



Comments Received on EPA's National Enforcement and Compliance Priority Discussion Forum

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Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
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Washington, D.C. 20460

<http://www.epa.gov/compliance/data/planning/priorities/index.html>

Comments Received on EPA's National Enforcement and Compliance Priority Discussion Forum

***Note: All comments numbered sequentially throughout the document.**

Topics:

- Comments on EPA Selection Criteria
 - *What other selection criteria should EPA consider?*
- Comments on Suggestions for Future Environmental Priorities
 - *What are the most important environmental compliance problems that occur nation-wide? What makes these problems significant?*
 - *Which, if any, of our existing national priorities should remain a priority for EPA and why?*
- Providing Information for Public Use
 - *What additional compliance or enforcement information would you like to see on our Web site for National Priorities for Enforcement and Compliance Assurance?*
 - *How can EPA make information on national priorities easier for the public to understand?*
 - *How can EPA best demonstrate progress made in accomplishing national priority goals?*

Comments on EPA Selection Criteria:

EPA uses the following criteria to help determine our priorities for enforcement and compliance assurance activities:

- *Scope: the environmental problem is significant in nature and occurs nation-wide*
- *Non-compliance: frequent, on-going violations of Federal environmental laws*
- *Role: appropriate role for Federal government*

Question to Consider:

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- *What other selection criteria should EPA consider?*

1. **John Key Says:**

August 31st, 2009 at 12:51 pm

EPA needs to add if human health is being affected and is the environment (wildlife & fisheries habitat) being affected - for example heavy metal contamination (Hg, Pb or As) from mining extraction & processing facilities are entering our waters & affecting both human health & the environment - EPA's local region is ignoring the issue (of mining wastes) & refuses to work effectively with other federal, state & local agencies - perhaps they need to reprioritize their workload.

2. **David Says:**

August 31st, 2009 at 1:17 pm

EPA has increased both enforcement and regulatory activities under the New Administration but has not increased outreach assistance through guidance materials and compliance training to the regulated community. Industry is hurting in this country and the regulatory burdens for the private sector divert essential capital and resources.

The Agency and the Administration need to be careful to make sure that they are just as concerned and committed about helping those who are trying to do the right thing as they are about trying to catch those doing the wrong thing. The majority of the regulated community are trying to do the right thing!

3. **Knute Jensen Says:**

August 31st, 2009 at 4:30 pm

The criteria for selecting priorities which requires "frequent, on-going violations of Federal environmental laws" is one which assumes a very limited role for the compliance and enforcement elements of a regulatory scheme. This criteria implies that compliance personnel can only address violations. Yet other EPA publications make very clear that the role of compliance personnel includes education, outreach, assistance and participation in incentives.

But another vital role for compliance personnel includes functioning as a critical part of the feedback loop that ought to guide regulation and policy. Compliance personnel are likely the most engaged in the real world where regulation meets human activity. They have an immediate and tactile sense of how regulations are working, what is changing or developing in various regulated sectors and how the environment is being directly affected. Once this role is fully appreciated, compliance personnel can be included in a prioritization scheme driven as it should be by the environmental problems directly.

Models already exist for expanded roles of compliance personnel that acknowledge their capacity to play a larger and critical role in problem solving as opposed to simply cracking down on "bad guys". One can look to the educational and information

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gathering approaches employed by police forces doing community policing and taken a “broken windows” approach. Even more extreme examples are seen where soldiers, the ultimate “cop on the beat” are now required to do more policing, to interact with those policed, to build relationships, teach and learn, feed information back for policy and strategy, and to participate in nation building.

Another flaw of the Non-Compliance criteria is that it can inflate priorities through regulation that is ineffective, poorly written or which is having unintended consequences. Environmental protection should be driven primarily by environmental priorities not regulatory ones, even for compliance personnel.

4. **Knute Jensen Says:**

August 31st, 2009 at 4:57 pm

Consideration of inter-relatedness and systemic causes should be included in both priority setting and in setting strategies for addressing those priorities. The more narrowly we approach a set of specific problems and pick the worst few on which to focus, the closer we get to the arcade game “whack-a-mole”. As we knock off a single issue another will surely pop up in another location. Priorities should be set as broadly as possible with consideration for the myriad causes and actors that lead to the underlying environmental issue. Strategies, as well should not be limited to just those that address a narrow problem. Weight should be given to strategies that might take longer to resolve a specific problem but which may have benefits in multiple areas or which build a foundation for more comprehensive, complete or lasting solutions. An example might be helping to enable substitution of materials within a sector over a short term crack-down to impose discharge controls.

5. **Rich Ingles Says:**

September 1st, 2009 at 8:47 am

I would like to see the EPA focus on the government’s abuse of the clean air and water. Stepped up enforcement on government facilities. I never see in the news how the government has been held responsible for dumping millions of pounds of R-12 refrigerant on each and every space shuttle launch. How does that work? Has science more favor than the normal business person? Please clean the Government first, then the private sector might have an example to follow.

6. **James Potter Says:**

September 2nd, 2009 at 8:29 am

Regional significance is a better measure of compliance need than nation-wide. Acidic mine tailings, for example is tremendously important to West Virginia and some western states, but not a national challenge, as I understand it. Progress on reclamation of abandoned mines would be enhanced by a more localized criteria.

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7. **Muyumba Walter Says:**

September 2nd, 2009 at 10:53 am

J'ai envie de devenir aux U.S.A

Merci

8. **Jennifer Says:**

September 3rd, 2009 at 12:39 pm

EPA needs to focus more on the state agencies enforcement and support unfortunately it is not straight across the board a lot of Local Governments are trying to do what's right but are backed in the corner with no guidance , funding or support by that state. I think it is great EPA is even asking our opinion because we are the ones who take the brunt of what happens at EPA. There is lot of staff out there in the field trying to make a difference but do not have the support from the state to actually make things happen. I would say focus on supporting each state and Local Government. Thanks!

9. **Lionel Says:**

September 3rd, 2009 at 4:19 pm

EPA should focus on protecting whistle blowers.

10. **Fay Muir, CWCWC Says:**

September 5th, 2009 at 12:15 pm

RE: EPA'S Enforcement and Compliance Update

AN ANALYSIS OF SITE-SPECIFIC PHOSPHORUS EXPORT COEFFICIENTS FOR FORESTED LANDS IN A WATERSHED

Using the correct phosphorus export coefficient from forested lands in the NYC watersheds is critically important for two reasons. The first is that up to 70% of the watersheds that supply NYC and surrounding areas with high quality drinking water is forested. The second is that phosphorus is considered the most critical pollutant of NYC's reservoirs. The important phosphorus Total Maximum Daily Loads (TMDLs) that were evaluated for NYC reservoirs by NYCDEP (NYC Department of Environmental Protection), and approved by NYSDEC (NYS Department of Environmental Conservation) and USEPA (US Environmental Protection Agency), were based on using the best available information for phosphorus export coefficients for the various land uses that occupy the watershed.

The original values for phosphorus export coefficients from forested lands ("coefficient") date from the 1990s. Studies were conducted by the now defunct Terrene Institute that drew its results from conditions pertaining to forests in the Pacific Northwest. These results gave about double the amount for the coefficient than was subsequently determined for the Croton watershed using local measurements.

NYSDEC used a value for the coefficient of 0.1 pounds per acre per year (lbs/acre/yr) in conjunction with its explanation of the Simple Method, a quick and easy way to obtain rough estimates of pollutant loadings from various land uses, both pre- and post-development. This value was based on results for Northern Virginia forests.

However, on-site studies conducted during the 1990s in the proximate area of the East of Hudson (EOH) watershed showed a significantly smaller coefficient. In this region, the average was 0.05 kilograms per hectare per year (kg/ha/yr), or 0.0446 lbs/acre/yr as the best value for the phosphorus export coefficient from forests.

The NYCDEP has accepted the 0.05 kg/ha/yr value. On page 14 of its 1996 report, DEP states: "DEP has chosen to use 0.05 kg/ha/yr (the NY and CT average) for the East-of-Hudson watershed." In all its subsequent research documents on TMDLs for the NYC water supply, as noted in the following comments, the NYCDEP states plainly that it has accepted the .05 kg/ha/yr (or .0446 lbs/acre/yr) export coefficient for forests.

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The Phase I TMDLs, based on the preceding data for the NYC watersheds, were approved by the USEPA (US Environmental Protection Agency) in April 1997.

In calculating the Phase II TMDLs, NYCDEP again shows the export coefficient for forests as 0.05 kg/ha/yr (or 0.0446 lbs/acre/yr). However, there is a caveat. DEP states that “The forest category from the land use data also contains an unknown percentage of residential land. ... The number of dwellings present will be derived from Department of Transportation Maps. The forest export coefficient may be proportionally adjusted upwards to account for higher density areas.” However, since the phosphorus export coefficient is greater for higher density areas than for pristine forest areas, any elimination of residences within forest areas would tend to lower the export coefficient from its present value of 0.05 kg/ha/year.

The Phase II TMDLs, based on the above values for the coefficient, were approved by the USEPA in October 2000, and published in April 2001.

Further confirmation for 0.05 kg/ha/yr as the correct coefficient is provided from studies on the Belleayre Crossroads project, where NYCDEP spent three years gathering verifiable information on the phosphorus export coefficient for Giggle Hollow. The study resulted in a phosphorus export coefficient of 0.053 kg/ha/yr (or 0.046 lbs/acre/yr), a level slightly above the 0.05 kg/ha/yr (or 0.0446 lbs/acre/yr) for the EOH watershed. This is to be expected since the EOH watershed is underlain by igneous and metamorphic rock, whereas the West of Hudson (WOH) watershed is underlain by sedimentary rock. According to the afore-mentioned NYCDEP 1996 report, sedimentary rocks have a higher phosphorus content than igneous and metamorphic rocks.

Finally, in a letter dated February 5, 2007 from Jeffrey A. Econom, P.E., CPESC, CPSWQ, Assistant Village Manager for the Town/Village of Mt. Kisco, to Donald Lake, Jr, P.E., CPESC, CPSWQ regarding a joint study of the Kisco River Watershed by the Towns of Bedford and New Castle, together with the Town/Village of Mt. Kisco, we read: “The export coefficients for phosphorus as presented in the NYS DEC, March 2002, Interim Report, “Non-point Source Implementation of the Phase II Phosphorus TMDLs in the NYC Watershed”, shall be used if on-site data are unobtainable.”

CONCLUSION

All local studies by NYCDEP point to a phosphorus export coefficient from forested land to be 0.0446 lbs/acre/yr or 0.05 kg/ha/yr. Instead of separating the methodology of the Simple Method from the accompanying data as given by NYSDEC in its 1993 handbook, data appropriate to Northern Virginia forests, developers should use local data in evaluating pollutant loadings for stormwater.

11. **Kathryn Lammers MS, RN Says:**

September 5th, 2009 at 9:19 pm

A higher priority needs to be given to the problems that are affecting human health. We see the number of special needs children raising higher and higher. The EPA needs to move healthy communités and ecosystems above the land preservation and restoration. When you read through the curent priorities, the lead and mercury problems seem to be the major focus for children. Instead we need to include hormore disruptors such as BPA and estrogen in the water.

We need to look more closely at other toxins that affect our children.

12. **M Ann Miller Says:**

September 7th, 2009 at 4:30 pm

September 7, 2009

Dear EPA,

Please include the following contaminants when assessing water quality impact of Confined Animal Feeding Operations or CFOs:

- 1) Arsenic from feed ingredients (from Roxarsone fed to hogs and fowl)
- 2) Remnants of drugs given to animals (antibiotics, hormones, etc)
- 3) Disinfectants used in barns
- 4) Herbicides containing large quantities of arsenic used around barns (e.g. Roundup)
- 5) Nitrates

Plus the following air pollution concerns associated with CAFOs:

- 1) NO_x
- 2) Hydrogen Sulfide
- 3) Stench odor

Plus the disease spreading influence of birds, rodents, coyotes, and other critters that carry dead diseased animals and the Swine Flu from open compost piles, feed bins, open lagoons, and contact with CAFO animals as they load or shipped to market.

Plus the impact of diseases found in the semi-trailers that haul diseased animals to market.

Sincerely,

M Ann Miller

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13. **Joel Welty Says:**

September 8th, 2009 at 12:07 pm

Every year thousands of new homes are being built with the same unfortunate habit of releasing greenhouse gases into our environment. My own earth-sheltered home not only releases NO greenhouse gases, it also reduces the amount of energy needed to keep my home comfortable. People thinking of building a new home should be encouraged to build an earth-sheltered home instead of the old, conventional type of structure. Also, I will soon install a wind turbine on my home to generate electricity, making coal-fired generation just that much less necessary. Others should do the same.

14. **Roger Brown Says:**

September 8th, 2009 at 1:27 pm

Pharmaceuticals in our drinking water supply. How can we address the pharmaceutical waste and proper disposal from a federal level?

15. **Robert Gower Says:**

September 8th, 2009 at 4:14 pm

Enforcement and remediation of sewage treatment issues must be enhanced and promoted to protect all drinking water and the Great Lakes.

16. **Judy Bonds Says:**

September 9th, 2009 at 2:56 pm

EPA should focus on strict enforcement of the Clean Water Act and stop mountaintop removal/strip mining for coal.
Enforcement in coal producing states in Appalachia is a sick joke. The fox is guarding the hen house and coal owns the entire state of West Virginia.
West Virginia's regulatory agency, WVDEP, has even suggested that "we allow more Mercury in our streams because people are not eating the fish because the fish contains Mercury".

17. **Jeff Willett Says:**

September 11th, 2009 at 10:00 am

While identifying an environmental problem as significant and nation-wide, understanding of regional variations in significance need to be considered. When setting a priority of enforcement on CAFOs, an understanding of the impact of hog farms in Arkansas vs. (dry) chicken farms in California is imperative, or the hog farms are under enforced and the chicken farms are over enforced. You must understand that one size does not fit all. Science and logic must be applied for EPA's limited enforcement capabilities to be maximized.

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Another example of regional variation is the apparent inability of those in the wet northeast to understand the differences in SSO impact there vs. the impact of SSOs in the arid west.

Setting national priorities without understanding the local realities wastes resources and alienates large segments of the population. My recommendation is to suspend setting national priorities, and focus on regional priorities. While even the EPA Regions cover areas with significantly different environmental problems (just try to compare rural Nevada with downtown Los Angeles!), regionalization of priorities will have some positive impact on enforcement resource use.

