

## **R3 Inland Area Committee Meeting Notes**

Thursday, December 12, 2024

NOAA Center for Weather and Climate Prediction  
0900-1200

- Changes to agenda
  - Unable to connect with tribes
  - Emerging issues: PAS, IACP progress update, SCPA outbrief, OSC authority and FEMA response
- Introductions
- Emerging Issues PFAS – Brian Schlieger
  - Overview of policy
  - Enforcement stance EPA will take, not looking to enforce against municipalities
  - Buy backs, local fire departments worried about what to do with product
  - Urgent public health issue
    - Don't break down naturally
      - Long term exposure
      - Mobile and move through water system
    - In fast food wrappers, hair gel, shampoo, industrial sources
    - Started 1940s as byproduct
  - Summary of sites
    - DOD used for practice in firefighting
    - Many identified sites, but haven't been referred to removal program
    - Metal plating
      - Dust suppression
    - Textile coating
      - Waterproofing
    - Biosolids or waste sludge
      - Biosolids as fertilizer source, exposure to land
  - Other sites of potential concerns
  - CERCLA Hazardous Substance Designation
    - Before July 2024, PFAS and PFOA not hazardous
      - They were pollutant contaminants
  - Legal authority
    - First time using CERCLA Section 102 authority to designate a hazardous substance
  - Implications of the CERCLA designation
    - Release reporting requirement over 1 pound
  - Release reporting requirements
    - Release of 1 pound in 24 hours
  - Benefits of CERCLA designation

- Additional benefits
  - Because it is a hazardous substance, cleanup decisions can be made more easily
- What the designation does not do
  - Require facilities to proactively sample
    - Due to competing priorities these sites will most likely not take priority
    - EPA doesn't want to see a glut of referrals, should try to only refer if you are unable to take it on or other extreme circumstances. Prioritize which sites to refer.
- PFAS drinking water rule
  - Not necessarily using MCLs
  - Focus on private water
  - Because RMLs are so low, consider using MCL
- PFAS removal management levels
- PFAS screening values
  - If collocated using HQ =1 instead of HQ=3
    - Most collocated so will use HQ=1
  - RML is a calculation
  - There are many types of PFAS substances, but HQ only made PFAS and PFOA hazardous substances
    - Other PFAS substances would have to fall into contaminate for cleanup not hazardous substance
- Targeted analytical methods
- Enforcement discretion policy
  - Intent is not to enforce against firefighters for AFFF foam
    - Remind them to take care when using it
- EPA's PFAS destruction and disposal
  - More work to be done, but good guidelines
- Additional regulatory updates
  - Because it is a hazardous substance, it doesn't mean it is hazardous waste
    - Working on final rule
- In relation to memo intending to go after fire depts, etc.
  - Public on EPA's website to review
- VADEQ - Tractor trailer accidents in interstate corridors with fire. Fire departments call for foam and use PFAS foam for mitigate fire. If there are hazardous materials on trailer, do they to sample for PFAS in removal actions from cargo?
  - Disposal companies concerned about PFAS. Companies will be the driver for this decision.
- VADEQ; Tire fire – two situations 8000-gallon tanker truck applied foam and discharged to waterways with no runoff collection. Both went downstream and may have affected water intakes. How to mitigate this?

- Downstream notification
  - Health departments would have to make decisions if water is safe
  - ATSDR possibly?
- VADEQ: transportation related projects, expanding right turn lane on Route 29, acquire property from farmer with bio applications. Tested for PFAS, PFAS found in the field. Would enforcement discretion extend to VDOT during project?
  - Not huge liability concern, but if it has potential to get into private drinking water – then there would be an issue.
  - Direct to EPA attorneys
  - Consider state statutes
- Specific to fire departments using foam, need notification for using AFFF foam 1 pound over 24 hours
- Would there be federal government bans?
  - Not looking to that in the next four years but unsure of future
  - PFAS can help save human health and environment from fighting fires but want to minimize exposure so
- What is the percentage of PFAS in foam? How to calculate when to notify about PFAS release >1 pound.
  - 3-6%
  - .25 oz of PFAS in 5 gallon
    - 320 gallons of foam to release 1 pound of PFAS
- IACP progress
  - Removing old formatting
  - Fact sheets will go into viewer
  - Compare changes to RCP
  - Progress with viewer
    - More usability
    - Added water intakes
      - Different levels of security
    - Work on getting one county out of region boundary to be able to properly be able to get information
  - Work on data sharing agreements with states
  - Developing Virginia wide effort for GRPS in waterways
    - Focus on easy targets
- Berks County
  - GRP viewer
    - Type of boom, other site-specific areas
  - GRP development
    - Survey123 to collect data in the field to be able to quickly develop GRPs
    - Where are facilities, vulnerabilities, highways, etc.
      - Completed field recon on areas identified
    - Team of EPA, county, START, Atlantic strike team
    - Flew drone to get better perspective

