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## **In the Works**

### **Volume 18, Issue 11, November 2017**

In The Works is a monthly newsletter providing Environment, Health and Safety (EH&S) news and regulatory updates. The newsletter is provided by Loureiro Engineering Associates, Inc. of Plainville, Connecticut. In this Issue you will find links to the following articles:

#### **NATIONAL**

##### **EPA Releases Annual Regulatory Plan**

WASHINGTON – The U.S. Environmental Protection Agency (EPA), along with the rest of the federal government, has released its Semiannual Agenda of Regulatory and Deregulatory Actions and Regulatory Plan. The Semiannual Regulatory Agenda provides updates to the public about regulatory activity to support EPA’s core mission to protect human health and the environment. The latest Regulatory Plan describes the 13 most significant regulatory priorities the Agency expects to propose or finalize in the upcoming year.

“EPA’s plan balances its statutory requirements to issue regulations and its commitment to providing regulatory certainty through improvements to existing regulations that were flawed, outdated, ineffective, or unnecessarily burdensome,” said EPA Administrator Scott Pruitt.

Notably, EPA’s Regulatory Agenda and Plan demonstrates the Agency’s progress in implementing President Trump’s executive orders on regulatory reform. For Fiscal Year 2017 – consistent with Executive Order 13771 – EPA finalized two deregulatory actions for each final regulatory action, and did not impose any new net costs on the U.S. economy.

As required by Executive Order 12866, the Semiannual Agenda of Regulatory and Deregulatory Actions and Regulatory Plan was released as part of the government-wide Unified Agenda. The agenda outlines 26 actions appearing for the first time and 54 deregulatory actions. It reflects EPA’s efforts to lower regulatory burdens on the American people through commonsense regulatory reform.

EPA’s plan describes regulatory and deregulatory actions that are under development or review and rules expected to be proposed or finalized with the next year. This commonsense, balanced approach carefully protects both public health and the environment while curbing unnecessary regulatory burdens that stifle economic growth for communities across the country.

EPA's latest Regulatory Plan describes the 13 most significant regulations the Agency expects to propose or finalize in the upcoming year. EPA's fall 2017 Regulatory Agenda includes 101 active actions (e.g., actions with a projected stage within the next 12 months).

Among the actions in the latest Regulatory Agenda and Plan:

- 26 actions are appearing for the first time
- 54 actions are deregulatory

To access EPA's fall 2017 Semiannual Agenda of Regulatory and Deregulatory Actions and Regulatory Plan, please see: <https://www.epa.gov/laws-regulations/regulatory-agendas-and-regulatory-plans>.

In addition to the release of the fall 2017 Semiannual Agenda, EPA is announcing the launch of a new online website that will provide the public with information about EPA rules that are being repealed or modified. This website will include all EPA actions that meet the criteria of a deregulatory action as described in Executive Order 13771 and have been classified as a deregulatory action by EPA following a robust public participation process this summer. This website will be accessible in the coming weeks through EPA's regulatory reform webpage: <https://www.epa.gov/laws-regulations/regulatory-reform>.

These actions directly support Administrator Pruitt's goal of refocusing EPA on its core mission of protecting the nation's air, water and land while reducing unnecessary regulatory burdens on the American people.

## CONNECTICUT

### **The Connecticut Department of Energy and Environmental Protection (DEEP) Launches New Online Aquifer Protection Area Program Technical Training for Municipal Officials**

**The Connecticut DEEP is pleased to announce a new Aquifer Protection Area Program Technical Training Course.**

This free online training course was custom built to assist municipal Aquifer Protection Agencies and staff meet the training requirements under the Aquifer Protection Act. The course is designed as an overview of the regulatory requirements for local implementation and instructs agency members and staff responsible for knowing the law and assists them in complying with the law.

"This online training significantly reduces training costs to both the state and municipalities by allowing those taking the course to do so online rather than in person," said Kim Czapla, DEEP's Aquifer Protection Area Program Administrator. "This training is an important component of the Aquifer Protection Act, and by moving this program online we are also helping to increase availability and removing a barrier for those required to this course."

The course is not limited to municipal officials, and DEEP encourages everyone interested in learning about Connecticut's Aquifer Protection Area Program and protecting our groundwater resources to participate.

To enroll, visit [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection)

## **MASSACHUSETTS**

### **Baker-Polito Administration in Massachusetts Announces \$1.53 Million in Grants to Protect Commonwealth's Waterways**

#### **Nine Local and Regional Projects to Focus on Pollution Prevention in Watersheds**

BOSTON — The Baker-Polito Administration recently announced that eight local projects and one statewide project targeting water pollution from stormwater runoff and erosion will receive more than \$1.53 million in grants utilizing funds from the U.S. Environmental Protection Agency (EPA). The eight projects receiving funding are based in Amesbury, Bellingham, Brewster, Canton, Franklin, Great Barrington, Millbury and Westford, and the statewide project will serve multiple communities.