18. **Vickie Askins Says:**

September 13th, 2009 at 9:22 pm

Your October 2007 FY08 on Concentrated Animal Feeding Operations states - EPA will target compliance and enforcement activities in states with lower levels of CAFO permit coverage. In that regard, EPA should refuse the Ohio Dept. of Agriculture's application to obtain permitting authority over the NPDES permits. The results of this classic fox-guarding-the-henhouse scenario would be a disaster. A recent study of the top ten hog-producing states found the ODA's current CAFO program rated as the worst. Ohio EPA has done a markedly better job in deterring factory farm pollution by issuing twice the number of fines at much higher amounts. The ODA doesn't have the staff, the expertise in water monitoring, or the commitment necessary to be the effective enforcement agency that Ohioans need. The transfer of this environmental permitting authority would set a very dangerous precedent.

19. **wade t harter Says:**

September 14th, 2009 at 9:26 am

I hope by now, given the status of our economy, that we all agree that we must reintroduce manufacturing to our economy if we are to provide jobs for our diversified population. Manufacturing creates wealth, funds research and development, advances technology and higher education, while providing jobs for blue collar as well as white collar associates. With the loss of manufacturing we have a continued flow of our wealth overseas and such wealth is going to many countries that do not share the same personal and government ideals that we possess. With this as a background we should tread softly to insure that manufacturing is not unfairly treated as related to the world as a whole. In the global economy that we have established we must insure that all share and share alike in establishing environmental regulations as well as other restrictions. If not, we then continue to place our manufacturing at an unfair disadvantage.

20. **Wayne Kuse Says:**

September 15th, 2009 at 10:15 am

EPA, and their delegated representatives such as the states for NPDES issues, should focus more on real, physical problems and devote much less attention to minor administrative infractions (dates, incomplete forms, signature authorities, number of monitoring events, numbers of decimal places in a value, color of ink used to complete a form, size of paper, missing a suspense date by two days, etc.). This problem is especially pronounced in the industrial pretreatment area of the wastewater sector. Currently, industrial pretreatment has degenerated into a bureaucratic nightmare and has lost much of its effectiveness in the process.

Because current EPA policy, as manifested by the amount of attention the regulators expend during their inspections, seems to place equal importance on all violations, physical or administrative, I'm forced to expend most of my limited staff and financial resources on administrative issues instead of finding and solving real, physical environmental problems. Of course, the administrative can be important, but more often it is very secondary to real, physical impacts to the environment. Nevertheless, the regulators (i.e. EPA, et al) consistently beat us over the heads for paperwork violations. Resources expended on chasing administrative ghosts are then not available for solving real problems. Because unlimited resources are not available to most organizations, we'd make far more progress if we could spend our scarce resources solving real problems instead of addressing so much bureaucratic mickey mouse.

The regulators seem to have lost track of the "big picture" and are increasingly focusing on the paperwork and administrative instead of real issues. One result of this lost focus is wasted resources. Another is the disintegration of EPA's credibility within the whole environmental sector. Instead of being respected for protecting the actual environment, the EPA is increasingly viewed as a bunch of bureaucratic paperwork cops writing expensive tickets for administrative infractions. They need to return their focus to real, physical, damaging impacts and ease up on the paperwork mistakes. If I make an administrative error, write me up during an inspection and I'll try to correct the error, but stop trying to cut my head off for an honest mistake that is actually meaningless to the physical environment.

If the EPA and their delegated regulators have time to worry so much about the administrative aspects of the business, they are overstaffed and their budgets should be cut. Instead, give that money to my organization and let us solve some real problems with it. The environment would be far better off.

21. **Emily Says:**

September 15th, 2009 at 6:10 pm

We must consider both prevalence (how widespread impact is on both humans and environment) AND "severity" as a criteria for determining priorities. Even if only a small number are impacted now, we must consider the ethics of allowing policies to go

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unheeded in addition to the potential for larger negative impact long term. In short, we need to think, as Native Americans do, about seven generations from now. It can be done.

22. **Herman May Says:**

September 26th, 2009 at 9:38 am

While EPA is doing a fair job in awareness and chemical contamination prevention, rewarding companies and corporations who place emphasis on prevention; increase emphasis should be place on enforcing laws and punishing the violators who blatantly, willfully, knowingly and unknowingly pollute and contaminate the enviroment. Require companies and corporations to secure medical monitoring, chemical awareness and compensation for exposure to employees and to the communities involved.

23. **Joseph Horowitz, P.E. Says:**

September 29th, 2009 at 1:53 pm

I have been involved in environmental compliance for about 22 years. My feeling is that, while enforcement is necessary, EPA will get the biggest return on its investment by funding education and training.

Environmental regulations are complex, more so because in many cases they overlap. In addition, federal, state and (in some cases) local regulations overlap.

In addition to publications, EPA can fund seminars and internet-based training, aimed at both industry and environmental consultants. I have found such training to be very valuable.

Many companies want to do the right thing but do not understand what regulations apply and how they apply to their particular situation

24. **Steve Hellem for the Corporate Environmental Enforcement Council Says:**

September 30th, 2009 at 3:26 pm

ADDITIONAL SELECTION CRITERIA: CONSIDERING ROOT CAUSE OF THE TARGETED NON-COMPLIANCE, FORMAL ENFORCEMENT IS THE BEST RESPONSE. CEEC generally agrees with EPA's stated enforcement priority selection criteria — significant, nationwide non-compliance problems, resulting from national level program implementation issues, the reversal of which can be expected to result in real environmental benefits and significantly reduced risk to human health and the environment. At the same time, CEEC believes that the most effective enforcement programs are based on an analysis of the underlying causes of particular noncompliance trends and on tailoring enforcement responses appropriately.

The Agency has a wide range of compliance assurance and assistance tools. Formal enforcement actions are certainly appropriate where a regulated entity has chosen to

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operate outside of the system. We do not believe, however, that enforcement programs can or should be developed based on the idea that this behavior is the rule rather than the exception. Simply put, enforcement programs must be developed and enforcement priorities selected to ensure that enforcement resources are sufficiently directed towards those who have chosen to operate outside the system. Accordingly, when selecting enforcement priorities, in addition to EPA's three current criteria, EPA also should analyze to the extent possible the root cause of the identified non-compliance trend and, before selecting the area for enforcement priority, EPA should additionally conclude that formal enforcement actions are the most appropriate means to address and correct the identified non-compliance.

Particularly where pervasive or wide-spread non-compliance with a particular requirement is identified, the Agency needs to consider in the first instance whether the requirement, or the Agency's enforcement position concerning that requirement, is well understood or, in contrast, is widely misunderstood in important respects. Compliance with regulatory requirements is fundamentally dependent on the ability of the regulated entity to understand its compliance obligations. Depending on the circumstances, such widespread compliance issues may indeed warrant a national response, but the response may more appropriately be in the first instance a compliance education and correction program rather than wide panned enforcement actions. CEEC recognizes that improved compliance can be achieved through a combination of compliance assistance, compliance incentives and traditional enforcement. Enforcement must always serve the broader mission of the Agency – protection of human health and the environment.

If data shows specific sectors where compliance rates need to be improved, the enforcement program should direct the authorities to evaluate and address the root causes of noncompliance before targeting that sector for enforcement priority. If, for example, the reason that a particular sector has a poor compliance record is either that the regulatory requirements are unclear or ambiguous, or have not been adequately disseminated to the regulated sector, it is not appropriate to target scarce enforcement resources on that sector. Experience has shown that technical assistance, greater regulatory clarity (including modifying regulatory requirements where appropriate) and a more informed and practical regulatory approach will significantly benefit regulated entities, the public and the environment, while scarce enforcement resources are reserved for those cases meriting enforcement action.

In that regard, it is critical that enforcement programs (including compliance assurance mechanisms) be developed in concert with the underlying programmatic requirements such that the regulatory requirements are clear and compliance obligations are clearly delineated and communicated to the regulated community. Enforcement programs should include provisions directing its offices to work jointly, and cooperatively, with regulatory program offices in the development of the underlying regulatory requirements — upfront involvement of and interaction with enforcement authorities improves regulatory programs and requirements, and ultimately makes enforcement more efficient. Enforcement and program offices must also work together to achieve greater clarity in communicating regulatory requirements and ensuring that those

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requirements are not inflexibly applied. These steps will ultimately minimize or eliminate the problems that result when a regulatory requirement is developed by policymakers thinking one way and is enforced by enforcement authorities thinking another.

EPA needs to enhance its compliance-related activities and ensure that enforcement resources address meaningful violations. In this era of dwindling resources at every level, CEEC believes that it is imperative that environmental enforcement be both effective and efficient. Enforcement must be directed at priority areas that are identified and developed by enforcement authorities taking into account the clarity of the applicable requirements and the implementation of appropriate non-enforcement compliance assistance efforts.

GENERAL PRIMACY OF STATES. CEEC agrees that the States should be the focus for implementation and enforcement of environmental programs. When the U.S. Environmental Protection Agency was created in 1970, some of the states did not have the resources or the expertise to fully implement their own environmental programs. All of that has dramatically changed. Today many states are the leaders of our nation's environmental protection efforts. They are also at the forefront of compliance assistance and enforcement. Although EPA often refers to the states as "partners," experience suggests that this is often in name only. In fact, EPA frequently imposes its will, and just as often ties states' hands. CEEC believes that states with authorized or delegated programs should have responsibility for implementation and enforcement, and their decisions should be respected. As a partner with significantly greater resources, EPA needs to fulfill its critically important supporting role. In close cooperation with the states, the Agency should also develop reasoned programs and policies with respect to the handful of environmental issues that need to be addressed nationally, including those programs with no state counterparts. EPA should also actively support those states not yet ready to take primary responsibility for any program. On the other hand, where EPA's efforts have been extensive, and where a state has demonstrated over time that it will not or cannot properly implement or enforce the overall requirements of a program, EPA should take appropriate action to withdraw the program, until such time as the state demonstrates that it's willing and able to implement the program.

OVERFILING . To the extent that there is overlap between federal, regional, state or local enforcement authorities, the lines of demarcation must be clear; the regulated community must have some degree of certainty that when it is subject to and resolves potential liability in an enforcement action, it will not face duplicate efforts from other enforcement authorities at different level of government. So-called "overfiling" or "underfiling" by separate entities undermines the effectiveness of an enforcement program, involves the unnecessary expenditure of scarce environmental enforcement resources, and can undermine the overall goal of compliance as regulated entities may be loathe to self-disclose issues to one authority for fear of opening a virtual "Pandora's box" of enforcement actions from others. CEEC's experience is that, for the most part, state and local agencies are more effective and efficient in compliance and enforcement

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matters, provided that they are funded at the appropriate levels.

* * * *

25. **Elizabeth R. Hutchby Says:**

September 30th, 2009 at 8:52 pm

Thank you for this space to comment.

When I think of the Environmental Protection Agency, I think of a national health organization for all species, plus air, water, and soil, plants. The Department of Health and Human Services offers health-related protections for humans.

Though the tasks of the EPA are endless, the language you use to publicize EPA priorities doesn't reflect the inclusiveness expected.

ALL problems, in my opinion, should be reported to you so that you can be proactive, prevent larger problems, and assist states in getting clean-up done sooner than later. The effected area need not be nationwide to create disasters; therefore, I suggest the use of language that suggests attention to regional problems. For example, under-reported sewage spills, sinkholes created by groundwater mining are but a couple examples of problems in the Southeast that could get the attention of the EPA.

2. When determining the language of what enforcement "protects," EPA's stated priorities need to include language that suggests that all "species health" is essential to every other species health and include "air, water, and soil."

3. Transparency, for some reason, seems to symbolize failure on someone's part. Even so, the public has reason to need to know when sewage is spilled, when the air isn't safe to breath, when toxic waste is buried next door, when sludge is spread on the neighboring field or lawn, and when a radioactive release has occurred at the local nuclear power plant. At a time when health care is in dire need of reform, wouldn't it be essential for the EPA to relearn the laws already in place, begin marketing prevention, recruiting scientists who truly care about the future of life, and assume that the public is smart, can learn, and needs to know.

4. Please put the testing and clean-up of all sources of water at the top of the list. Water has been neglected, in my opinion. Now, even the oceans have huge dead zones. PLEASE, just make life-giving a priority; otherwise, you'll find yourselves continuing to attend to crises rather than preventing them.

26. **Elizabeth R. Hutchby Says:**

September 30th, 2009 at 9:05 pm

Thank you for this space to comment.

When I think of the Environmental Protection Agency, I think of a national health organization for all species, plus air, water, and soil, plants. The Department of Health

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and Human Services offers health-related protections for humans. Though the tasks of the EPA are endless, the language you use to publicize EPA priorities doesn't reflect the inclusiveness expected.

1. ALL environmental laws that humans break should be reported to you. Actually, we've gotten to the point where the symbolic "canary" is not just dying, but has mutated, been genetically altered, and might smell nasty, too before the EPA seems to have time to get around to investigating. You can be proactive, prevent larger problems, and assist states in getting clean-up done sooner than later. The effected areas need not be nationwide to create disasters; therefore, I suggest the use of language that suggests attention to regional problems. For example, under-reported sewage spills, sinkholes created by groundwater mining, and unlawful coal-fired emissions are but a few examples of problems in the Southeast that could hold the attention of the EPA.

2. When determining the language of what enforcement "protects," EPA's stated priorities need to include language that suggests that all "species health" is essential to every other species health and include "air, water, and soil, etc."

3. Transparency, for some reason, seems to symbolize failure on someone's part. Even so, the public has reason to need to know when sewage is spilled, when the air isn't safe to breath, when toxic waste is buried next door, when sludge is spread on the neighboring field or lawn, and when a radioactive release has occurred at the local nuclear power plant. At a time when health care is in dire need of reform, wouldn't it be essential for the EPA to relearn the laws already in place, begin marketing prevention, recruiting scientists who truly care about the future of life, and assume that the public is smart, can learn, and needs to know.

4. Finally, please put the testing and clean-up of all sources of water at the top of the priority list. Water has been neglected, in my opinion. Now, even the oceans have huge dead zones. PLEASE, just make life-giving a priority!

27. **Dave Says:**

October 9th, 2009 at 11:28 am

EPA should utilize a pollutant ranking system for enforcement. It doesn't make sense, to me, to simply look at the number of times a particular violation occurs. One hundred violations of 1 pound of a pollutant would warrant less need for enforcement than a 1 time violation equaling 1000 pounds of the same pollutant. Like SSO and CSO....focusing efforts on a SSO of 1000 gallons while CSO of millions of gallons are occurring daily....doesn't make sense. Also, get off the paperwork violation track, no pollution or environmental damage occurred because someone turned a form in a week late, or didn't put a label or date on correctly. These types of 'paper' violations don't remove a single pound of pollution from the environment....so don't pretend like you are doing your job of "environmental protection" when you don't find anything substantive and simply write up "letter of the law" type issues.