- Responder training
  - Berk's county asked for training
- GRP exercise
  - Local rail bridge with dangerous commodities crossing
  - 2 feet of water, only able to out rescue boat in
- Lessons learned
  - Attitude of responders
    - Swell due to hurricane, had to postpone and lost some groups but good turnout and attitudes
- Improvement
  - Cross-organization communication
    - County got an idea of what they will be asking others to do. They usually won't be the ones deploying
  - No drive-in anchors
    - List of new equipment to accommodate the area
- IACP viewer review
  - GRPs are also on NRT website
  - Grouping of layers
  - Near me tool
    - View sensitive areas around you
- OSC Authorities and Resources – Kevin Clark
  - Subarea map
  - Response authorities
    - NCP
      - Main resource
    - Executive orders
  - Delegated authorities OSCs can provide
  - 215-814-3255
    - 24 hour line to ask questions
  - Oil spill response
    - Work on ways without giving late night phone calls
  - CERCLA removal site eval
    - Where things should start
  - CERCLA removal actions
    - Decision making for removal
  - Limitations and special considerations
    - Pollutant/contamination threshold is higher
    - No permits for CERCLA
    - Exempt for permits in site area (how the site is defined)
    - Specifically lists things they can't respond to under CERCLA
      - Oil response
      - Natural gas
        - Wide variety, some ways to work around ex. Landfill

- Some mix rules of natural gas is mixed with hazardous substances
- OPA
  - Derived from clean water act to respond to threat to WOTUS
  - Can administer money to state and local government to clean up under EPA
- OSC Resources
- Laboratory support
- Instruments
- ESF under Stafford act
  - Mission Assignment under FEMA
- Question: VA Contacted by EPA for updates about Hurricane Helene regarding damage on wastewater facility? What are expectations? What happens with the information?
  - Working on communication strategy to request information. White house pressure to know what was happening with wastewater.
- VA developed survey to wastewater treatment plants for disruptions most disaster. Second survey about extent of damage and length of restoration. Is this expected to be shared? Can we streamline data management so the same question isn't asked multiple times?
  - OSC share same frustrations. Challenges with ESF #3, newer to response structure
- Response funding for state and local governments
  - Local government reimbursement program
    - Ex. Overtime, broken hoses, level A suits
    - Has to be a release EPA would have responded to
    - Only 1 per incident get signature from highest level
  - Oil spill liability trust fund reimbursement
    - Must show you went to RP first and they wouldn't pay
    - Available for state governments
  - PRFA
    - Local and state can hire own contractors and direct rather than filing claim
    - Ensure money goes back to correct person
- Suggestion for future sessions about PRFA
  - Bring someone from national pollution fund center
  - What falls under PRFA
- Missions Assignments – FEMA
  - Overview of what FEMA does
  - FEMA will only show up until they're called, and they will do things their way. They have resources to complete what needs done
  - MA is subcontracting out all the work that needs done for a problem
  - Don't go to FEMA and ask for a specific item, ask for capability

- They have lists of agencies to complete
- Starts and ends at local level
  - Local level government does all they can to and then call through mutual aid and once all are exhausted FEMA comes. Once stabilized FEMA is first one out and scales back to local level
- Different MAs
  - Some bill only federal, some bill state
- Statutory authority
  - If a federal agency has a statutory authority to do something, FEMA can't pay because the federal government (congress) is already paying.
- Two memos
  - Suiter – EPA and FEMA agreement for release in natural disaster use Stafford
  - USCG and FEMA
- If you have a DOD or federal facility that needs help with response should they request through the state or go federal to federal?
  - Probably get routed through DOD
- Surge account
  - Can stage pre-event when a known event is coming
- Can't begin starting work for MA until declaration is issued
  - Declaration can't be issued until state requests and then president approves
- More emphasis put on water for future disasters
- Emergency vs disaster
  - DR – disaster
  - EM – lower than disaster
- EPA trains and equips OSC and authorize them to directly contact contractors on their own
- Reach out to partners
  - Suggestions for next meeting
- Meeting concluded at 12:00.

Meeting Attendance Roster	
Attendee Name	Attendee Organization
Anderson, Bennett	DE DNREC
Banda, JoAnn	DOI - FWS
Bartos, Myles	US EPA
Bastias, Sabina	US EPA
Belcher, Joshua	USCG D8
Bernatos, Anthony	FEMA
Boyd, Kevin	US EPA
Casillas, Laura	US EPA
Ciani, Lydia	START – Tetra Tech
Clark, Kevin	US EPA
Cook, Elisha	USCG D5
Csulak, Frank	DOC
Darby, Valincia	DOI
Davis, Steve	US EPA
Dehaven, Leigh	US EPA
DiDonato, Ann	US EPA
Donahue, Geoffrey	MDE
Feist, Brian	PEMA
Gaynor, Kevin	US EPA
Grieco, David	
Guerra, Shari	USCG
Heym, Kevin	US EPA
Hoppe, Michael	US EPA
Hornbacher, Robert	MDE

Jolley, Justin	USCG D8
Lohman, Elizabeth	VDEQ
Martin, William	US EPA
Matthews, James Peter	DOT - PHMSA
Meadows, Nathan	WV DEP
Mulholland, Patrick	US EPA
Nelson, John	DOI
Nilsen, Ashley	US EPA
Pillow, Lauren	VDEQ
Scheaffer, Sarah	DOI- FWS
Schlieger, Brian	US EPA
Smith, Jessie	START – Tetra Tech
Thorkilson, Kelly	USCG D5
Townsend, Tracey	OSHA
Towle, Mike	US EPA
Wagner, Christine	US EPA
Vazquez, Aurea	USCG
Ventura, Dominic	
Ziolkowski, Lila	ORSANCO