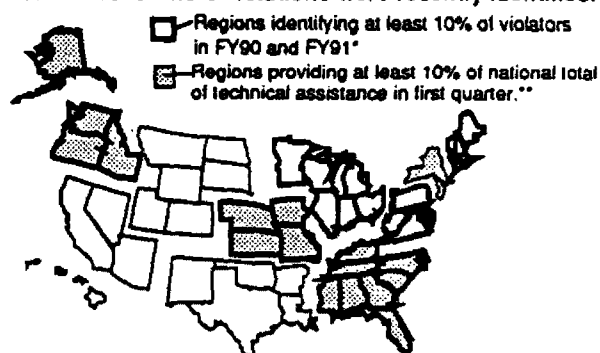
To portray this progress, STARS tracks the number of Accidental Release Information Program questionnaires sent to and returned by facilities with substance releases.

Nationally, there were 318 questionnaires sent out, and 299 returned (half of these were in Region IX). This level of national activity is comparable to that of previous quarters. There were three chemical safety audits conducted in first quarter.

**Reduce the number of catastrophic or harmful releases of oil and hazardous substances, particularly to high risk/high volume locations.**

Under SARA Title III, OSWER will work with states and Local Emergency Planning Commissions to focus on high risk/volume locations, to identify and develop profiles for environmentally critical or high-value areas, and to work with states to identify financial incentives for industry to prevent releases. Potential measures of success include continuous reductions of hazardous substance releases and declines in environmental damage.

Emergency planning technical assistance occurred in some areas where violations were recently identified.



\* Under CERCLA and EPCRA, FY90 and 91 violator numbers.

\*\* OSWER-40, Q1 FY92 numbers.

In first quarter the regions conducted 38 after-incident evaluations. Regions also investigated 194 potential violations, a performance comparable to the number of investigations one year ago. The national end-of-year target is 317 potential violations. OSWER will not track violations identified in STARS in FY 92.

In FY 90, OSWER reported that a total of 147 accidental releases -- violations of CERCLA and Emergency Planning and Community Right-to-Know Act (EPCRA) -- were identified. In FY 91, a total of 647 violations were identified.

## **PREPARE FOR AND RESPOND TO HAZARDOUS RELEASES**

**Improve the preparedness of federal, state, and local entities to respond to releases of petroleum and hazardous material into the environment.**

Under Title III of SARA, states and communities are responsible for developing and implementing emergency response programs. EPA's role is to support state and local programs by providing technical assistance and training, by developing and testing federal response plans, by collecting and making available information regarding emergency responses, and by taking enforcement actions to increase compliance with CERCLA and EPCRA. In first quarter, EPA provided technical assistance and training in 184 instances.

## OIL

The FY 1992 Quarter Reports will describe the activities and results of the Underground Storage Tank (UST) program for petroleum under the environmental problem area of Oil. This is to set the stage for reporting in FY 1993 on both this program and the implementation of the Oil Pollution Act for aboveground storage tanks holding oil.

### PREPARE FOR AND RESPOND TO HAZARDOUS RELEASES

#### Improve Identification and Remediation of Hazardous and Petroleum Waste Sites

##### Confirmed Releases

Since the start of the program in 1986, the cumulative number of confirmed releases at sites nationally is 136,398. *This is reported in STARS for the first time.*

##### Cleanups

Since 1986, the cumulative number of leaking underground storage tank (LUST) site cleanups initiated amounts to 85,106 (62% of the sites with confirmed releases). There has been a large increase in the number of emergency responses to leaking underground storage tanks, and tank closures, and a decline in LUST trust fund monies to the States over the last two years.

The cumulative number of petroleum releases under control is 57,007 (67% of cleanups initiated).

The cumulative number of cleanups completed at sites is 29,864 (35% of the sites with cleanups initiated).

Over the last three years, cleanups initiated by responsible parties have been above 95%, and have remained at 97% over the last year.

#### Enhance State Capabilities to Cleanup Hazardous & Petroleum Waste Sites

##### EPA Approved State Programs

Fifty-five States and territories currently implement State UST/LUST programs. Of these:

- Eight have submitted completed applications for EPA approval; and
- Six have received EPA approval. New Mexico, Mississippi, Georgia, and New Hampshire in FY 1991, and North Dakota and Vermont in FY 1992.