28. **Bill Katakis Says:**

October 21st, 2009 at 8:11 am

EPA must follow the medical science in their regulating. Singly and in combined effect, toxics in air and water (and food) are almost certainly influencing gene expression in human beings, resulting in cancer and other diseases. Testing the 100,000 untested chemicals for their ability to switch genes to cancer mode should be a high priority. Testing for synergy when more than one toxic is present, as in life, should require a computer model. There is good work being done by Laird, USC, Nature Genetics. He claims that cancer is a disease of an embryonic stem cell that was silenced early in a humans development by epigenetic factors, then reawakened later in life , also by epigenetic facotrs. Laird claims in Nature Genetics that his work will result in new insight and methods to test for the carcingenic potential of chemicals. E.V. Gostjeva, MIT, Jan 2006 paper on bell shaped nuclei. She compared colon cancer stem cells vs. fetal stem cells that were making a new colon for a fetus. They were identical. She discusses that cancer is caused by an embryonic stem cell gone bad, an adult stem cell gone bad, or a normal cell that has reverted to a stem like state. Skin cells are now easily reverted to a stem like state in the lab, with only 100+ genes switched differently than a naturally ocuring stem cell. Robt A Weinberg won the Otto Warburg industry prize for switching only 3 master genes to start cancer in “many human cell types”.

Taken together the work above should help EPA and other regulatory bodies toward rules, policies, budgets, and procedures that will become protective of human life, prevent many cancer deaths and maimings. One very relevant measure of a society and it's government is how long it's people live.

Even though the epigenome is not sufficiently understood from the standpoint of the cause and effect on human gene expression due to millions of components, it is a good time to start or collaborate on a super computer model to begin to understand how the many chemicals that enter our bodies affect gene expression. I'd start with J. Craig Venter and Laird. Here is Venter receiving a science award from President Obama, http://www.cbsnews.com/blogs/2009/10/07/politics/political_hotsheet/entry5369808.shtml

He competed in the race to map the human genome, he would be a good starting source to understanding of the epigenome. There are about 220 human cell types, and many millions of nucleotide fragments that determine which of our hard coded genes will be expressed. The epigenome is affected by the chemical content and qualtiy of the food we eat, the quality of the air we inhale, and the quality of the water we drink. I'd start with the NIH and the J. Craig Venter Group, see where they are with this and put in EPA's request that we include room in the model to test those 100,000 chemicals for their potential for disease via changing human gene expression through the epigenome. Understanding stem cells gives light to understanding cancer stem cells. Here is news on first map the epigenome: <http://www.ajc.com/health/content/shared-auto/healthnews/dna-/631994.html>

We need to understand how chemicals cause gene expression that results in out of

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control stem cells (cancer) That will take a concerted effort by NIH and other leaders in the field, but with one eye toward EPA's regulatory concerns regarding the 100,000 chemicals that have not been classified for carcinogenic effect in humans.

29. **Eric Olson Says:**

October 20th, 2009 at 10:45 am

Hazard: The environmental problem poses an acute hazard to human (and non-human) life.

30. **Sherry F Says:**

October 23rd, 2009 at 4:23 pm

Although the EPA Administrator says she "will ensure EPA's efforts to address the environmental crises of today are rooted in three fundamental values: science-based policies and programs, adherence to the rule of law, and overwhelming transparency," I would hope that no matter what the EPA's top priorities are that the EPA really does abide by these values. It is imperative that SOUND science is followed, not a made-up science that is skewed toward some political end.

31. **nyscof Says:**

November 9th, 2009 at 5:16 pm

At the EPA's request, the National Research Council expert fluoride panel reviewed hundreds of fluoride toxicological data and found the EPA's Maximum Contaminant Level Goal for fluoride of 4 mg/L is not protective of health and must be lowered. This happened in 2006 and EPA has failed to act upon it although required by law to do so.

At least three NRC panel members believe that the MCLG should be as close to zero as possible based on the evidence they reviewed.

The unions representing 7,000 EPA scientists and health care personnel request that fluoridation be stopped until evidence proves it is safe for everyone. But management is ignoring them. Why?

Fluoride is the most consumed drug in American mainly because it is in public water supplies which are also used to make foods and beverages sold in both fluoridated and non-fluoridated communities.

The Centers for Disease Control reports that US children ingest too much fluoride already. As a result, up to 48% of school children sport dental fluorosis - white spotted, yellow, brown and/or pitted teeth.

Why is EPA ignoring this extremely important issue?

32. **SB Says:**

November 17th, 2009 at 12:05 pm

A very significant problem that is happening in every city, county, state, nationwide and the world is the continuing issues with regards to asbestos.

Renovations and demolitions of buildings, structures, facilities, etc. continue to happen each and every day where asbestos is not surveyed for or properly handled before such activities. These unregulated actions whether by not getting the proper information from the beginning of the permitting stage or the “catch me if you can because it is going to cost a lot of money to deal with properly” attitude results in widespread unnecessary exposure of a known carcinogen that causes cancer that impacts not only workers and the general public, but the environment as well. The asbestos debris also ends up in non-hazardous landfills that do not qualified to accept hazardous waste.

I have personally seen government stimulus money being used on projects where no asbestos was regarded and disturbance resulted in non-compliance.

A huge problem stems from permitting agencies such as city, county, and state building departments, who majority refuse to acknowledge the asbestos issues in regards to renovation and demolition projects even after local air districts time and time again give them the necessary information.

There is no law that requires them to give information on what is required by the Federal EPA NESHAP, so they simply don't do it even though they know about it and are giving people the green light to go ahead and disturb hazardous materials containing asbestos.

Shouldn't this asbestos issue be dealt with from the get go instead of after the fact when a whole building is gutted out, there is asbestos spread all over the place, about 10 dumpsters worth of hazardous waste goes to a unauthorized landfill, and all these people in the contaminated area are getting blasted with asbestos fibers.

From an enforcement standpoint, inspectors out there trying to bring compliance are just spinning their wheels. Nothing seems to be improving, in fact, it seems to be getting worse. I was hoping with this new administration that things will change for the better. President Obama was a asbestos advocate back in the beginning of his political career.....there's a guy who knows first hand....how really bad and how really dangerous this stuff really is.....

I hope the EPA considers making the asbestos rules more strict and especially requiring all permitting agencies in the country to acknowledge the asbestos issues and take action from the beginning before the damage is done. There needs to be some kind of requirement making permitting agencies to not issue permits until they have acknowledgment that asbestos has been surveyed for.

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Also, there needs to be more asbestos outreach, majority of the people think that it is entirely banned and not around anymore. This is definitely not the case. This is how out of touch the asbestos issues really are in this country.

33. **CONCERNED TEXAS Says:**

December 1st, 2009 at 12:09 pm

Thank you for the opportunity to comment. I believe the U.S. needs to specifically focus on the aggregates/rock crushing & quarry industries and all its associated impacts, including cement dust, air contaminants, endangerment to water resources, toxic water runoffs, dust from plant processing, truck and rail traffic, and threats to wildlife. These effects need to be monitored and studied to show the impacts over short and long periods of time.

The aggregates/rock crushing industries may have started small in the U.S. with local and regional businesses. We now have huge, multi-national, global corporations owning these operations through their subsidiaries. For example, Region 13 in Texas is now home to Cemex, Hanson/Heidelberg, Martin-Marietta, and Aggregates/Holcim (in the permitting process), plus regional/local operators. This area is growing in population, with thousands of families living adjacent to and neighboring with these huge operations. The companies operate near schools, parks, chapels, cemeteries, neighborhood, historical farms and structures, narrowly meeting the distance requirements of the TCEQ. The State responds to filed complaints to against a specific quarry, but does not have any air monitoring devices around this area. Sometimes, it appears that an Executive Director may have sole power to make decisions, such as exceptions to stock pile heights.

In addition to the unmonitored air contaminants and threat to our South Texas water sources, it is unfortunate that the Balcones Escarpment (which is home to natural springs and caves) is being scalped and blown apart. Many times, the companies build berms to hide their destruction. These berms, like the big holes, are left to erosions and to weeds. We need laws to require reclamation, replanting and reforestations. Without more federal involvement, it appears that the state and local governments cannot control the profit-making aggregate industries which are destroying our communities. Please help

34. **Bob and Les Says:**

December 19th, 2009 at 4:48 pm

Part of the prioritization needs to be a review of citizen complaints against state departments of Environmental management. A State governor can nullify the good intentions of the Federal EPA by directing State Employees to disregard complaints from local state citizens and adjust water sampling to show unrealistic "Good" quality of water.

The EPA needs to open a forum of state citizen complaints on their local waters, evaluate the seriousness of them and then include this survey in their prioritization. The best "watch dogs" of the environment are your local citizens.

Comments on Suggestions for Future Environmental Priorities

*What are the most important environmental compliance problems that occur nation-wide?
What makes these problems significant?*

35. John Says:

August 31st, 2009 at 11:21 am

Emissions and spills at petrochemical/ oil refineries and energy plants. These spill massive amounts of hazardous, flammable products yearly due to years of poor maintenance and a lack of enforcement. These refineries regularly release VOC (volatile organic compounds) and explosive, cancerous emissions into the air as part of maintenance such as tank cleaning of sludge. The majority of these are left in place or they let it evaporate by running it through their wastewater systems, etc.

36. James Boysen Says:

August 31st, 2009 at 12:08 pm

Light pollution is a growing concern. As municipalities move toward LED lighting night skies will develop blue white spectrum sky glow. This will negatively impact land based astronomy. Additionally, blue white spectrum light have been linked to low melatonin levels which in turn have been linked to increased levels of breast and prostate cancer.

37. Mike Says:

August 31st, 2009 at 12:27 pm

The impact of small business, especially those off of the “radar”. While large entities have the potential for large singular events, they typically have higher scrutiny. There are 10’s of thousands of companies with little or no environmental awareness and bad environmental habits. While they may not have the singular potential, the likelihood (certainty?) of a poor environmental decision is much higher. The question is risk vs. frequency.

38. Lisa Cummings Says:

August 31st, 2009 at 4:17 pm

The pollution that comes from wood smoke is of grave concern. Outdoor wood burners placed too close to neighbors are a problem from coast to coast. Negligent townships, charged with regulating these machines, have done little to curtail the harm done to communities where they are allowed to burn freely. As a nation we often feel the smell of wood burning is nostalgic... but look closely at what’s in that smoke. The research is astounding.

39. **Dan Gottlieb, professional Food Technologist Says:**

August 31st, 2009 at 6:02 pm

Suggestion to EPA Enforcement: BAN USE OF SILICOFLUORIDES IN TREATMENT OF USA DRINKING/TAP WATERS

“EPA UNIONS CALL FOR NATIONWIDE MORATORIUM ON Silicofluoride FLUORIDATION, CONGRESSIONAL HEARING ON ADVERSE EFFECTS, YOUTH CANCER COVER UP”

<http://www.world-wire.com/news/0830050001.html>

Ask your utilities dept. for AWWA Standard for Fluorosilicic Acid B703-06, the foreword notes page ix: “The transfer of contaminants from chemicals to processed water or the residual solids is becoming a problem of greater concern.” Then page 13 is an entire page of contaminants ranging from heavy metals as arsenic, lead and more down to Radionuclide’s as Uranium and Radium 226-228 and Alpha and Beta particles. All low levels, but can be cumulative in the body, and our Habitats. [Note: Chlorine will evaporate when heated in water, but fluorine and compounds will accumulate, adding to ‘polluted’ levels in beverages and foods.]

URGENT! ... Know that the AWWA [American Water Works Association] has reported in one of their ‘Water Conservation pamphlets’ that “Less than 1% of utilities treated water is ever consumed [e.g. swallowed] by human beings.” Inversely, 99% of the waters treated with the EPA ‘regulated pollutant’ called Silicofluoride(s) goes to POLLUTE in landscape watering, washing uses, and down drains. 99% of est. 200,000-400,000 TONS of Silicofluorides go to pollute thousands of 1,000’s of Habitat’s throughout mainly large cities, everywhere in the USA.

Websites with some examples of ‘pollution’ by SiF’s added to drinking waters treated by government controlled USA Water Treatment Plants:

<http://www.fluoridealert.org/f-pollution.htm>

http://www.nofish.org/new_page_8.htm

http://www.nofish.org/new_page_7.htm

http://www.nofish.org/new_page_1.htm

40. **Kassia Pencek Says:**

August 31st, 2009 at 7:08 pm

I would like to see an actual improvement in farm pollution run off in the Lancaster, PA area so the fresh water streams/rivers do not stink, lack any color other than brown,

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and have only crustations as the prominate marine life in the water. I propose making coal bars (from the abundant amount in Scranton area) in the polluted water ways in varying places to clean up the water in conjunction to some other PCP piping drainage from the farm fields constantly covered in manure. I have witnessed the confined chicken houses where they cannot stand with out ever having at least four other chickens having to touch them because they are so crammed together. I would guess this could contribute to possible Avian outbreaks in the US if not regulated. Adult kids still need regulated EPA.

I would also like to see stronger educational requirements on the zoning commissioner position which seems to be a ghost job since there the raping of virgin land is a constant occurance in Lancaster/York area of PA. I am only a witness to 30 years of wonton use of the land in Pa, but I am embarassed by the poor use of it. I am sickened by the poor water quality (if there is any in this area anymore) that permeates in many horrifying ways in PA. Please guide the people to kosher farming and living use of the natural resources before PA areas look like the devistated lands of China.

41. **Mark Ballington Says:**

September 1st, 2009 at 8:30 am

I would like to suggest.
Research into the treats we don't know.
Some dangers are obvious, some are known.
However perhaps some of the threats, we are at present unaware of, and that may or may not make them the most dangerous.
Without knowledge, it can only be speculation.

42. **Annette Says:**

September 1st, 2009 at 11:40 am

1. CAFOs (groundwater and surface water prevention/treatment)
2. Sewage Treatment Upgrades
3. Stormwater Treatment/Prevention Pollution

43. **Matt's reply to Annette's comment above:**

September 8, 2009 2:50 pm:

Agree. It should be all about water resources. Fresh water resources is what is going to get us in the end.

