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In the Works

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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

Federal EPA Releases Energy Independence Report

“We can be both pro-jobs and pro-environment,” – EPA Administrator Scott Pruitt

WASHINGTON- Recently, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt’s leadership, is implementing President Trump’s Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth – while protecting human health and the environment.

“EPA is committed to President Trump’s agenda,” said EPA Administrator Scott Pruitt. “We can be both pro-jobs and pro-environment. At EPA, that means we are working to curb unnecessary and duplicative regulatory burdens that do not serve the American people – while continuing to partner with states, tribes and stakeholders to protect our air, land, and water.”

EPA released its final report in accordance with President Donald Trump’s Executive Order (EO) 13783. Notably, the report provides a look at how EPA is working to curb regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation while protecting human health and the environment. The report can be found online [here](#).

The report discusses nine EPA actions on energy-related regulations covered by EO 13783. It further includes the following four initiatives EPA plans in undertaking to implement this order:

1. New Source Review reform (NSR) – EPA is establishing an NSR Reform Task Force to review and simplify the NSR application and permit process.
2. National Ambient Air Quality Standards (NAAQS) reform – EPA plans to use the newly formed Ozone Cooperative Compliance Task Force to review administrative options to meaningfully improve air quality as it relates to ozone. EPA will also work to streamline

the approval of state air pollution plans, and eliminate EPA's backlog of state pollution plans.

3. Robust Evaluations of the Employment Effects of EPA regulations – Regulations impose high costs on American workers, particularly in the energy sector. Five environmental statutes state that EPA conduct continuing evaluations of potential shifts in employment that may result from implementation of these statutes. The Agency historically has not conducted these assessments. EPA intends to conduct these evaluations consistent with the statutes.
4. Reestablishing the Smart Sectors Program – EPA recently relaunched the Smart Sectors program to re-examine how it engages with American businesses to reduce unnecessary regulatory burdens, while protecting human health and the environment. (www.epa.gov/smartsectors).

Background

On March 28, 2017, President Trump signed Executive Order (EO) 13783 promoting clean and safe development of the United States' vast energy resources, while at the same time avoiding regulatory burdens that unnecessarily encumber energy production, constrain economic growth, and prevent job creation.

To that end, Section 2 of EO 13783 required an immediate review of all agency actions that potentially burden the safe, efficient development of domestic energy resources. Section 2 required the heads of agencies to review all existing regulations, orders, guidance documents, policies, and any other similar agency actions that potentially burden the development or use of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear energy resources.

Section 2 also required agencies to submit a plan on how the agency will carry out the review. For those agencies that submitted a plan, the agency was required to submit a draft final report to OMB and EOP offices within 120 days (by July 26, 2017). The EOP offices provided recommendations to the agencies to ensure the final reports that reflect the policies laid out in EO 13783.

Final reports were to be finalized within 180 days (by September 24, 2017) unless the OMB Director, in consultation with the other EOP officials, extend the deadline.

To assist agencies in the development of the EO 13783 reports, OMB developed guidance on May 8, 2017 providing additional direction to agencies. OMB directed Agencies to provide a number of pieces of information in the agency final reports and to publish the final report on the agency website and in the Federal Register.

New NIOSH Center to Study Safety and Health Implications of Occupational Robots

Increasing numbers of robots are entering the 21st century workplace, yet the benefits and potential risks of robots in the workplace aren't fully known. To address the knowledge gap related to robotics and worker safety and health, the National Institute for Occupational Safety and Health (NIOSH) announces the launch of the Center for Occupational Robotics Research. The new Center will assess potential benefits and risks of robot workers and develop guidance for safe interactions between human and robot.

“Robots working collaboratively with humans present a new workplace risk profile that is not yet well understood,” said NIOSH Director John Howard, M.D. “Not only is this a new field for safety and health professionals, little government guidance or policy exists regarding the safe integration of robots into the workplace. NIOSH’s Center for Occupational Robotics Research will provide the scientific leadership needed to ensure human workers are protected.”

Robots are not new to the workplace. Advancements in sensing technology, however, have led to the evolution of the conventional industrial robot working in isolation to smarter, collaborative robots that work alongside, move amongst, or are worn by human workers.

NIOSH researchers have identified 61 robot-related workplace deaths between 1992 and 2015. The Center will continue to monitor trends in injuries associated with both traditional and emerging robotics technologies.

“We suspect fatalities will increase over time because of the growing number of industrial robots being used by companies in the U.S., and from the introduction of collaborative and co-existing robots, powered exoskeletons, and autonomous vehicles into the work environment,” said Dawn Castillo, M.P.H., director of NIOSH’s Division of Safety Research and the Center’s program manager. “NIOSH has a history of robotics research and through the Center for Occupational Robotics Research, we are poised to proactively address the safety of today’s and tomorrow’s workers who use, wear, or work near robots.”

NIOSH will work in partnership with partners in academia, industry and government to establish risk profiles of robotic workplaces, identify research needs and conduct research to improve the safety, health, and wellbeing of humans working with robots and robotic technologies and support the development and adoption of consensus safety standards. The Center’s first formal partnership was established on October 5, 2017—an Alliance with the Occupational Safety and Health Administration and the Robotics Industry Association.