## OFFICE OF WATER

### INTRODUCTION

The mission of the Office of Water is to restore, protect and enhance the natural values and uses of the nation's waters as healthy, sustainable ecological systems, recreational resources, and sources of food and drinking water. The following links program priorities as expressed in the draft FY 1994-1997 strategic plan, "The Water Planet III," and the FY 1992 Agency Operating Guidance (AOG) with activity measures tracked in STARS. For each of the major categories of water resources, goals, objectives and strategies are outlined along with FY 1992 performance expectations. Where appropriate, first quarter performance highlights are included.

### RIVERS, STREAMS, AND LAKES

The goal for these natural resources is to fully support aquatic life and wildlife uses, fish consumption uses, recreation uses and where appropriate, water supply uses. Objectives are to increase the percentage of waters fully supporting aquatic life uses in targeted waters; to reduce pollutants in targeted waters; to reduce and ultimately eliminate the discharge of bioaccumulative pollutants; and to improve the quality and consistency of fishing bans and advisories. Strategies are to target pollution prevention and control activities based on sound science and technical information; to use the traditional tools of the base program, such as permitting, criteria and standards development, effluent guidelines development and enforcement in targeted areas; to develop new tools; and to implement the nonpoint source control program. As described below, some activities in support of these objectives are tracked in STARS for FY 1992.

### POINT SOURCES

#### NPDES Permits

The National Pollutant Discharge Elimination System (NPDES) permit program is the key regulatory tool for limiting point source discharges. Originally designed to control conventional pollutants, the program now also limits toxics and combined sewer overflows. STARS tracks major permits reissued by EPA and the 39 delegated states, and permits reissued or modified with water quality-based limits for toxics. Water quality-based limits ensure that a discharge does not violate state water quality standards and therefore protect against adverse impacts to aquatic life and human health.

This quarter, EPA reissued 51 major permits against a target of 34 and the delegated states reissued 120 against a target of 135. Notable performance shortfalls are in Regions I and II, where States reissued one and 20 permits against targets of 8 and 47, respectively. In Region VI, the Agency reissued 14 more permits than the target. Region IV states reissued

40 permits against a target of 24. Major and minor permits with water quality-based permits numbered 77 this quarter; last year 148 were issued in the first quarter.

### NPDES Enforcement

FY 1992 enforcement objectives for the NPDES program include inspections to identify compliance problems, effectively enforcing the pretreatment program, and maintaining compliance utilizing the SNC/Exception reporting and enforcement process.

Inspections reported for fourth quarter FY 1991 indicate that 1,730 permittees were inspected, exceeding the national target of 1,200. Of the 7,206 total major NPDES facilities, 754 or 10% were in SNC during the first quarter (up from 668 last quarter). Last quarter's exceptions list contained 106 major facilities. During the first quarter, 43 returned to compliance, and 19 were subject to enforcement action. The remaining 44 unresolved facilities plus 55 new SNCs added as exceptions during the quarter constitute the pending balance of 99 facilities.

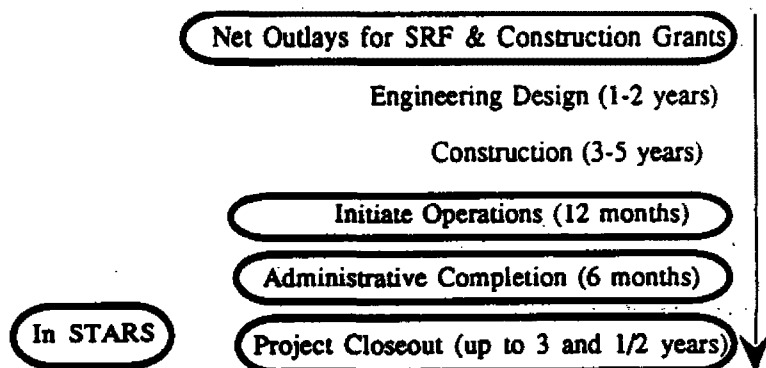
Through the first quarter, EPA issued 312 administrative compliance orders, including 12 for failure to implement a pretreatment program and 27 proposed penalty orders for NPDES violations. States issued 231 orders, including 47 penalty orders. State civil actions included 29 referrals to their State Attorneys General (25 by Region VII), five filed in State court, and 12 concluded cases.