44. **yvette mcleod Says:**

September 1st, 2009 at 3:17 pm

i strongly suggest that the EPA realistically enforce boiler emmission policy for schools, HUD housing, mutli-unit dwellings and hospitals. i live in the east tremont section of the bronx and am currently writing a thesis on these unchecked emissions. black smoke billows continously, periodically any time of the day and it is unfiltered particulate

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matter. the stench burns the eyes and the respiratory system yet even the only recourse is to call 311 , which issues complaint numbers but no follow-up or violations issued to force compliance. there sre numerous grant based programs that the state and othr facilities could persue to get new boiler systems or better maintenance; but nothing is done. the main violators iin my area are st . barnabas hospital, 690 e 183 street and the surrounding apartment building which spew unto (3) schools and (3) nursingg homes unchecked. i see this problem area wide, more so in the bronx and upper manhattan. maybe there are scrubbers or bags that can be used to catch the matter before it escapes; all avenues need exploration. this pollution adds a substaial amount of PM to the air. please turn some of your focus on these buildings; cars and trucks are not your only violators.

45. **jim Says:**

September 1st, 2009 at 6:38 pm

in my view what needs to be done is that every dump truck, tractor trailer, bus, farm equiptment, construction machinery needs to be checked each year for emmission control test just like vehicles have to be tested. to help control the polution in the water, boats should be tested to see how much emmissions that they polute the water with. state and federal governments should not fight against each other with rules on polution and money. there should be one set of laws and anyone found to be in violation of those laws should have privledges removed for one year. by doing that, i think people and businesses would be more environmentlly conscience.

46. **Rick Says:**

September 1st, 2009 at 8:53 pm

I urge the EPA to stop hospitals from dumping drugs down the drain. Our environmental and human health is being seriously damaged by all the hormones, antibiotics, and numerous other medication that makes its way into our water.

47. **John Says:**

September 2nd, 2009 at 7:15 am

Something must be done about the massive public sewage overflows taking place. Hardly a day goes by without one hearing that another sewer pipe broke, sewage plant failed and dumped raw human sewage or stormwater runoff overwhelmed a sewage treatment plant forcing the operators to dump partially treated or untreated sewage into our waterways on on the ground. These spills are often in the millions of gallons and sometimes billons of gallons (Milwaukee). This sewage harbors dangerous human pathogens which have caused serious disease and illness. Why isn't anyone paying attention to this massive problem? The media worry's about and government takes action on every manure spill but ignores the much larger problem of human waste dumps. I would rather be exposed to manure than to human feces any day. Thank you for listening. Take action on this growing crisis.

48. **Susan Fox's reply to John's comment above:**

September 17, 2009 9:25 pm:

The problem is is that "treated" sludge only removes a handful of things and basically what we are using as fertilizer is a mix of everything and anything that goes down the drain in the cities and towns. Think about the PCB's, Dioxin, mortuary waste, radiation waste, hospital waste from all the sick people using the bathroom, industrial waste, household waste etc. and the list goes on and on. This is a very unsafe practice.

49. **Rosemary Wright Says:**

September 2nd, 2009 at 7:32 am

A problem exists in old industrial cities which are left with empty factory buildings contaminated by chemicals and other industrial waste. These buildings remain unoccupied and the land unusable because there is no funding available to clean up the sites. New industries and housing continue to be built in the suburbs, while the cities are declining. Perhaps a return to the Superfund is the answer. Whatever the means, this problem needs to be addressed.

50. **Concerned Says:**

September 2nd, 2009 at 7:36 am

CAFO's which operated under NPDES or WPDES permits have accidents and do pollute water land need to be monitored, but they are not the major source of water pollution in the nation. People opposed to large family corporate farms operating under a permit are being misled. A large freestall dairy farm (over 700 AU Animal Units) is licensed and must have government approved manure storage. They are also subject to manure application restrictions. Many inject the manure to incorporated it immediately so it does not run off. The same cannot be said for dairy farms that are grazing 140 AU's out in pastures where the cows just relieve themselves on the ground. When it rains all that manure drains to the nearest waterbody. That means 5, 140 cow dairies are putting the waste of the same number of cows as a permitted farm of 700 cows directly onto the ground which drains to a nearby stream. All livestock operations regardless of size must have a manure management plan.

51. **Michael Overbay Says:**

September 2nd, 2009 at 8:25 am

The most significant environmental issue facing the agency is how to do oversight of delegated/authorized state programs. The quality of states' implementation of federal environmental programs is extremely variable across the country, as some states are far more susceptible to pressures to consider economic concerns than others are. IG audits of Regional oversight have been very negative, including finding that NONE is done. In response, some programs review ONE permit per year, which the state gets to pick. Without meaningful oversight, state programs can make decisions which are not protective. For example, Texas' VCP has refused to address the vapor intrusion

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pathway from chlorinated solvents plumes, despite EPA's evidence that the pathway is complete and folks are being exposed.

52. **Jorie Porter Says:**

September 2nd, 2009 at 4:33 pm

One of the significant environmental issues is the loss of biodiversity due to ecosystems which are lost or altered by a variety of manmade mechanisms. There is a substantial amount of scientific evidence describing the importance of biodiversity in regulating the natural environment. Additionally we are constantly finding new benefits and uses for plants and animals. If we destroy what we have we will lose the natural safeguards in our environment and may lose the answers to many of our most pressing concerns including health and even industry. Biodiversity and natural ecosystems should be preserved before we find uses for the flora and fauna therein and certainly after we find uses for them. No one should have the ability to decide which ecosystems or organisms can be sacrificed to accommodate development or commerce. Development and conservation must go hand in hand.

53. **Craig Phelps Says:**

September 2nd, 2009 at 8:34 pm

I think we should put a priority on easing regulation before we regulate our great nation into poverty

54. **SHERRY FIELDS' reply to Craig Phelps' comment above:**

September 7, 2009 4:18 pm:

Oruntil we all get CANCER & die.....apparently you've never had a close family member fightinh for thier life because something that SHOULD be regulated is not.

55. **nyscof Says:**

September 3rd, 2009 at 7:14 pm

The EPA hired the National Research Council (NRC) to determine if the EPA's Maxiumum Contaminant Level Goal (MCLG) of Fluoride in drinking water is too high to be protective of health. The NRC said the current MCLG of 4 mg/L fluoride can cause the early symptoms of skeletal fluorosis and tooth damage. This report was made public in 2006 and the EPA has yet to act upon it.

Further evidence revealed in the NRC report shows that certain members of the population will also be adversely affected by allowable water fluoride levels such as babies, high water drinkers, thyroid and kidney patients. Three NRC fluoride panel members recommend that the MCLG be as close to zero as possible.

We fear that politics is protecting water fluoridation while science does not.

56. **Jack Cook Says:**

September 3rd, 2009 at 8:32 pm

Although the EPA officially permits a MCLG of 4 parts per million of fluoride in municipal drinking water, scientists in the union that represents the EPA have continually expressed their concern that fluoridation should be stopped nationwide. The EPA also supports fluoridation even though it is technically illegal in every state. All water utilities define added fluoride as a legend drug meant to create a change in the human body. The dispensing of a massive amount of drug without informed consent, without a prescription, and without individual medical oversight, especially of a known neurotoxin whose effects are cumulative, is a clear violation of accepted ethics as defined by the Nuremberg Code, some version of which is used in every state. Many long term exposure adverse medical affects have now been clearly identified by peer reviewed science, yet these effects and the law are being intentionally ignored by government agencies and professional organizations because of long term commitments of money and resources to promote fluoride for business profit. The EPA must finally appoint an unbiased committee consisting of scientists who have no vested interest in the fluoride industry to review the science and the law behind this practice. The EPA must become the scientific instrument of truth that finally uncovers this scam.

57. **SHERRY FIELDS' reply to Jack Cook's comment above:**

September 7, 2009 4:14 pm:

I CAN'T WAIT TO SEE THAT HAPPEN. AND YOU ARE RIGHT! THIS SHOULD NOT BE ALLOWED TOBE HAPENING!

58. **Pati Caputto, CN Says:**

September 4th, 2009 at 4:17 pm

Every fluoridated community is dumping toxic waste from industry into our water supply, with no concern for downstream effect, let alone the health of our citizens. Our EPA MUST DO SOMETHING to stop this poisoning of American groundwater and citizens. The far-reaching scope of sanctioning industry's elimination of their toxic waste into our water is already well-known, yet the EPA ignores the issue. This is very high priority, in my opinion. I am a nutritionist in private practice and am horrified at the epidemic of thyroid and autoimmune disease today. The recent NRC Report indicated fluoride in our water as a risk for people with thyroid disease - and a cause? I think so.

59. **Danny Says:**

September 6th, 2009 at 7:56 am

Get rid of cap and trade. It's not about the environment, it's about money and power. It does NOTHING that current laws don't already do to curb pollution.

60. **mcgreene Says:**
September 6th, 2009 at 2:03 pm

Ambient noise from planes and trains and vehicles and other sources is polluting our environment and destroying our quality of life. The FAA and FRA are not responsive to complaints. They allow industry to be self_policing. There are no guidelines for cumulative effects on communities. There are no penalties for ignoring complaints by the public. There is a proven connection between health and noise. Can we get this on the national agenda?

61. **Ian Kalin Says:**
September 6th, 2009 at 4:51 pm

I believe greenhouse gas emissions pose a serious threat to the US and that the originating activities are under the EPA's jurisdiction to regulate appropriate protections.

Building on the published scope of environmental problems and the recent regulation mandating facilities that emit over 25,000 metric tons of CO2 annually to report their actual emissions, the EPA should add the following to its scope:

“...occurs nation-wide, and emits gases that contribute to climate change.”

The most authoritative study of these dangers and responsibilities is as published by the Nobel Prize winning Intergovernmental Panel on Climate Change (IPCC). Ref: <http://www.ipcc.ch/>

62. **Mel Says:**
September 7th, 2009 at 10:19 am

Anything relating to keeping our freshwater clean - waste regulation, agricultural runoff, saltwater infiltration, etc. Only .001% of the earth's water is available for drinking. Last time I checked we need water to live.

63. **SHERRY FIELDS Says:**
September 7th, 2009 at 4:10 pm

FLY SHOULD BE A NUMBER ONE CONCERN FOR REGULATION. IN LIGHT OF THE RECENT FLY ASH SPILL IN KINGSTON TN. AND THE ONE BILLION DOLLAR PRICE TAG (THAT'S JUST THE LATEST EST.) TO “TRY & CLEAN IT UP”. MOST PEOPLE HAVE NO IDEA WHAT FLY ASH CONTAINS. NEITHER DID I UNTIL FEB. 09 WHEN M HUSBAND WAS DIAGNOSED WITH STAGE FOUR HEAD & NECK CANCER. HE WAS EXPOSED TO FLY ASH ON A DAILY BASIS WORKING AT A CONCRETE READY MIX PLANT IN KINGSPORT TN. HIS EMPLOYERS NEGLETED TO INFORM THEIR EMPLOYEES WHAT THEY WERE BEING EXPOSED TO EVERY DAY, WHAT THEY WERE BREATHING EVERY DAY (WITHOUT BEING OFFERED ANY

KIND OF BREATHING PROTECTION), AND THEY STILL CONTINUE THIS PRACTICE TODAY. MY HUSBAND JUST FINISHED 6 LONG & AGONIZING MONTHS OF DAILY RADIATION & CHEMO THERAPY FOR CANCER THAT STARTED ON THE BASE OF HIS TONGUE AND SPREAD TO LYMPH NODES IN HIS THROAT & NECK. NOW WE HAVE JUST BEEN GIVEN THE NEWS HE HAS A GOLF BALL SIZE TUMOR ON HIS LEFT KIDNEY AND THE KIDNEY WILL HAVE TO BE REMOVED. FOR THOSE OF YOU THAT DON'T KNOW WHAT FLY ASH (A COAL COMBUSTION BY-PRODUCT) CONTAINS- GOOGLE IT. WE WERE BEYOND SHOCKED TO FIND OUT! FROM WHAT I UNDERSTAND THE EPA HAS BEEN "WORKING" FOR THE PAST 8 YEARS TO REGULATE FLY ASH. YOU WOULD THINK 8 YRS. WOULD BE LONG ENOUGH TO ACCOMPLISH THIS TASK. OF COURSE ALL THOSE LOBBYIST WORKING FOR ALL THE BIG CONCRETE CORPORATIONS AND THE BIG BUCKS THEY DONATE TO OUR POLITICIANS CAMPAIGNS IS A BIG FACTOR IN GETTING THIS PUSHED TO THE BACK BURNER FOR 8 LONG YRS. BUT, THEY REALLY NEED TO DO SOME LONG, HARD THINKING. COULD BE THEIR HUSBAND, SON. DAUGHTER (YOU GET THE PICTURE) NEXT. NOW, YOU TELL ME...PUT A PRICE TAG ON THE LIFE OF YOUR HUSBAND, WIFE, DAUGHTER. OUR LIFE AS WE KNEW IT IS GONE! IT WILL NEVER BE THE SAME AGAIN. WHY?? GREED..PLAIN & SIMPLE

64. **Pat Says:**

September 8th, 2009 at 10:37 am

One of the biggest problems in the country right now is the mercury emissions from the burning of coal in electric power plants. Since these are just about in every city, the pollution generated from the burning of coal has created numerous occurrences of respiratory diseases and other strange forms of cancer. Case in point, Rising Sun, Indiana: This small town in Indiana lies across three coal burning electrical power generating plants in Kentucky, across the Ohio River. Citizens and the Country Health Office had been noticing many forms of respiratory sicknesses and birth defects in infants, including miscarriages, asthma, and other forms of respiratory illnesses. The air current in that area predominantly travels from Kentucky, across the river, into the city of Rising Sun, bringing with it, the pollution from the coal burnign stacks. It doesn't take a genius nor a clinical resercher to see that this pollution is creating a lot of medical problems to the citizens of this small town. Second case, Richmond, Indiana. This town is five times larger than Rising Sun, and it has its own power company that burns coal to generate electricity (Richmond Power and Light Company). This plant has a German proben scrubber technology they installed in their exhaust stacks, and there are hardlly any cases of respiratory sickness and cancers, compared to Rising Sun. I strongly believe it is time for the federal government and EPA to demand scrubbers and technology to capture the mercury emissions from power plant's stacks, in order to eliminate many of these forms of cancers and respiratory illnesses from the air contamination around these necessary electric energy plants!