CONNECTICUT

Connecticut DEEP Announces \$183,000 in Federal Grant Funds

Available for Clean Diesel Projects

Connecticut's Department of Energy and Environmental Protection (DEEP) has announced the availability of \$183,000 in federal funds for grants to local and state governments, as well as businesses and organizations, who want to replace large, older diesel engines with electric or newer, cleaner-burning engines.

The funding, which is provided under the federal Diesel Emission Reduction Act (DERA) covers up to 60% of the cost of new technology to replace older diesel engines. The use of new technologies can reduce air pollution as much as 80% in addition to saving money in operating costs by decreasing fuel consumption.

Grant applications are due November 14, 2017.

DEEP is administering the DERA grants for the U.S. Environmental Protection Agency's State Clean Diesel Program, designed to support green technologies while reducing air pollution and addressing the public health and environmental concerns posed by diesel emissions in Connecticut.

Since 2008, \$3.3 million in DERA funding has been allocated to Connecticut for projects reducing over 2,300 tons of diesel emissions.

"Diesel related emissions impact public health in Connecticut," said DEEP Commissioner Rob Klee, "DERA is effective at reducing air pollution and this grant funding is an exceptional opportunity to save money and support green technologies while helping everyone in Connecticut breathe a little easier."

Why Diesel Air Pollution is a Problem

Air pollution from diesel engines presents real public health concerns for Connecticut. Our communities, especially those in urban areas, suffer from exposure to sooty exhaust emitted by trucks, buses and other diesel engines. These emissions can make breathing difficult, particularly for children, the elderly, and other sensitive groups. Reducing diesel emissions is a priority for DEEP because:

Diesel exhaust has been classified as a probable human carcinogen by the U.S. Environmental Protection Agency (EPA);

Diesel engines are a significant contributor to air pollution, emitting high levels of nitrogen oxides (NOx) and particulate matter (PM), which exacerbates asthma, bronchitis, chronic obstructive pulmonary disease (COPD) and similar respiratory conditions; and emissions from diesel powered electricity generators used to meet peak energy demand.

RHODE ISLAND

Over \$6 Million Available To Clean Up, Redevelop Brownfields Sites Throughout Rhode Island. Funded projects will promote jobs, economic growth and renewable energy.

PROVIDENCE – The Rhode Island Department of Environmental Management (DEM) – in partnership with the Rhode Island Infrastructure Bank – today announced new funding opportunities to support the cleanup and redevelopment of contaminated properties, known as brownfields, across the state. In all, over \$6 million is available. Funded projects will support a healthier environment and economy, create jobs, and promote renewable energy uses at these locations.

Brownfields Remediation and Economic Development Fund - \$5 Million

A Request for Proposals opened in early October – with a deadline of December 1, 2017 – for a new round of matching grants under the State's Brownfields Remediation and Economic Development Fund. Redevelopment of brownfields – which are vestiges of Rhode Island's industrial heritage and number in the thousands across the state – may be complicated by the presence or potential presence of environmental contamination. This Fund, created under the 2014 Clean Water, Open Space, and Healthy Communities Bond, helps communities and private organizations accelerate cleanup efforts and promote smart growth. Up to \$2 million will be awarded to projects that promote renewable energy uses.

To date, \$5 million has been awarded under the Fund, supporting 23 projects in 10 communities. These grants, which leveraged over \$575 million in other investment and support some 4,000 jobs, help build new schools, businesses and homes throughout the state. Since 1995, some 790 brownfields sites have been cleaned up with assistance from DEM and its partners. According to the U.S. Environmental Protection Agency, an estimated 7.3 jobs are supported per \$100,000 spent on brownfields redevelopment.

Rhode Island's brownfields grant program, which covers 80 percent of a project's cost, provides needed resources for site preparation and redevelopment projects. Site preparation grants of up to \$100,000 are available for properties that have been declared a brownfield based on previous site investigation work but lack an approved Remedial Action Work Plan (RAWP). These grants can be used to fill gaps that exist in site investigation data and to develop and analyze actions necessary for an approved RAWP. Redevelopment grants of up to \$500,000 are available for projects with completed and approved site investigations and an approved RAWP and Remedial Approval Letter or Order of Approval through DEM. Funding is made possible by the 2016 Green Economy Bond.

Targeted Brownfield Assessment Program - \$527,000

The Targeted Brownfields Assessment Program provides funding to municipalities and non-profits to help evaluate brownfields sites and costs associated with remediation. A total of

\$327,000 in hazardous substance funding and \$200,000 in petroleum funding is available. For more information, contact Cory DiPietro, DEM sanitary engineer, at cory.dipietro@dem.ri.gov.

Brownfields Remediation Revolving Loan Fund - \$860,000

The Brownfields Remediation Revolving Loan Fund, administered by Rhode Island Infrastructure Bank (the Infrastructure Bank) – provides long-term, low-cost financing to public and private businesses for the cleanup of sites with hazardous substances, excluding petroleum. In partnership with the Infrastructure Bank, DEM is soliciting projects on an ongoing basis. For more information, visit www.riib.org.

A single application form, available at www.dem.ri.gov/brownfields, can be used to apply for any of the above opportunities. Electronic applications are encouraged; however, proposals may also be mailed to the DEM Permit Application Center, 235 Promenade Street, Second Floor, Providence, RI 02908. Final proposals and supporting materials are due by 4:00 p.m. on Friday, December 1, 2017. Government, private and community agencies are eligible to apply. Site selection will be determined on a competitive basis.