### Construction Grants & State Revolving Funds

The construction grant process begins with outlays, which are tracked in STARS. In the first quarter of FY 1992, Agency-wide net outlays for grants and SRF were 94% of target. Region I made 74% of target.

Phase out of the construction grant program, as called for in 1987 CWA amendments, is following a two-tiered schedule. By FY 1995, all construction grant projects are scheduled to have achieved administrative completion. This means that the paper work on the project has been completed and all that remains is a possible audit. The program considers this step to

be a critical milestone, as OW involvement declines after administrative completion. Project closeout, the final step in phasing out the program, is dependent on a complex process, including completion of an OIG audit, resolution of debt issues, and issuance of a closeout letter.





For the first quarter, administrative completions, were 60% of target. Regions I, II, III, IV, and VI were below 50% of target. First quarter reporting for administrative completions is typically low, and is expected to improve in the second quarter. Project closeouts continued the fast pace established last year, closing out 161 projects against a target of 151.

A new measure was added in this year to track the number of construction grant programs showing environmental results. A project is considered to have begun to achieve environmental results when it initiates operations. In the first quarter, only 61% of the commitments were met.

### Storm Water

The "National Water Quality Inventory, 1990 Report to Congress" provides a general assessment of water quality based on biennial reports submitted by the states. The Report indicates that roughly 30% of identified cases of water quality impairment are attributable to storm water discharges. In addition, the Strategic Plan states that pollutants in storm water discharges are leading causes of impairments to coastal and inland waters.

Over 100,000 industrial facilities and 220,000 municipalities are subject to EPA initial permit requirements for storm water discharges. These permits will provide a mechanism for monitoring the discharge of pollutants to waters of the United States and for establishing source controls where necessary. Industrial facilities are given a choice of three permit application options: individual, group or general permits. Municipalities must submit two-part applications; Part One includes information regarding existing programs, the means available to the municipality to control pollutants, and a field screening analysis of major outfalls to detect illicit connections. Part Two requires quantitative data and a description of proposed storm water management plans.

In FY 1992 STARS will follow the number of baseline general permits issued for industrial sources of storm water discharges and the number of Part One permit applications submitted for municipal sources. Reporting for this new measure is still somewhat experimental. First quarter shows zero for the number of baseline general permits; however, with six regions reporting, 21 Part One applications were submitted.

### **NONPOINT SOURCES**

Agricultural runoff is the largest single source of impairment to the Nation's rivers and streams. The Global Tomorrow Coalition is cited in the OW Strategic Plan as declaring that nonpoint source pollution causes economic losses estimated at \$3.6 billion/year. The Strategic Plan outlines several activities with regard to nonpoint source control, but STARS measures are limited to reporting in fourth quarter the number of waterbodies targeted for total maximum daily load development (including NPS factors) and the percentage of state priority waterbodies with nonpoint source control programs in place.

## **WATER QUALITY PLANNING, STANDARDS, AND ASSESSMENT**

OW's fundamental strategic underpinning across all major resource areas is the development of a solid scientific and technical foundation for decision-making. STARS currently tracks two priority activities which reflect the implementation of water pollution control criteria.

### **Toxics Criteria**

Section 303(c)(2)(B) of the Clean Water Act (CWA), as amended, requires that whenever a state reviews water quality standards in accordance with §303(c)(1), the state must adopt numeric criteria into water quality standards for §307(a) priority pollutants that could be reasonably expected to interfere with designated uses. Full compliance was mandated for FY 1991. Twenty-two states had not complied fully when the Agency initiated action to propose federal standards in November of 1991. In FY 1992, STARS tracks adoption of criteria by states where the regions disapproved water quality standards or portions of those standards. States adopting sufficient criteria to comply with 303(c)(2)(B) will be removed from the federal promulgation list. Three additional states have come into compliance as of February 12, 1992.