Suggestions for Future Environmental Priorities Section

65. **Matt Says:**

September 8th, 2009 at 2:48 pm

I think the EPA needs to move their enforcement away from air quality issues and regulations and focus more on water quality issues. Fresh water is rapidly disappearing at alarming rates (groundwater withdraw and surface water pollution). The NPDES program administered by the EPA and State programs is a joke, basically a license to pollute and pollute they do. The limits are easily met because they are liberal and require minor monitoring requirements. How about non-point sources, they don't even need a license, they can discharge whatever they want without repercussions. Reduce NPDES water quality limits (I can't even swim in half the lakes, streams and rivers in the US anymore), actually enforce NPDES permits and start hitting the non-point sources (you know who they are- stop the PC and nail them). Look at the Chesapeake Bay- this entire hoopla has been going on for, what a decade!!! No improvements and is still going downhill.

66. **C Dvorak Says:**

September 9th, 2009 at 8:38 am

Since our country is shifting manufacturing overseas, but still consuming at near the same level it seems logical that consumer waste will be a growing proportion of our overall pollution. Therefore, we will need a higher sensitivity to landfill capacity, security, and lifespan. Better than that, alternatives to landfilling still need a lot of attention.

67. **Charles Critchley Says:**

September 9th, 2009 at 6:06 pm

The agricultural industry, specifically CFO and CAFO operations, should be required to meet the same air and water pollution standards that non-agricultural industries are required to meet.

CFOs and CAFOs are major source of air pollution to those living within 5 miles of the operations. Air and water pollution affect the health, quality of life and dproperty values of surrounding residents.

See the internet (eg. PEW Commision and others) for details on the impact of industrialized livestock operations.

68. **Crystal M. Lake Says:**

September 10th, 2009 at 9:57 am

Dear Ladies and Gentlemen:

There should be mandated Environmental Justice policies pertaining to local governments short/long term governmental polices, implementation strategies with respect to development, redevelopment, revitalization, land use planning and/or any proposed projects within all EJ Communities.

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EJ communities are disproportionately burdened by the adjacent potentially polluting facilities via toxic waste through three major routes: inhalation, ingestion and absorption through the skin (air, land, water). Residents within communities of concern have little to no say or knowledge of Environmental Justice concerning the ongoing practices of government policies and/or implementation strategies.

Environmental Justice designation of these communities is essential for community participation regarding any proposed projects within these areas and for local, cities, and municipalities compliance with policies and implementation. Also, pre and post Environmental Justice Analysis with respect to any developments, modifications and upgrades of facilities, especially gas/electric facilities located in these communities.

A Green Environmental Justice Center/Accessible Document Repository is needed for public access to information on matters of site history to promote a thorough Environmental and Health Impact assessment for current/future public reference.

Mandated measures to eliminate gentrification prior to development or redevelopment. Pre and post EJ Analysis.

Thank you
Crystal M. Lake

69. **Matthew Johnson Says:**
September 10th, 2009 at 11:44 am

I would like to try and focus some of the attention off of the farmers who get blamed for pretty much the majority of the air and water pollution that occurs. They are used as scapegoats because the total farmer population only adds up to around two percent in this country. The number one buyer of nitrogen that is applied as fertilizer is the home owner. Why are they not being forced to comply with strict and sometimes ridiculous laws. Another problem area I would like to see fixed is all the water that runs from parking lots and large areas of impenetrable surfaces. Just think about your local mall or Wal-mart parking lot. All the oil, gas, diesel, and various other chemicals and pollutants that get washed into the creeks and other bodies of water is ridiculous. Someone should set a limit and have filters on the pipes before that water goes into the creeks and rivers.

70. **NorthernWineGuy Says:**
September 10th, 2009 at 5:12 pm

CAFO emissions (air and liquid manure) should be regulated even more. These facilities produce >20 times the human equivalent, but are not now required to treat the liquid manure before dumping it on fields. Regulatory bodies don't have the "troops" to be able to police these operations and insure they are following the law. All CAFO's should have a sewage treatment (or pretreatment) plant, just like any other industrial facility.

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71. **Bill Blake Says:**

September 10th, 2009 at 6:04 pm

The loss of habitat for fish and wildlife species listed under the endangered species act. The reason this is important is for some species such as salmon the rate of loss of habitat is greater than the rate of restoration. The norm also doesn't take in to account how much of the original habitat was already lost prior to a listing. As the human population grows the rate of loss of habitat will continue to increase. If we take care of the basic necessities for our wildlife through ecosystem management, the human population should benefit from a basic level of sustainable harvest.

72. **Eddie Says:**

September 10th, 2009 at 8:15 pm

The fall season is quickly approaching and along with it comes the power washing of toxic painted boat hulls. Marinas throughout the country power wash the hulls and the toxic runoff goes into our waterways killing everything there.

I, as an environmentalist and a boat owner, continuously see marinas doing this and continuously report said violations to the NYDEC. Rarely do I get any enforcement people showing up to warn or fine the violators. I have even sent in pictures of this pollution activity and nothing gets done.

I have volunteered my time as an ex NYPD to assist with enforcement along with members of an environmental group on Long Island and have been turned down. LET US HELP WITH ENFORCEMENT IF THE DEC IS UNDERSTAFFED— VIOLATORS ARE NOT IN SHORT SUPPLY AND OUR WATERS ARE BECOMING “DEAD SEAS”

73. **Eddie Says:**

September 10th, 2009 at 8:26 pm

Let municipalities throughout NY State and all other states, see what is being done in Nassau County, NY—they have bid and contracted to purchase, and have installed, several thousand storm drain inserts hence removing a majority of the pollutants from storm water runoff. Each and every municipality in NY State can “me too” this contract and slow down the pollution caused by said runoff. Hopefully, no more beach closings. no more shell fish beds being closed or destroyed, no more pollution of fresh water sources from roadway runoff.

I don't have the contact info but if you contact me at the above mail address, I will get you said info

74. **Bob S. Says:**

September 11th, 2009 at 8:40 am

I understand that public sentiment and opinion often drives public policy, so it is no surprise to me that the EPA and other governmental agencies have placed a high priority on “green” programs. But, I would urge the EPA to make enforcement of

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existing regulations a high priority. In particular, I encourage the EPA to step-up enforcement of the various asbestos programs.

As the owner of an environmental consulting business that has been in operation since 1990, I am acutely aware of the lack of enforcement, at least in Region V. As part of a recent marketing endeavor, we contacted all school districts within a sixty (60) mile radius of our business. Of those contacted, approximately 50% were aware of the Asbestos Hazard Emergency Response Act (AHERA) program and were essentially in compliance. Approximately 25% had no idea what AHERA is or the requirements therein. Perhaps most telling was the response of the remaining 25%. Those school districts were aware of AHERA, but were choosing to ignore the requirements until forced to comply by means of enforcement.

Further, the lack of funding from the EPA Region V to the states, and therefore the local governments and municipalities, has crippled the intent of the National Emission Standard for Hazardous Air Pollutants for asbestos (Asbestos NESHAP). Demolitions and renovations are routinely conducted with no prior asbestos inspections conducted and no notifications submitted as required. Even when notifications are submitted, the regulators charged with enforcement are woefully understaffed to perform inspections to verify that work is being conducted as stated and in compliance with the EPA regulations.

We do occasionally read about a contractor being “busted” for illegal removal, or a training provider selling certificates. However, this is usually long after the illegal activity commenced. In my opinion, the reason these companies are willing to take such risks is due to the lack of enforcement. And I suspect that the companies we read about are merely the top of the iceberg.

I do not suggest that we need additional regulations to correct what I, and many other professionals, perceive as a great threat to the environment and public health. Funding for education and staff to enforce the current regulations would, I believe, go a very long way in protecting our children in their schools, and the public at large, who are daily exposed to asbestos exposures due to the lack of enforcement.

75. **Elizabeth Paredes Says:**
September 11th, 2009 at 12:08 pm

Poor housekeeping practices of small businesses whose management knows that this is wrong but continue to pollute either by not following hazardous waste disposal regulations or stormwater regulations and contribute to the contamination of drinking water sources. The small business administration should include an awareness in environmental regulations and the EPA should have an enforcement division for small businesses with personnel that can audit and at the same time issue NOV's at a multimedia level. Most businesses will do the right thing if they are showed how but many want to stay under the radar and not do the right thing.

76. **Charles Perea Says:**

September 11th, 2009 at 7:47 pm

Asbestos is a very hazardous and well-known human carcinogen (a substance that causes cancer). There is no known safe level of exposure to asbestos. With asbestos still being used in home construction, many home owners are currently unaware of the dangers of asbestos in their houses. Any kind of disturbance to asbestos containing materials, such as housing renovations, repairs, etc., will expose workers and homeowners to this hazard. Even minimal contact to asbestos can result in various diseases, cancers, and even death. The most common type of exposure is through inhalation of asbestos fibers into the lungs. Most asbestos fibers are invisible to the unaided eye.

Some illnesses that are a result of asbestos exposure include asbestosis, lung cancer, mesothelioma, and numerous digestive system cancers. Asbestosis, the first listed, is not a cancer but a chronic lung condition where the victim's lungs undergo inflammation, thickening, and scarring. Mesothelioma is a very rare cancer in the lining of the lungs or abdominal cavities. This rare cancer is, unfortunately, always fatal in 6-18 months after diagnosis. Of all known asbestos-related illnesses, none have early warning signs and are typically diagnosed ten or more years after the affliction first starts to develop.

Asbestos has been used in the construction industry for decades. In 1989, the Environmental Protection Agency, EPA, issued a ban on the use of asbestos in the United States to protect workers in the work place. However, in 1991, the Court of Appeals overturned EPA's ruling. Asbestos products are still used in the U.S. According to EPA, Americans used over 3,000 different products throughout the 1970's. So far, there has not been any federal legislation to directly protect people from asbestos exposure in their homes. This is why the Johnny O. Perea Foundation exists, to protect the public in their homes. Why isn't EPA doing more to educate residence? Everyone I talk to seems shocked to hear this information. You know better than I do that people are constantly disturbing asbestos in their homes. It is not enough to just put the information on a web page. You need to do more outreach...

77. **Joe Newberger Says:**

September 12th, 2009 at 11:22 am

The biggest environmental problem is that the EPA has lost its way. You are allowing the nation to kid itself vis a vis progress in almost every area. The land application of sewage sludge is a case in point. You permit it, by issuing permits then have nothing but toothless recommendations, so when the State gets mixed up with these guys motivated by cheap ways to get rid of solid waste, they find themselves in the position of defending the industry instead of clear clean test criteria, strong local control of places where it can be applied and get back into the water it was removed from. I wish I had confidence that the US Bureaucracy was committed to once again wearing the

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white hats, but everything I see happening is another layer of window dressing disguising the real direction, which is business as usual. You can use my name any way that's legal.

78. **Pat Says:**

September 14th, 2009 at 7:54 am

I think that although it's not the biggest problem faced by EPA, the current condition of the asbestos regulations is problematic. The rule is written poorly, and perhaps a look at a rewrite of the rule would be all it takes to reduce the violations that occur. Adding a few well placed definitions would make things much easier to enforce.

79. **mary Says:**

September 14th, 2009 at 10:49 am

The EPA has worked substantially toward improving the environment with in the US. I am concerned about environmental degradation that originates outside our borders, especially air toxics, like mercury from coal fired EGUs in China, India, and other countries.

Although the EPA has no enforcement power outside of this country, certainly a dialog is required in this regard with other countries. EPA has the expertise to advise and guide many countries in reducing pollution. The cost to these countries is enormous and this kind of aid will form strong enduring relationships between the US and those countries.

Thank you!

80. **Peter Maier Says:**

September 14th, 2009 at 12:16 pm

Most environmental regulation, thus enforcement, depends on testing, so when testing is faulty, as the use of the BOD5 (Biochemical Oxygen Demand after 5 days) test, which EPA used as a backbone of its water pollution regulations to implement the CWA, enforcement becomes nearly impossible. By using the test incorrectly, EPA ignored all the pollution caused by nitrogenous (urine and protein) waste in sewage, waste that not only exerts, like fecal waste, an oxygen demand but also is a fertilizer for algae, none of the CWA goals can be achieved, provided EPA does not consider rivers used as urinals swimmable. (www.petermaier.net)

The incorrect use of this test also makes it impossible to evaluate the real treatment performance of a sewage treatment plant and what its effluent waste loadings is on receiving water bodies, making it impossible to establish 'Best Available Treatment'. There are many more problems caused by this incorrect application, so my suggestion for the highest priority would be to correct this test, which in 1984 EPA already acknowledged caused many problems, but never corrected.

81. **Susan Fox Says:**

September 14th, 2009 at 3:29 pm

I believe that one of the most important thing the EPA has to change is Land Application of Sewage Sludge. Scientists say that there are about 100,000 pollutants , including Super Bugs such as MRSA, Dioxin, PCB's, pharmicuticals etc., in sewage sludge in any combination. There is absolutely NO scientific proceedure or process that our Sewage treatment plants do to remove them all. What they do manage to extract from the water before they dump it back into our streams is concentrated in the sludge and then applied to our farm land and other sites. All we are doing is transferring the pollution from one place to another. The Land application of sludge is polluting our air, water and soil, making many rural residents sick and going right back into our water and food chain. What are the long term ramifications of this??? It is time now to convert our "renewable resource-human waste" into electricity and to dispose of the smaller byproduct in a safe, lined area so that all the toxins and pollutants do not go right back into our environment. Our EPA program governing sludge is outdated and not based on current science and needs to be changed drasticially. PLEASE begin the process of stopping Land Application of Sewage Sludge before it is too late.

82. **Richard Says:**

September 14th, 2009 at 7:59 pm

The measure of how effective EPA enforcement programs has historically been based on how many non-compliances are found, how many fines have been charged, and how much money has been collected through these fines. I believe these are misleading measures of effectiveness. The measure of how effective our enforcement programs are should be based on the environmental quality of our air, water, and land. Furthermore, if the number or amount of fines decreases from one year to the next, the public interprets this to mean that EPA enforcement has been lax; whereas, perhaps more facilities are meeting their permit requirements and therefore their compliance rates have improved and the number of fines levied by EPA has appropriately decreased.

I believe that to achieve this shift in focus it will be more constructive if the main objective of environmental inspections is to find environmental problems and find environmental solutions (i.e., solve problems). Inspectors would still find problems and levy fines, but this should no longer be their main focus. If their main focus is on environmental solutions (problem-identification and problem-solving), they can bring to bear their vast knowledge of what different industrial facilities are doing and share leading environmental practices among facilities. I believe this will be very constructive and rewarding work. This would lead to a more collaborative relationship between inspectors and facilities that will also put the focus on what matters most — improving the environment — and achieve these improvements more quickly.