“The Commonwealth’s water resources are critical assets for the state and its municipalities,” said Governor Charlie Baker. “We are proud to partner with the United States Environmental Protection Agency and local communities to protect these resources across the Commonwealth from erosion and stormwater runoff.”

“These grants will help communities implement plans that will directly benefit our rivers, groundwater and coastal resources,” said Lieutenant Governor Karyn Polito. “Stormwater can cause serious harm to our fragile ecosystems, so it is important to find ways to manage that runoff as it enters into our local watersheds.”

Six of the recommended projects will implement or demonstrate best management practices (BMPs) to mitigate the effects of polluted stormwater runoff. One project will help develop a stormwater utility. Another project will develop watershed-based plans, and the last project will apply alum to reduce toxic cyanobacteria blooms.

The grant program focuses on implementation of measures to control nonpoint source (NPS) pollution to surface and groundwater. Unlike pollution from industrial facilities and sewage treatment plants, NPS pollution is unregulated and comes from a variety of sources. NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters and ground waters.

“Non-point source pollution threatens the health of our water bodies and degrades the quality of life for all residents of the Commonwealth,” said Energy and Environmental Affairs Secretary

Matthew A. Beaton. “These projects are a much-needed local investment that will ensure the continued protection of Massachusetts’ natural resources.”

Common types of NPS pollution include phosphorus and nitrogen from lawn and garden fertilizers and agricultural operations, bacteria from pet waste and waterfowl, oil and grease from parking lots and roadways, and sediment from construction activities and soil erosion.

“Through these grants, we are pleased to partner with the local and regional organizations that are working to restore and protect these vital water resources,” said MassDEP Commissioner Martin Suuberg. “These projects will develop and implement the best management practices and educational outreach initiatives that are necessary to stem pollution.”

These projects will help to protect Massachusetts’ water resources by restoring and preserving watershed areas, constructing BMPs, demonstrating innovative technologies, and educating the public on how to protect sensitive natural resources. Recipients include municipalities, regional planning agencies and environmental organizations.

Each of these projects was reviewed and approved by MassDEP’s regional and program staff, the MassDEP/Executive Office of Energy and Environmental Affairs Proposal Review Committee and the federal EPA. Funding for the projects will be available in early 2018.

The projects recommended to be funded are:

**Town of Amesbury – \$352,000**

Project: The town will apply alum to Lake Attitash to reduce internal phosphorus loading to stop frequent harmful algal blooms.

**Town of Bellingham – \$97,895**

Project: Grant funds will be used to assist the implementation of BMPs at the town’s Municipal Center to reduce the impact of stormwater runoff.

**Town of Brewster – \$105,000**

Project: Grant funds will be used to restore tidal flow, water quality, and salt marsh area by installing BMPs and upgrading an undersized culvert.

**Town of Canton – \$134,784**

Project: This project will construct BMPs along Beaver Meadow Brook and in the Pequit Brook Watershed, tributaries to the Neponset River.

**Town of Franklin – \$125,000**

Project: The town, partnering with a redevelopment project, will implement stormwater BMPs for a public roadway.

### **Town of Great Barrington – \$288,925**

Project: The goal is to install structural BMPs on Knob Hill Road to capture sediment and pollutants that led to the impairment of Lake Mansfield.

### **Town of Millbury – \$150,000**

Project: The town will reduce sediment and nutrient loads as well as the quantity and velocity of stormwater flows to the Blackstone River, through the installation of BMPs.

### **Town of Westford – \$99,982**

Project: The goal is to develop a stormwater utility that meets the stormwater management, social and technical needs of the community.

### **Statewide (Geosyntec) – \$180,970**

Grants funds will be used to continue the success of the Massachusetts Watershed Based Plan's web-based tool and develop a statewide lake trophic response modeling tool.

With the addition of the 2018 funding awarded under the grant programs, the Commonwealth and EPA have provided more than \$17.8 million since 2007 for 96 projects to address NPS pollution across the state.

## **NEW HAMPSHIRE**

### **New Hampshire National Pollutant Discharge Elimination System Study Commission**

A legislative commission has been established to study whether NHDES should administer the National Pollution Discharge Elimination System.

#### **Background**

Section 402 of the Clean Water Act is the National Pollutant Discharge Elimination System (NPDES) permitting program. NH is one of four states not delegated to administer the NPDES Program. NHDES reviews and certifies that the federal permit issued by the US Environmental Protection Agency (EPA) meets the NH water quality standards and provides limited outreach on the federal stormwater program but does not have statutory authority to issue stormwater permits.

#### **Project**

The Commission is to determine whether NHDES should request delegation of the National Pollutant Discharge Elimination System from the EPA, and if so, to recommend a fee structure that would pay for the department to hire the required number of employees to manage the issuance of permits and administer the program.