### **Triennial Review**

The emphasis of these reviews is the reduction of ecological risk in critical surface waterbodies. The requirements are designed to enhance the ability of states to adopt water quality standards that will reduce risks facing aquatic resources, particularly from nonpoint sources, combined sewer overflows and storm water runoff. The critical water bodies targeted include wetlands and coastal/estuarine waters, but also may include lakes, streams and rivers. States completing the FY 1991-1993 triennial review must adopt five program requirements: (1) standards that apply directly to wetlands; (2) standards that apply directly to estuaries; (3) narrative biological criteria in standards to protect the designated uses for wetlands, estuaries, and other priority waters; (4) salt water criteria, as appropriate; and (5) anti-degradation implementation methods in standards. STARS targets the number of states completing triennial review by second quarter and fourth quarter. As of FY 1991, 10 states completed their triennial review; an additional 21 states are expected to complete reviews in FY 1992.

## **COASTAL AND MARINE**

For coastal and marine resources, the goal is to restore, protect and enhance the Nation's waters to sustain living resources, protect human health and the food supply, and recover full recreational uses of shores, beaches and coastal waters. Program objectives include: increasing the percentage of waters fully supporting aquatic life use in targeted waters; reducing the amount of pollutants discharged into targeted waters; decreasing the temporal and spatial extent of hypoxia and anoxic dead zones in geographically targeted coastal waters; decreasing the number of waters not fully supporting recreational use; and reducing the amount of debris in the marine environment.

While acknowledging that base programs must be maintained in order to sustain present levels of coastal and marine protection, the Strategic Plan emphasizes the need for risk-based resource targeting. OW will assist state and local governments in identification of high risk areas, in identification of environmental land use planning options, and the application of pollution prevention principles. OW is forging a new leadership role vis-a-vis the states and localities, encouraging non-federal implementation of comprehensive programs. OW strategies tracked in STARS are highlighted below.

### **NATIONAL ESTUARY PROGRAM (NEP)**

The OW Strategic Plan declares that the program will provide encouragement and assistance in state and local implementation of Comprehensive Conservation and Management Plans (CCMPs). CCMPs outline strategic programs critical to the improving or preserving the environmental integrity of targeted estuaries. The development of the CCMP proceeds in four phases: 1) creating a decision making framework, through involvement of all stakeholders; 2) characterizing the estuary's problems and probable causes; 3) CCMP development; 4) CCMP implementation. STARS tracks the development phase of the CCMP. As of January 1992, final CCMPs have been approved for Puget Sound and Buzzards Bay, out of a total of seventeen estuary projects supported by the National Estuary Program since 1987.

For FY 1992, OW committed to completing five draft CCMPs and two final CCMPs. Because of delays, the program office expects to complete three draft (Narragansett Bay, San Francisco Bay, and Albemarle-Pamlico Sound), and one final CCMP (Narragansett Bay) this fiscal year.

### **OCEAN DUMPING**

OW identified ocean dumping of dredged material as a risk to coastal water quality in their strategic plan. STARS tracks the number of environmental impact statements and the number of final actions. EPA takes final action in order to determine if the site will be designated or not for ocean dumping. In FY 1991, EPA committed to 10 final actions and completed four; in FY 1992, there is a commitment to seven final actions. To date, 74 ocean dumping sites out of an original list of 147 sites have been designated on a final basis in 18 out of 28 coastal states. Puerto Rico, American Samoa and Guam have ocean dumping sites as well.

### **WETLANDS**

The goal for our Nation's wetlands is "no net loss" as measured by acreage and function. Over time, the Agency seeks to increase the quality and quantity of wetlands. The wetlands program enforces CWA §404 and uses a variety of strategic initiatives to promote wetlands protection activities, including advance identifications, public education and outreach and comprehensive planning. These activities are tracked in STARS. Seven major public outreach efforts were completed in Regions I, III, IV, VI and VII, one comprehensive management and planning initiative was done in Region VII, but no advance identifications were completed in the first quarter.

## **§404 ENFORCEMENT**

FY 1992 enforcement priorities identified by the wetlands program include follow-up of enforcement initiatives begun in FY 1991, participation in new geographically-based enforcement initiatives, and to continue the expanded use of civil and administrative enforcement authorities. This quarter the wetlands program issued 15 administrative compliance orders, three administrative penalty complaints, and resolved 79 cases (through voluntary compliance or by administrative or civil action).