Thank you.

83. **Earl Schuckman Says:**

September 14th, 2009 at 9:00 pm

There really needs to be a update/change in what is called the safe practice of land application of sewerage sludge. Sludge is what is left over after attempting to clean sewerage waste. We pay to remove some metals & chemicals from waste but then we place what we remove on farm land that during rains allows it to run right back into the very streams we paid to cleanup.

The other problem is the small list of items that is tested for at the plant prior to sending this waste to be used to grow our food or the food for the animals that become our food.

The facts that are being used to claim this practice is safe is old science & is paid for by the same folks who make money disposing this waste. There needs to be new studies & tests for the 1,000s of chemicals & compounds that leave the waste plants in the supposed clean waste, not the 11 that is currently being tested for.

84. **Darree Sicher Says:**

September 14th, 2009 at 9:05 pm

We absolutely need the EPA to stop promoting, defending and supporting land application of sewage sludge. Not only does the lack of science about the health and safety to humans and the environment give cause to halt the spread of toxic waste on our food and water source, the fact the the EPA Inspector General agreed that they know it's not safe is cause for alarm. Look at the extreme impacts to the people who live in the communities where sludge is being spread, look at the rise in food related illness, look at the science (not paid for by the sludge industry!) worldwide that points to the fact that we are poisoning the very lands that sustains us when we pour sewage sludge where we eat. It's time for the EPA to protect the people, not the policy

85. **Lisa Cliser Says:**

September 15th, 2009 at 5:10 am

On of the most important issues the needs addressed is the Application of Sewage Sludge. It has documented that this type biosolid contains harmful pathogens. The treatment process does not remove 100% of the pathogens, and in many cases pathogen regrowth after spreading is significant. Also, health issues significantly elevated among the exposed residents, including excessive secretion of tears, abdominal bloating, jaundice, skin ulcer, dehydration, weight loss, and general weakness. The frequency of reported occurrence of bronchitis, upper respiratory infection, and giardiasis were also statistically significantly elevated. The findings suggest an increased risk for certain respiratory, gastrointestinal, and other diseases among residents living near farm fields on which the use of biosolids was permitted. This process needs to be revisited on how sludge is being disposed of, what is this doing to the future of our crops and livestock.

86. **Greg E Says:**

September 15th, 2009 at 6:15 am

Stormwater, stormwater, stormwater! It is widely known that stormwater that makes it into the MS4 and eventually surface waters is a nasty soup of chemicals, metals, bacteria and sediment. Yet most municipalities are either too understaffed or have not made this a priority to increase the use of LID, enact a meaningful Illicit Discharge Detection program, or provide the large scale training program the public needs. I highly recommend traveling to states (FL) that have a state body that issues/manages NPDES and see for yourself that too many things are going 'down the drain' with their current programs.

87. **Linda Lee Says:**

September 15th, 2009 at 7:50 am

Protection of clean air, land and water for our children and grandchildren should be high on the list for everyone. EPA must realize that if one of these is out of kilter it effects all the others. For example, spreading sludge on land creates a problem with the food products that are then grown on these parcels. These foods loaded with the chemicals dumped on the ground are then fed to our children creating health problems, many of which have not even surfaced. In addition the air quality is effected to the extent people can not even enjoy their lives outdoors. Our area is in a main water shed area for the Chesapeake. No one knows what the long range effect on the aquatic life and general status of these waterways this is causing. It is a vicious cycle of destruction to our environment and well being.

88. **Jim Bynum Says:**

September 16th, 2009 at 5:46 pm

The most important environmental compliance problems that occur nation-wide is point and nonpoint sources of pollution. Specifically, Approximately, 5 million metric tons of sludge in 95 million tons of sewage water are moved from a CWA point source of pollution, sewage treatment plants, to a CWA nonpoint source of pollution, agricultural land, where nonpoint source water pollution is allowed under CWA stormwater runoff exclusion. According to EPA, on farmland, no accounting is made for removal of CWA toxic pollutants by (1) soil erosion, (2) leaching, (3) volatilization, or (4) absorption of the plant and removal of the harvested portion of the plant" FR 54-p.5768-5770). More importantly, no accounting is given for the Part 503.9(t) pollutants (i.e., inorganic and organic substances as well as pathogenic organisms) which could cause death, disease, cancer, etc., upon direct exposure, or exposure through the air, food or water.

Municipalities are also a major nonpoint source of pollution. More so now than when a New York City study found pretreatment by industry would not help New York City control nonpoint source runoff of toxic metals. "The 1970 to 1972 study of the sources of these heavy metals in New York City waste-water concluded that even with zero discharge by industry, 94 percent of the zinc, 91 percent of the copper, 84 percent of the cadmium and 80 percent of the chromium being discharged would continue to be

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discharged by sources virtually immune to treatment (Ref. 1).” (Wat. Sci. Tech. (1987) Vol. 19, No. 9. p. 133)

The EPA Journal of April, 1984 reported that “National studies suggest that agricultural nonpoint source pollution adversely affects portions of over two-thirds of the nation’s river basins.” According to the article: About 63 percent of non-federal land in the United States is used for agricultural purposes, including crop and livestock production. It is not surprising, therefore, that agricultural activities constitute the most pervasive cause of water quality problems from nonpoint sources. Indeed, it is considered the most serious cause in most EPA regions.” (p. 28)

In 1989, EPA warned: “there is the potential for an increase in the application of sewage sludge to agricultural land. Such an increase could increase exposure to lead from sewage sludge. “In fact, our impact analysis projects there will be a 10-percent decrease in agricultural land.”(FR 54, p. 5777)

According to the Corps of Engineers, “Nonpoint sources of microbial pathogens include urban runoff contaminated with pathogens from litter and refuse, sanitary sewer overflows produced during storm events, leaking sewage and septic systems, livestock wastes released into pastures and feedlots, poultry wastes from large production farms, soil surface applications of manure and sewage sludge, and wastes pumped from holding tanks.”

The Corps lists a new pathogen which is a killer. *Naegleria fowleri* Amoebic meningoencephalitis Fatal brain inflammation Water Quality Technical Note PD-03 July 1999

An Inspector General’s (OIG) Report, dated March 28, 2002, implies that the four people managing the Office of Water’s part 503 sludge disposal program are responsible for completely disregarding the federal environmental laws. Laws which state that sludge from pollution control facilities are an RCRA solid waste, with potential for hazardous infectious exposure.

Under the agricultural exemptions, even the most extreme hazardous solid waste becomes a nonpoint source of pollution after it is disposed of as a fertilizer on farmland.

The Corps of Engineers seems to be the only federal Agency that will admit that sludge dumping creates nonpoint sources of pathogen pollution which can create havoc on human health and the environment.

Of course we have to consider EPA’s 1994 memos for Horror stories WEF was hired to debunk which included: #14) BLM (Federal Bureau of Land Management) policy opposing use of biosolids on Federal lands: equating its use to hazardous waste dumping and landfilling raising SUPERFUND liability concerns.

<http://deadlydeceit.com/EPA-PR.html>

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It would appear EPA has forgotten CWA's intent to stop the careless land disposal of sludge. "(1) Purpose - This section was not intended to be [the] primary source of regulation of sludge but was intended as [a] cautionary measure to provide additional protection against dangers to navigable waters caused by disposal methods unregulated by section 1311 of this title, i.e. careless land disposal and deep ocean dumping of sludge from vessels. —" (Title 33, part 1345, note 1)

Under the CWA (7) it is the national policy that programs for the control of nonpoint sources of pollution be developed and implemented in an expeditious manner so as to enable the goals of this chapter to be met through the control of both point and nonpoint sources of pollution. [i.e., careless land disposal of sludge on farms, lawns, parks, schools]

CLEAN WATER ACT: while point source of pollution means any discharge to water from any source, This term does not include agricultural stormwater discharges

According to Ken Arnold of the Missouri DNR, stormwater runoff from the Kansas City sludge site is a federal, not a state problem. In a letter dated December 18, 1997, he states: "The Kansas City Birmingham permit does not require monitoring or limitations of the storm water runoff from the agricultural crop land fields where biosolids (sludge) are being spread at beneficial use rates. Stormwater runoff from these agricultural crop fields is considered a non-point source under State rules as is the storm water runoff from agricultural fields where commercial fertilizers and pesticides are applied. The storm water runoff onto the Alice Minter Trust property is from an agricultural crop land field where biosolids are subsurface injected into the soil at beneficial use rates. The potential impact of this storm water runoff onto the adjacent farm land would need to be addressed under the federal rules at 40 CFR 503."

The result of this exclusion:

In 2007, Virginia State regulators proposed increasing the acceptable amount of fecal bacteria in Virginia's streams, rivers and lakes. State Department of Environmental Quality staff members, who advise the board, have said it makes sense to relax the bacteria limit because it's almost impossible to meet the standard in many waterways. In Virginia, about 72-hundred miles of river are polluted by fecal bacteria or other substances. The DEQ estimates that 720 miles that don't meet the current bacteria limit would comply with the relaxed standard.

<http://www.wdbj7.com/Global/story.asp?S=6723596>

EPA Administrator Johnson speaking to American Water Works Association in March 2006 said, "The use of sound science is particularly necessary in our efforts to confront a major threat to water quality and sources of drinking water – nonpoint source pollution. 35 years ago, the threats to our nation's water were clearer - and we set out to stop the practice of dumping of waste directly into our rivers and waterways. We must continue to teach people that their individual actions can add up to big environmental gains." .

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The priority focus now is on urban stormwater runoff: (1) homebuilding construction; (2) big box store construction; and, (3) ready mix concrete with crushed stone and sand and gravel operations. However, this will do nothing to protect our water or public health.

EPA needs to reclaim its mission:

“The mission of the United States Environmental Protection Agency’s (EPA) Office of Water (OW) is to protect public health and the environment from adverse effects of pollutants (e.g., toxic chemicals and microbial pathogens) in ambient water, drinking water, wastewater, sewage sludge and sediments. The Safe Drinking Water Act (SDWA) requires the US EPA to regulate disease-causing organisms (pathogens) and toxic chemicals in drinking water.” For more information see the nonprofit website <http://www.thewatchers.us>

89. **Joan Hoff Says:**

September 16th, 2009 at 9:40 pm

I believe that one of the biggest issues currently facing the EPA is the antiquated guidelines and regulatory practices of land application of sewage sludge. Current research has proven that not only the sludge but also the chemically laced waste products from various production factories cause multiple health problems. These soil amendments contain chemicals that are known carcinogens along with other toxic effects. The sludge/waste products and thousands of chemicals are being placed on our farmland. This is often farmland that grows food for cattle - not to mention food for human consumption. Either way, all of these waste products enter the food chain. We teach our children that organic is the healthier way to go; however, with this practice we are intentionally adding chemicals to their diet - not to mention the air they breathe if they happen to near an area where these soil amendments are applied. We spend billions of dollars on trying to keep people healthy - this is a practice that is known to make people ill. The government and private citizens have spent much time and money for lead abatement - however, lead happens to be an element that is allowed to be spread. This very big double standard needs attention by the EPA.

90. **Jim Drago Says:**

September 18th, 2009 at 1:36 am

Speaking as someone involved in the sealing industry I see great possibilities of reducing fugitive emissions by focusing on LDAR programs, the use of practical warranted sealing technologies and linking LDAR compliance programs to plant maintenance priorities and practices. Hundreds of thousands of tons of fugitive emissions are released simply because latest technologies are not put into practice or are not known. By recognizing that a plant must run, be profitable and comply to regulations and harmonizing these needs, fugitives from the components of chemical and petroleum processes can be eliminated or greatly reduced.

91. **E. Slifer Says:**

September 19th, 2009 at 10:21 am

CAFO's and all industrial agriculture are a significant concern because of soil, water, and air contamination, and because of growth hormones and antibiotic resistance. All of these are threats to human health. Also, lack of biological diversity leaves agriculture vulnerable.

92. **Ernest Grolimund Says:**

September 20th, 2009 at 2:03 pm

30% of houses inundated by woodsmoke nationwide everyday, repeatedly, violating pm2.5 stds, by a lot, building in eddy currents in the positive pressure zone infiltrating houses, causing heart attacks asthma attacks, threats to life and health, and common nuisances that 90% of the people have been polled to dislike. Cities engulfed in woodsmoke, measured by the EPA in New England up to 200 mcg/m³ pm2.5. Checked by Maine DEP modeling and EPA monitoring and NASA satellite monitoring converted to ground pm by pm comparison and Canadian Lung Assn monitoring in Houston and other cities. Checked by Canadian census data indicating doubling and tripling of pm2.5 going into air. Do modeling for uncertified stoves and fireplaces, add design level, and compare to stds. Do distribution curves for emissions for certified stoves. 40% will probably violate pm stds. Use ave emission rates not lab emission rates. Use heating hours of about 15 hours dawn to dusk. Apply Habers Rule of Toxicology to determine health problems from time exposures that the 24 hr std averages out.

DEP modeling for uncertified stoves shows 50mcg/m³ for ave stoves heating just 3 rooms a day. Illegal, threats to life and health, therefore no discretion in enforcement allowed but no enforcement is the rule. Cities hopelessly ignorant and not enforcing laws. Bans necessary like bans on asbestos and lead. Start with owbs putting out ave 4,000 mcg/m³ pm2.5 for 3 minutes. Habers rule shows 1.5 minutes can cause heart and asthma attacks. Follow with uncertified stoves and fireplaces. Consider banning certified stoves designed for 1970 stds. If you do not ban certified stoves then adopt nuisance laws saying any visible smoke or smell on someone else's property is cause for a shutdown because of threats to life and health.

The ave fireplace emits 2,000 times more pm than an oil furnace, stoves 500 times more carbon black soot. 500 times worse for global warming!!! We are destroying people's lives, and the planet at the same time. Alternatives? Gas stoves or inserts or generators or electric zone heating equipment. Bubble plastic on windows, weatherstripping. Insulate below first floor. Tap into free energy streaming through windows with passive solar. Photovoltaics, wind, geothermal. Truly clean energy. No more wood burning. It violates the laws of God and man to not kill, hurt, harm or even bother your neighbor. Will you obey the law and protect life and health by enforcing pm stds, air toxic guidelines, noxious fumes laws, clean air act, nuisance laws, and guidelines to reduce global warming? If not you are negligent, grossly so, given the pollution all across the country every day in the winter repeatedly, in houses, schools, hospitals, everywhere, all the time.

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93. **sing Says:**

September 21st, 2009 at 6:26 pm

I think we should do all to protect our environmental, and we should encourage all actions concern about this topic, even just talk about it.