## **GROUNDWATER**

The strategic planning goal for ground water is to prevent adverse effects to human health and the environment, and to protect the environmental integrity of this national resource. Specific objectives supporting this goal include: reducing the population served by water systems using contaminated ground water; reducing the amount of pollutants released into ground water; increasing the number of states that are implementing Comprehensive State Groundwater Protection Programs; increasing state and local involvement in the wellhead protection program and eliminating 100% of identified Class V hazardous waste shallow injection wells and other known endangering shallow wells, and ensuring continued compliance of all other wells.

### **COMPREHENSIVE STATE GROUNDWATER PROTECTION PROGRAMS**

Comprehensive programs provide a state-level framework that integrates the various federal, state and local government groundwater activities. Coordination will extend beyond attempts to integrate various groundwater pollution source control programs to include integrated groundwater data systems, coordinated federal grant assistance to states and consistent groundwater regulations. EPA's role is to assist states in the development and implementation of comprehensive programs beginning with a national series of roundtable discussions the first half of FY 1992. For FY 1992, the regions will report activities supporting cross-program integration, and report state progress in moving toward the development and implementation of programs.

### **WELLHEAD PROTECTION PROGRAM**

OW is increasing emphasis on pollution prevention to complement its water quality programs. The wellhead protection program is a key example of OW's pollution prevention efforts. Priority will be given to shallow injection wells in targeted wellhead protection areas. In FY 1992, STARS continues to track the number of states with approved programs, reflecting the national objective of developing and implementing programs in all states. Nationwide a total of 18 states have programs approved; for this year 14 additional states are targeted with 8 submittals currently under review.

### **UNDERGROUND INJECTION CONTROL**

In FY 1992, the Underground Injection Control (UIC) program will place greater emphasis

on targeted Class V wells that pose the greatest risk to underground sources of drinking water, and on Class I hazardous waste wells impacted by the RCRA land ban. Strategies emphasizing pollution prevention, educating local decision-makers, and efforts to emphasize cross program coordination, multi-media approaches, and federal consistency will be critical in implementing the program.

## **UIC ENFORCEMENT**

The UIC enforcement program will focus on three objectives in FY 1992: identifying noncompliers, maintaining compliance through a variety of enforcement initiatives, and reducing risk to public health and the environment through continued closure of Class IV and Class V injection wells.

Field inspections, mechanical integrity tests, and self-reporting through the first quarter have identified 725 wells as being in significant non-compliance (SNC) (294 in state-run programs and 431 in EPA-run programs). This is an increase of 410 SNCs in comparison to the end of the first quarter of FY 1991.

Through the end of the first quarter in FY 1992, there were 503 injection wells on the Exceptions List (injection wells which have remained in SNC for 90 or more days without initiation of a formal enforcement action). Most of these SNC's (455) are in state-run programs. The FY 1992 first quarter Exceptions List marks a 10 percent increase over the first quarter FY 1991.

A total of 507 Administrative Orders were issued (486 in state-run programs and 21 in EPA-run programs) through the first quarter of FY 1992. Compared to the first quarter of FY 1991, Administrative Orders issued more than doubled.

The closure of Class IV and V injection wells is a new measure in STARS for FY 1992. For the first quarter, 123 Class IV and V wells were closed (49 in state-run programs and 74 in EPA-run programs). These injection well closures require owners and/or operators to permanently discontinue injection of any unauthorized or endangering fluid contaminants which are in violation of the Resource Conservation and Recovery Act, the Safe Drinking Water Act, or other applicable regulations.

## **DRINKING WATER**

The overall strategic planning goal for drinking water is to ensure that all Americans receive high quality drinking water sufficient to protect their health. In FY 1992, OW will continue to emphasize regulatory development for contaminants specified in the 1986 SDWA Amendments. Program strategies include increasing enforcement to maintain and improve compliance rates, building state capacity and providing increased public education to enable the adoption of new regulations, and improving the Agency's scientific and technical base to strengthen federal, state, and local decision-making.

## **PUBLIC WATER SYSTEMS SUPERVISION**

OW has three major strategic planning objectives for drinking waters. First, OW plans to reduce the number of people served by water systems that violate state or federal drinking water standards for selected contaminants. By 1997, all but the smallest Public Water Systems (PWS) are to have completed the initial round of compliance monitoring requirements for the 108 drinking water contaminants with standards. The second objective is to increase the number of states adopting and implementing new regulations, and therefore maintaining primacy. And finally, OW plans to work with states to build capacity, including technical assistance, guidance, and development of state funding mechanisms. As described below, in FY 1992, STARS tracks system compliance.

## **PUBLIC WATER SYSTEMS SUPERVISION ENFORCEMENT**

The goal of the PWSS Enforcement Program is to protect public health by ensuring compliance with federal drinking water regulations. Violations of these regulations are reported to the Federal Reporting Data System (FRDS) by the states and regions. The violations reported to FRDS are lagged one quarter. Water systems that have more serious, frequent, or persistent violations are considered significant noncompliers. According to the PWSS program's timely and appropriate criteria, SCNs must be addressed with an appropriate enforcement action or the system must return to compliance within six months, or they are classified as exceptions. SNCs/exceptions are tracked through an in-house database separate from FRDS and are reported to STARS.

At the end of fourth quarter FY 1991, OW reported 1,689 microbiological/turbidity (M/T) SNCs and 713 chemical/radiological SNCs based on information from FRDS.

Follow-up of the 395 new M/T SNCs, identified in second quarter FY 1991, resulted in 42% of these being resolved in a timely and appropriate manner. The remaining 229 systems were added to the exceptions lists for first quarter FY 1992. The percent of SNCs resolved is down from third quarter FY 1991 when 74% of the SNCs were resolved in a timely manner. Follow-up of the 133 new chem/rad SNCs for the same period resulted in 63% being resolved and the remaining 49 systems were added to the exceptions list for first quarter FY 1992. In third quarter FY 1991, 57% of the new chem/rad SNCs were resolved.

Of the 786 exceptions for M/T identified at the beginning of the fourth quarter, 31% were resolved in a timely and appropriate manner. The other 542 exceptions remained on the exception list. In third quarter FY 1991, 38 percent of M/T SNCs were resolved for the same time period, leaving 134 systems to be addressed. Thirty-four percent of the chem/rad exceptions were addressed in third quarter.

Fourth quarter EPA enforcement activity included issuance of 1,193 Notice of Violations (NOVs), 221 proposed administrative orders, 168 final administrative orders, three §1431 emergency orders, referral of one civil judicial case, and two criminal filings. States issued 390 administrative compliance orders, and referred 37 civil cases (26 in Region IV).

## **GULF OF MEXICO PROGRAM**

### **FIVE YEAR PROGRAMMATIC GOALS AND OBJECTIVES**

Developed in 1988, the Gulf of Mexico's five-year strategic plan identified two overarching goals with a total of nine objectives. FY 1992 is the final year of this plan. This year, STARS will examine the progress the program has made in fulfilling the goals and objectives in its strategic plan. OPPE will also support the Gulf of Mexico program's efforts to develop a new strategic plan as well as appropriate measures of success that will highlight the program's progress. In 1988, the goals and objectives of the Gulf of Mexico program were as follows:

**Goal I:** Establish an effective infrastructure for resolving complex environmental problems associated with man's use of the Gulf of Mexico.

Objective 1: Establish and provide support to a Gulf of Mexico Program Office.

Objective 2: Establish and implement a Gulf of Mexico Program committee structure.

Objective 3: Establish a public education network that includes information transfer, educational outreach, and participation activities.

**Goal II:** Establish a framework-for-action for implementing management options for pollution controls, for remedial and restoration measures for environmental losses, and for research direction and environmental monitoring protocol.

Objective 1: Prepare environmental characterizations.

Objective 2: Prepare environmental assessments.

Objective 3: Develop an interactive data management system.

Objective 4: Develop predictive assessments.

Objective 5: Develop and implement a Gulf of Mexico Environmental Management Plan.

Objective 6: Develop and implement a Gulf of Mexico Monitoring Plan.

## **FY 1992 REGIONAL INITIATIVES**

### **INTRODUCTION**

Regions have identified specific risk-based initiatives based on their strategic plans. Several of these initiatives involve the cooperative efforts of a number of federal, state and local agencies as well as different media offices within EPA. The following describes the goals and purpose of a representative group of these initiatives. This report will provide periodic updates of the progress achieved as reported by Regional Administrators in their quarterly memos.