<http://www.singasongforyou.com/node/144>

94. **Deb Arnason Says:**

September 21st, 2009 at 7:05 pm

There are 2 major priorities - Global warming affected by fossil fuel burning (and unnecessary if we would just start using plans like this one found at

<http://www.carbonfreenuclearfree.org>).

Coal plants and cement plants need specific attention. We were forced to move from northern FL because of "state-of-the-art coal burning (and rubber tires) in Suwannee American Cement and from nearby coal-fired electric power plants. My husband couldn't breathe (he is missing a lung) and we were both tested to be full of mercury, lead and antimony.

A second major and under researched threat to the environment is CHLORAMINE in our drinking water. Every cleaning person knows that you don't mix chlorine and ammonia without forming a toxic gas. That has been added to our drinking water here in NC where we go for the summer and it is killing us. see websites on chloramine, banned in 13 states yet still being instituted in many others, never adequately studied, kills fish and kidney dialysis patients and makes many other ill because of its irritating and inflammatory effects on skin, lungs and digestive tract.

95. **Jesse Says:**

September 22nd, 2009 at 9:02 am

I'd like to see enforcement on municipal water treatment plants that mimics enforcement on industrial water treatment plants.

While not regulatory, I would like to see more research on endocrine disruptors in wastewater so the regulations associated with them will be based on solid, peer-reviewed science.

96. **Mark Says:**

September 22nd, 2009 at 11:07 am

I have been an environmental compliance manager for industry for over 10 years. I have worked in the environmental compliance career field for over 15 years. I have worked for the nation's largest public utility, a fortune 500 company, and as a consultant. I have also worked for state government issued primacy for administering federal rules and environmental compliance programs.

From my perspective, enforcement should focus on piercing the corporate shield and holding accountable the executive leadership by ensuring that certifying responsible officials are not delegating responsibility to EH&S professionals. They typically do not have the authority to control the actions of other organizations/departments within the company. Effective compliance management requires executive leadership support, engagement and integration into the business strategy as a core value.

Don't put EH&S advisors/professionals in the middle of employer interest and professional standard of care legal flip-flop contests. Hold the executives accountable. So that they can not use plausible deniability as a shield. By allowing EH&S advisors to sign as certifying officials, you allow them to become a scapegoat for the owners/executive officers of the company.

This change would allow EH&S professionals to be effective in meeting the expectations of the public for achieving and maintaining environmental performance. It improves cross-functional collaboration within the company/corporation and results in greater success.

97. **Greg Griffith Says:**

September 27th, 2009 at 7:10 pm

I think we need to look at pollution from large industrial companies that are running into our rivers and streams. Everyone wants to target the farmers (the ones who feed the world) instead of looking at themselves. What about over fertilized lawns, outdated sewage treatment plants, industrial waste dumping and what about all the chemicals we dump to de ice roads and runways.

98. **Woody Pfister Says:**

September 27th, 2009 at 7:57 pm

My electric bill was just raised 15% to pay for air pollution upgrades. Construction projects, and the jobs they create across the country are on hold because EPA under Carol Browner is colluding with the Sierra Club to shut these projects down. Now EPA wants to regulate CO2 as a pollutant in order to raise my electric and gas bill even higher.

EPA is also trying to force my city to spend billions to upgrade the sewer system which will send my sewer bill skyrocketing as well. Lisa Jackson and her pal Van Jones likes

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to talk about “Environmental Justice”, but where’s the justice in killing jobs and stealing moeny from peoples pockets just to please the White Establishment Enviro groups?

99. **Mary Cridlebaugh Says:**

September 28th, 2009 at 12:13 am

Nothing is as crucial and large in scope as the necessity to get a lid on the greenhouse gases. Not only will the climate change in the United States if the temperatures climb in the Arctic and melt all of the summer sea ice, tundra and polar ice plus the Greenland glaciers. Increased heat in the Arctic could diminish or end the cold water currents such as the Labrador Current which sink under warmer waters to the south and with the Gulf Stream and the North Atlantic Drift compose the vital circulation patterns of the Atlantic Ocean in the northern hemisphere. If that circulation should end, rising sea levels on the coast will be the least of our problems.

On a brighter note, it is possible and much easier to correct the sanitary sewer spill problem. If North Carolina is typical of the rest of the nation, there are “games” with the reporting of SSOs with many never reported at and others reported at much less than the actual amount. See the recent Thomasville, NC 15.93 million gallon spill which Thomasville, even after an EPA investigation, insists must have been smaller.

In North Carolina the Division of Water Quality may levy fines as punishments for violations of the Clean Water Act, and then waive the collection of the fine, training violators to expect to escape punishment and therefore delay fixing the problem which often calls for costly rebuilding of failed sewer collection systems and/or wastewater treatment plants. This evasion would end if there were consistent application of the fines available by law. If the states will not levy and collect these fines, EPA should.

100. **Woody Pfister Says:**

September 28th, 2009 at 8:49 pm

Given the state government budget crisis across the states, EPA should quit wasting money on Washington Bureaucrats and send it to the states for more sensible and cost effective compliance and enforcement work, especially for municipal waste water systems.

101. **LarryK Says:**

September 29th, 2009 at 7:32 am

I believe the EPA needs to undertake a full cost-benefit analysis not just of the most cost effective ways to comply with environmental policies, but of the policies themselves. Every new and existing environmental initiative should estimate both the costs of implementing that initiative and provide the best quantitative estimate of the associated benefits in terms of improved human health, biodiversity, environmental amenities, and similar factors.

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Although I'm no expert, my understanding is that this could require a change in federal law (either by Statute or administrative law). So be it. It is far past the time where the government should implicitly assume that environmental policies do not compete for resources with other worthy objectives. Environmental protection is important, but it is even more important that this be done efficiently and that the government have a rigorous methodology for evaluating both the costs and benefits of its actions.

This will also naturally lead to a prioritization of environmental policies - i.e. a ranking of all potential policies in terms of highest net benefits. It would also lead to far more transparency in terms of decision-making, and better inform the public and policymakers. Finally, it will prevent the government from undertaking policies which may have a surface appeal but on further inspection are too costly to pursue.

102. **Woody Pfister's reply to Larry K on September 29, 2009 2:51 pm:**

Look for EPA to get away from Cost Benefits Analysis. The new head of the office that does that work is very strongly opposed to that type of analysis as in her opinion it tends to overstate costs and not fully capture the benefits of environmental benefits.

http://www.law.georgetown.edu/faculty/Heinzerling/Testimony/Testimony_March-11-2003.pdf

103. **Jay Lazarus Says:**

September 29th, 2009 at 8:49 am

On behalf of Dairy Producers of New Mexico we request that EPA adjust its compliance actions as follows:

Our producers need compliance assistance versus compliance enforcement; We need financial assistance to upgrade our facilities similar to NRCS assistance; EPA CAFO inspectors must have a background in agriculture, geology, hydrology and/or agronomy; we need clear definitions of regulatory requirements vs unwritten policies; we need consistency from inspector to inspector; EPA performance should not be based on GAO audits of fines or penalties collected.

104. **S Bueno Says:**

September 30th, 2009 at 1:18 pm

I would like to see more enforcement and protection to the areas near and surrounding our schools. There are faculty that have developed life long illnesses and deficiencies due to the poor air quality. They have stopped classes and brought kids in from playing outside due to foul chemical smells passing by on a regular basis. And when you try to report the smell- by the time the AQMD comes out the smell is gone. There needs to be a quicker response to calls and a cooperative effort with the community to log these polluting incidents.

105. **Michelle Underwood Says:**

September 30th, 2009 at 5:44 pm

The Washington State Department of Ecology Hazardous Waste and Toxics Reduction Program (Ecology-HWTR) would like to suggest that EPA picks a business sector that consistently shows high levels of violations among many states in the RCRA Info database. In Washington, we consistently see violations in Platers/Metal Finishers, Boatyards and Laboratories. Ecology has provided technical assistance on the first two sectors in the last decade but continues to see violations when they are re-visited.

106. **Butte Environmental Council Says:**

September 30th, 2009 at 5:55 pm

Courage to take corrective action must be a priority at the national level to ensure that it will occur at the state level. Immediate attention must be given to the timely resolution of Water Board actions put into place to protect our waters, recognizing and enforcing laws established to protect river flows through the Delta and out into the Bay (California). These actions are requirements of federal and state law and cannot be ignored. Priority must be given to water policy surrounding flow and water quality of all waters of the Bay-Delta watershed; to end wasteful and unreasonable uses and methods of diversion; and to ensure state and federal agencies comply with environmental laws that are now routinely violated.

Salinity standards, flow requirements and water transfers under D-1641 (decision regarding the Joint Powers of Diversion) have been routinely violated in the Bay-Delta watershed since December 2008 while well-known corrective actions have been avoided or delayed and a large body of nationally-recognized scientific knowledge (varied reports from the USGS, USF&WS, NOAA, and at least two biological opinions) has been ignored or stayed.

107. **Benji Burrell Says:**

October 9th, 2009 at 4:37 pm

mountaintop removal coal mining. See <http://www.iLoveMountains.org> for more impact and significance

108. **Sofia Says:**

October 20th, 2009 at 11:34 am

Climate Change is obviously the greatest environmental challenge of our time, maybe of all times. We stand to lose up to 70% of our species this century due to climate change. We are already seeing devastating impacts and human death and suffering due to this issue. If we don't address climate change ASAP there's very little point to deal with other environmental issues and the EPA will become an agency dealing entirely with responding to one disaster after another. Climate change is threatening Americans access to drinking water. Climate change is already having negative impacts on our agriculture. Climate change is causing droughts, with more frequent and more devastating wild fires as a result. Our oceans and rivers are warming, adding stress to

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ecosystems already suffering from pollution and over-fishing, contributing to larger and longer lasting dead-zones of our coasts. Hurricanes and storms with flooding are hitting many areas of our country and are costing our society millions of dollars, environmental degradation and human suffering. EPA should focus all its resources on climate change before it's too late. This is a time in history where the EPA can step up and protect us from the worst disaster imaginable or where the EPA can fail miserably. Hoping that the US Congress will deal with climate change is naive. Congress is ruled by corporate interests and Congressmen care too much about the funding for their next election campaign instead of listen to the people. When a huge majority of American want a science-based response to climate change and Congress still can't come up with a bill that even remotely resembles the needed action you know that Congress is not an option.

109. **Anna Peteranecz Says:**

October 20th, 2009 at 4:46 pm

I would like to see some holistic thinking relative to the media programs to ensure consistency and the flexibility that is necessary to accomodate Sustainability Initiatives. I believe we will not be able to initiate some Quantum Leap changes in energy alternatives if creativity is stifled by the unilateral goals of the media laws and regulations (air, waste, water). The end game is what is important, and too many times the regulated community is held to the letter of the law without regard for the greater good. Without some real innovative regulatory approach, we will struggle to make gains or have the ability to initiate real game changers.

110. **Joe Says:**

October 22nd, 2009 at 9:23 am

Industrial Stormwater runoff needs to be a higher priority. I see numerous industries that pay little attention to the stormwater general permit requirements. I have seen 3 auto repair shops in the past 3 years flushing used oil or spent antifreeze into the storm drain. I don't think auto repair shops are required to have a stormwater permit, but maybe they should be. violations are not that hard to find. Our streams would be cleaner if this were given a higher priority.

111. **Bhupinder Singh Says:**

October 28th, 2009 at 10:55pm

In industries we leave small pieces of copper, chopped off while connecting sockets to cables or while in repairing jobs in which valuable wastes capable of being recycled are left and later mix with soil and go to waste. If we become conscious and collect such material in small pouches and later let such wastes go to the proper agencies we could help in conservation and help in recycling such wastes.

112. **Lauren Szczesny Says:**

November 7th, 2009 at 4:21 am

I am a 29 year old Ovarian Cancer Survivor. I have lost 1 Ovary and froze 1/3 of the other in case I go into Menopause from the Chemotherapy I endured.

I hope for the sake of Children (born or yet to be born) the focus will be on the government regulating chemicals that go into every single ingredient of any produced or manufactured good. This includes cosmetics, packaging, agriculture, etc.

This will ensure that businesses do not choose chemicals based on their cost savings, but for the health of their customers/consumers. A business should not have the power to choose whatever chemical under the sun they feel to put into their product. Why is the Feminine Hygiene industry allowed to tell the Government that there is even a SAFE level of Dioxane (a known carcinogen) that can be worn by women in extremely mucosal membrane for hours at a time, years of your life? Hmm... is it possible this was a major contributor in my Cancer (it was NOT genetic- I had both tests)? And why does the Government agree? Public Healthcare will be the only thing to reverse the chemical abuse we are subjected to in this country and to finally step up and protect its' citizens. When the Government has to deal with the medical effects of their leniency and it is no longer passed off onto the Private Healthcare Company is the time when regulation will begin to be enforced!

This could also be a way to contribute to cutting ties to foreign oil as so much petroleum is used in so many chemicals in cosmetics & packaging. No wonder we are sick.

Why is it so hard for the Politicians to do the right thing when there is even a doubt that certain chemicals are harming the people they are supposed to protect?

113. **Lauren Szczesny's reply to Lauren Szczesny's earlier comment:**

November 7, 2009 4:30 am

I apologize in my third paragraph... I meant to type Dioxin, NOT Dioxane.

114. **SB Says:**

November 17th, 2009 at 12:07 pm

A very significant problem that is happening in every city, county, state, nationwide and the world is the continuing issues with regards to asbestos.

Renovations and demolitions of buildings, structures, facilities, etc. continue to happen each and every day where asbestos is not surveyed for or properly handled before such activities. These unregulated actions whether by not getting the proper information from the beginning of the permitting stage or the "catch me if you can because it is going to cost a lot of money to deal with properly" attitude results in widespread

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unnecessary exposure of a known carcinogen that causes cancer that impacts not only workers and the general public, but the environment as well. The asbestos debris also ends up in non-hazardous landfills that do not qualified to accept hazardous waste.

I have personally seen government stimulus money being used on projects where no asbestos was regarded and disturbance resulted in non-compliance.

A huge problem stems from permitting agencies such as city, county, and state building departments, who majority refuse to acknowledge the asbestos issues in regards to renovation and demolition projects even after local air districts time and time again give them the necessary information.

There is no law that requires them to give information on what is required by the Federal EPA NESHAP, so they simply don't do it even though they know about it and are giving people the green light to go ahead and disturb hazardous materials containing asbestos.