### **REGION II: PRASA COMPLIANCE MODULE**

The Puerto Rico Aqueduct and Sewer Authority (PRASA) has been unable to meet its compliance schedules due to financial constraints. The Region is planning to expand its enforcement efforts to address the drinking water and wastewater treatment problems. It will also work cooperatively with PRASA and other local agencies to develop funding mechanisms for needed construction projects. Working within the existing regulatory framework, the Region will continue to modify its enforcement strategy to take into account the unique economic, cultural, and environmental conditions of Puerto Rico.

### **REGION III: USING GIS TO TARGET THREATENED GEOGRAPHIC AREAS**

The objective of this initiative is to identify several threatened geographic areas for future efforts. GIS technology and relevant data bases will be used to characterize and match unique Regional receptors (e.g., population centers, water supplies) with an inventory of environmental stressors to characterize the total environmental risk in that particular area. A priority ranking of the most severely affected geographic areas will be prepared to direct mitigation efforts. Then, cross-media efforts, such as increased enforcement action, pollution prevention initiatives, and focused monitoring of environmental indicators, will be implemented.

### **REGION III: USE OF RISK IN SETTING PRIORITIES ACROSS PROGRAMS**

The Region plans to use risk as the principle criterion to determine priorities of its environmental threats. Its Comparative Risk Study will serve as the starting point, but a series of analyses will be undertaken to supplement this study. These analyses will better enable the Region to recommend investment/disinvestment trade-offs resulting in the greatest risk reduction.

### **REGION IV: TRI-STATE GEOGRAPHIC INITIATIVE**

This initiative is a multimedia strategy to address continuing environmental concerns in the Ashland, Kentucky area. In response to citizen health complaints of skin rashes, breathing



difficulties, bleeding and cancer, Region IV conducted air quality and health studies for two years, but the results were inconclusive. Region IV formed a work group to develop and implement a quality-based approach to multi-media environmental evaluation, compliance assurance and enforcement in the Ashland area. Studies are now underway to identify all major environmental problems and their sources. A strategy to respond to all environmental problems using regulatory, reduction, or remediation tools will be designed and implemented.

#### **REGION IV: SOUTH FLORIDA GEOGRAPHIC INITIATIVE**

The Everglades is an internationally-recognized unique ecosystem which historically encompassed over 2.8 million acres of land in South Florida. Adverse impacts to the quality of the surface water, ground water, and ambient air have occurred as a result of the extensive agricultural and urban development of the historic Everglades. Because this ecosystem has an interrelated hydrology that supports numerous competing activities, improved coordination of all government agencies as well as EPA media offices will be required. Other major policy objectives include improving the protection of native habitat and biodiversity, reducing ground water and surface water degradation, improving air quality and toxic emissions, and enhancing environmental monitoring.

#### **REGION V: GREAT LAKES SEDIMENT REMEDIATION**

This initiative is intended to reduce the toxic loading to the Great Lakes and thus supports the Region's overall Great Lakes initiative. A regional task force is developing an economical and environmentally safe method to dispose of contaminated sediments consistent with TSCA, RCRA, and Clean Water Act requirements. Also, a multi-regional task force is developing a quality control/quality assurance dredging guidance document for the Corps of Engineers use in dredging projects. The PCB program will play a major role as well, because the PCB contaminated sediment in the rivers and harbors of the Great Lakes Basin is the major source of PCB loading to the Great Lakes.

#### **REGION VI: MULTI-MEDIA ENFORCEMENT STRATEGY**

This strategy is part of a permanent, ongoing change in the Region's approach to enforcing the various media laws and regulations. To the extent possible, a facility is treated as an integrated entity in assessing environmental harm, in monitoring compliance, in penalizing noncompliance, in fashioning remedies, and in making enforcement choices. A Regional Enforcement Management Council manages this effort, which includes multi-media case screening procedures, multi-media field inspections, risk screening analyses of the industries to determine the appropriate remedy, and EPA/state enforcement actions as warranted.

#### **REGION VII: PLATTE RIVER ENFORCEMENT INITIATIVE**

Initiated in FY 91, this project is a cross-program effort to protect and enhance the water quality of the Platte River and its ecosystem. A State/EPA workgroup will identify and prioritize threats from all sources. Integrated regulation, enforcement, pollution prevention, and

outreach activities will be used to resolve the most pressing problems, incorporating indicator-based tracking of water quality improvements. FY 92 efforts will focus on the Lower Platte River Basin.

#### **REGION VII: BIG SPRING BASIN DEMONSTRATION PROJECT**

The Region is working with a consortium of federal, state, and local agencies in Iowa to carry out this and other agricultural pollution prevention projects in Iowa modeled after Big Spring. Reductions in fertilizer and pesticide use are being demonstrated as a result of active local participation.

#### **REGION VII: SMALL COMMUNITY OUTREACH INITIATIVE**

Launched in 1987, this initiative is aimed at promoting small community wastewater treatment self-sufficiency, long-term compliance, and public health through information and technical assistance. In recent years, the scope of assistance has been expanded to drinking water issues, wellhead protection, and solid waste and community right-to-know. The outreach effort includes yearly regional workshops, presentations to a wide variety of audiences, and information booths at various meetings.

#### **REGION VIII: TITLE II INDIAN GRANTS**

With cooperation and financial commitment from a variety of federal, state, and local agencies, Regional Construction Grants staff are managing six wastewater treatment projects and supplying program knowledge and technical expertise to the Tribes during the planning, design, and construction phases. Coordination with the NPDES staff is maintained and enforcement action used to encourage Tribal performance. In all cases, the projects identified will remedy point source pollution problems now in violation of NPDES permit limits, thus improving water quality and protecting public health.

#### **REGION IX: SAN FRANCISCO BAY/DELTA INITIATIVE**

The San Francisco Bay/Delta Estuary, the largest on the west coast of North America, has been described as the Nation's estuary most impacted by human activities. Two initiatives to be undertaken by Region IX in FY 92 will address the environmental problems of this area. Through the agricultural initiative, the Region will work with state and regional water boards to improve the biological, chemical, and physical integrity of high priority Bay/Delta water bodies which have been impaired by agricultural practices. Staff will work to promote water conservation, water use efficiency, and water transfers, especially where clear environmental benefits are involved. Through the Bay/Delta initiative, the Region will work with the State of California to develop a balanced, comprehensive plan to restore and maintain fish and wildlife affected by physical changes in the watershed. A secondary goal is to work with affected agencies and interest groups to develop a long-term strategy for managing California's water resources.

**REGION IX AND VI: UNITED STATES/MEXICO BORDER ACTIVITIES**

Cities along the US/Mexico border have experienced health and environmental problems due to inadequately treated sewage and industrial waste. In 1983, the US and Mexico signed an agreement to deal with these problems, and EPA and Mexico's Secretariat of Urban Development and Ecology (SEDUE) were named national coordinators of an initiative to solve the myriad of environmental problems plaguing the border area. Region IX, along with Region VI, are involved in the development and implementation of the Integrated Border Environmental Plan (IBEP). The IBEP will contain a number of action plans involving federal, state, and local entities addressing air pollution, industrial and municipal wastewater, solid waste disposal, water supply, hazardous wastes, and accidental releases concerns.

**REGION X: URBAN PESTICIDE INITIATIVE**

This pollution prevention initiative is designed to reduce the risk of pesticides to human health and the environment in urban settings by preventing the inappropriate, unnecessary, and illegal releases of pesticides and by ensuring safe application of pesticides when they are necessary. Goals will be attained by public education and training efforts to promote safe pesticide use and environmentally sound transport, storage, and disposal of pesticides products and containers. Five Washington State agencies have agreed to participate in the initiative.

**REGION X: COEUR D'ALENE BASIN RESTORATION INITIATIVE**

The Coeur D'Alene Watershed contains one of the largest Superfund sites in the Nation. EPA, the Idaho Department of Health and Welfare, other federal, state, local, and tribal agencies, and the public (including the mining community) are working together to develop a comprehensive watershed restoration program. Implementation of the Watershed Management Plan, expected to take a minimum of seven to ten years, will restore the recreational/subsistence use of water-related resources in the watershed.