Shouldn't this asbestos issue be dealt with from the get go instead of after the fact when a whole building is gutted out, there is asbestos spread all over the place, about 10 dumpsters worth of hazardous waste goes to a unauthorized landfill, and all these people in the contaminated area are getting blasted with asbestos fibers.

From an enforcement standpoint, inspectors out there trying to bring compliance are just spinning their wheels. Nothing seems to be improving, in fact, it seems to be getting worse. I was hoping with this new administration that things will change for the better. President Obama was a asbestos advocate back in the beginning of his political career.....there's a guy who knows first hand....how really bad and how really dangerous this stuff really is.....

I hope the EPA considers making the asbestos rules more strict and especially requiring all permitting agencies in the country to acknowledge the asbestos issues and take action from the beginning before the damage is done. There needs to be some kind of requirement making permitting agencies to not issue permits until they have acknowledgment that asbestos has been surveyed for.

Also, there needs to be more asbestos outreach, majority of the people think that it is entirely banned and not around anymore. This is definitely not the case. This is how out of touch the asbestos issues really are in this country.

115. **Lyn Garling Says:**

December 1st, 2009 at 4:31 pm

Break down silos! Look at total exposures, including non-point sources. Get input from other agencies (e.g. CDC). Specifically - FIFRA/FQPA needs to get some teeth! Routine, repeated and “silver-bullet” pesticide use for pest management is THE NORM and is a nation-wide EJ issue for low-income communities and kids especially, but also the public in general. It links to all media, air, land, and esp. water quality - see the USGS National Water Quality Assessment - 95% of all surface waters contaminated w. 1 or more pesticides. Fifty % contaminated with 5 or more in mixtures. In the US, we use 1.2 billion pounds of pesticide active ingredient per year, every year. As a condition of use, it is handled by people (trained and untrained) and spread throughout the environment. Eighty percent of this “environment” is agricultural, 20% in all other environments. This a massive source of non-point source pollution 900 known toxic substances and ~1,800 so-called “inerts” we supply to our water, air, soil, food, residences, schools, offices, hospitals, etc. Residue studies in child cares, multifamily housing and national AHHS homes show historic and current pesticide residues in all these environments.

General pesticide use is functionally unregulated. EPA hides behind the statement: “The label is the law”. How is this supposed to suffice for the fact that the majority of people using pesticides DO NOT READ THE LABEL, are not educated, trained, or monitored in any way? Even laws on Restricted Use Pesticides, supposedly only obtainable by “trained” applicators are insufficient - who is tracking these products? These products become widely available in reality (remember methyl parathion in the 80’s? How many of these incidents are never found out?). “Trained” pesticide applicators are not held to any standard beyond simple licensing and update “credits”, nor are they routinely audited; enforcement of any kind is “complaint-based”.

The EJ component - low-income people live in older, substandard housing with chronic pest problems. “Exterminators” (licensed and unlicensed) spray repeatedly (to no avail beyond short-term knock downs). Desperate residents spray & use “foggers” repeatedly. Result: pests are still there; people are chronically exposed to multiple products, year after year.

To do list: Beef up FIFRA/FQPA enforcement in reality, on the ground. Require Integrated Pest Management training of applicators. Enforce it. Improve education, training and regulation throughout (public and professional). Make the EJ connection. Care. Get together with others groups, other agencies, health workers, etc. & let’s figure it out.

116. **Eric Snyder Says:**

December 3rd, 2009 at 4:42 pm

Mountaintop mining.

Comments on Suggestions for Future Environmental Priorities

Which, if any, of our existing national priorities should remain a priority for EPA and why? Our existing priorities are listed below. Learn more about them.

117. **John Says:**

August 31st, 2009 at 12:53 pm

Stormwater permit compliance must remain a high priority because it meets all of the EPA criteria and EPA failed to achieve compliance during the 2008-2010 period.

Construction Permits:

Compliance by the homebuilding construction industry is limited to the West Coast of the U.S. Big box store construction is in compliance only by large companies like Wal-Mart and Home Depot. The concrete, stone and sand gravel operations continue to leave excess material on construction sites for burial, instead of developing a reuse or recycle program. The EPA Effluent Guideline for the Construction and Development Industry, expected in December, must be implemented, uniformly, throughout the Nation within a year.

Industry Permits:

Dumpster, compactors and roll-offs are a significant source of pollutant discharges through the Nation. They are often open and frequently located near drainage ditches and drain inlets. The appropriate manage practice is secondary containment.

Municipal Permits:

Phase II municipal government are slow to implement the minimum control measures. Compliance audits will improve the process. EPA must recognize where political pressure results in non-compliance an take swift action.

118. **Doug B Says:**

September 2nd, 2009 at 7:02 am

To focus on the identified priorities, the EPA should consider elimination or revamping of some “dated” programs - such as EPCRA Tier II compliance. Ceding authority to DHS and/or OSHA to communicate chemical storage/use hazards in the workplace to the public should be considered. All-Hazards planning and risk assessment is a more viable approach rather than listing each and every bulk chemical substance that has an MSDS - regardless of actual hazard. The information communicated by the Tier II is not complete from a first-responder’s perspective and the intent of enacting the EPCRA program to prevent another Bhopal has been skewed by the basic paper-pushing focus of the program. LEPCs would be much better armed if provided with an All-Hazards assessment of the facility.

119. **Gene Nettles Says:**

September 2nd, 2009 at 2:31 pm

CAFO rules, in particular hog barns, need an air toxin element in addition to the Clean Water Act. The lack of state rules (reportedly awaiting EPA guidance) to control odors and toxins defies the laws of nature as well as of mankind.

120. **Dianna Riddick's reply to Gene Nettles's**

September 4, 2009 6:58 am

When a person is knocked down with hog smell and the EPA comes out with their little smell meter, they say "nothing here". That is because they are not testing for the right things. Yes, there are things in the air but EPA is using 1950s technology to let people suffer and hog farms flourish. Please move yourself into the future with good science. Isn't good science your job?

121. **Jorie Porter Says:**

September 2nd, 2009 at 4:36 pm

Financial responsibility for hazardous waste site clean-up belongs with the entity creating the waste and should remain there. Clean up is part of overhead costs and any business or organization that cannot meet its own overhead costs should not be in business.

122. **Jennifer Says:**

September 3rd, 2009 at 1:25 pm

EPA needs to focus more on the state agencies enforcement and support unfortunately it is not straight across the board a lot of Local Governments are trying to do what's right but are backed in the corner with no guidance, funding or support by that state. I think it is great EPA is even asking our opinion because we are the ones who take the brunt of what happens at EPA. There is a lot of staff out there in the field trying to make a difference but do not have the support from the state to actually make things happen. I would say focus on supporting each state and Local Government. Thanks!

123. **Dianna Riddick Says:**

September 4th, 2009 at 6:51 am

CAFO regulations do not currently address all the environmental problems associated with factory farms under both the Clean Air Act and the Clean Water Act. Under your brief synopsis of CAFOs provided in this website, you seem to indicate the EPA is "assisting states in enhancing capacity of their CAFO programs". I am unaware of any statutory or regulatory authority for assisting in the growth of CAFO programs. Wouldn't that be a direct conflict of interest: helping CAFOs grow while protecting people/environment from the harms of CAFOs? With such unclear priorities, I fear the environment and people will greatly suffer. Scientific studies have shown the health

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effects on people living near CAFOs, the problems with discharge to both air and water, etc. Please follow the science and protect the environment and people as your sole duty under the law.

124. **Dianna Riddick Says:**

September 4th, 2009 at 6:57 am

We need help! 39,000 containers of hazardous waste (depleted uranium hexafluoride) is sitting on the ground near Paducah, KY as waste from uranium enrichment for the past 59 years. We here in western Kentucky are gravely concerned as the pollution has been actively documented since the early 1990s. Yes, Paducah Remediation has the contract to clean it up but every day another container of DU6 is being created. We sit on the New Madrid fault which produced the strongest earthquake in US history in 1811-1812. Isn't this an accident waiting to happen? What happened to protection of the people? Do you just write it off as a necessary evil of nuclear power use? Do you just write off those people who happen to live nearby? This is hazardous waste which will be waste for 1000 years, unlike most of the pollutants you deal with. Please help the beautiful land and beautiful people of western Kentucky.

125. **James M Gardner Says:**

September 4th, 2009 at 4:36 pm

Clean up all fresh water streams lakes rivers ponds and at least double the surface area of fresh water to land ratio establish hydroelectric ram water electric generation tunnels combined with bullet train transportation system and start a fish management and harvesting program and develop a food chain establishment cooperative in every city

126. **water quality; water quantity is already exer Says:**

September 6th, 2009 at 12:17 pm

As water quantity becomes a contentious court issue, there will be a concerted effort to "look the other way" regarding quantity as municipalities become concerned more with having it regardless of what is in it. This will lead to these same regulatory agencies "forgiving" "accidental" short and long term polluting discharges ranging from individuals in their driveways to multinational corporations in their factories, especially with jobs and tax money involved. The federal Government needs to protect us from our short sighted selves. The locals need to be held accountable for enforceable national standards; fines need to be sufficient to hurt and, at the same time, frighten others considering the same sins. We are what we eat and drink. As we and our neighbors succumb to cancerous maladies, we need only look at our drinking water for an explanation. Another dollar tacked on to an industrial stock share does not outweigh the health of an entire community

127. **Jessica Lowney Says:**

September 7th, 2009 at 9:27 am

In my opinion, there should also be a concern over sea water acidification. Many people are unconcerned about the carbon levels on Earth because the ocean absorbs them, but I heard on an environmental report on NPR (I don't remember when) that the acidity levels of the oceans are rising due to this fact. That means we have to concern ourselves with an integrated system of carbon from air and land to water. I'm sure that all of us would hate to see ocean life die because of acidification.

Also, because not many people listen to NPR, I doubt that many people know this. Just because the ocean absorbs carbon doesn't mean that the carbon disappears! The public needs to be educated on this topic.

Thanks!

128. **Mel Says:**

September 7th, 2009 at 10:23 am

Anything relating to protecting our fresh water - sewer overflows, CAFO's, etc. Need water to live

129. **Tom Says:**

September 7th, 2009 at 2:57 pm

Clearly pollutants from stormwater runoff should remain a high priority. It is not evident that permit compliance is being routinely practiced or achieved in the construction industry. The EPA should consider stronger compliance assurance measures through monitoring of State oversight of permitted MS4 programs. Random inspections of a variety of differing styles of construction activities across the country should continue with instances of non-compliance yielding enforcement action.

130. **Walter Matystik Says:**

September 8th, 2009 at 1:03 pm

On April 19, 2007, the U.S. EPA entered into a Green Infrastructure Statement of Intent "to promote the benefits of using green infrastructure in protecting drinking water supplies and public health, mitigating overflows from combined and separate sewers and reducing stormwater pollution, and to encourage the use of green infrastructure by cities and wastewater treatment plants as a prominent component of their Combined and Separate Sewer Overflow (CSO & SSO) and municipal stormwater (MS4) programs."

Over two years later, EPA has not persuaded major municipalities such as New York City to adopt green infrastructure solutions for CSO mitigation and pollution reduction. Through its Federal-state partnerships to enforce the Clean Water Act, EPA needs to

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mandate green infrastructure (GI) solutions as a preferred best management practice so that states will do more than play lip service to low impact development (LID) and GI.

For example, the NY State Department of Environmental Conservation (DEC) will soon adopt a waterbody watershed facility plan (WWFP) for the Bronx River, an impaired waterbody on the state's 303(d) list. This will turn into a Long Term Control Plan (LTCP) for the Bronx River. Although the Bronx River sewershed affords many opportunities for implementing green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, vegetated median strips, reforestation, and protection and enhancement of riparian buffers and floodplains, the WWFP and the resulting LTCP will not contain any real commitment to implement any GI solutions as part of the state's overall strategy.

Instead, the report will only note that when NYC develops a city-wide program that includes sustainable practices, then the NYCDEP will incorporate those practices in a future modification to the drainage basin specific LTCP. In effect, this is a commitment to possibly do something once something else that is not mandated may or may not happen. In the interim, opportunities to deploy cost effective GI solutions are lost along with opportunities for water quality improvement.

The U.S. EPA needs to take the lead by doing more to integrate green infrastructure into the states' Clean Water Act compliance strategies. Some regulatory teeth needs to be added to the 4/19/07 statement of intent. It's time to turn intent into action as it seems clear that states such as New York will not act on their own unless required to do so.

Additionally, and as a spur towards mandating GI solutions, EPA's 2004 Guidance for assessment, listing and reporting requirements pursuant to section 303(d) must be revisited and revised to include a mandated use of defined green infrastructure best management practices before a state can avoid the need to adopt enforceable TMDLs by virtue of a 4b "exclusion".

Thank you for this opportunity to comment.

131. **Deb Says:**

September 8th, 2009 at 2:51 pm

Stromwater related to construction activity should be a high priority. I have read on numerous occasions that sediment is the #1 pollutant in the waters of the US. Yet every day I observe construction sites with no sediment controls installed, or they were once installed but are not maintained, or they are installed but improperly and are ineffective. This is all kinds of construction: agriculture, business, public works, commercial, etc. In my community I reported a lack of sediment control on a public works project to several agencies, and nothing was done. There is a lack of inspection staff, and a lack of enforcement.

132. **Eddie Henry Says:**

September 9th, 2009 at 2:47 pm

I humbly submit that in future permits of cafo's that the following requirements be followed.

1. That any cafo built be a minimum of 10 miles from a community to protect the people from obnoxious effluents in the air, nitrates in their well drinking water, to protect runoff from local streams that eventually would end up in the Chesapeake Bay. While we support our farmers in the state, we cannot allow these violations to be visited on our citizens.
2. The attorneys general should not be permitted to sue a local government to suit the needs of even one farmer over citizens.

133. **Dan Rose, MD Says:**

September 9th, 2009 at 6:03 pm

You didn't include an option for priorities that should be removed or relaxed, so I'll open that issue. With regard to the drinking water standard, the copper rule is a major headache for our community water system of 16 households. The MCLG of 1.3mg/l proposed by EPA in 1985 (see Federal Register Vol 53 No 160 page 31525) was based on a 1965 publication in the American Journal of Medicine that studied 53 subjects aged 14-60 in India who ingested copper sulfate in a suicide attempt. The author Chuttani commented that the self-reported quantities ingested "was often not reliable." It is sad to think of the resources that water utilities have wasted to comply with a standard based on such poor science. It would be very easy to design an experiment that monitored gastrointestinal symptoms based on varying levels of copper in drinking water. The current EPA copper standard should be suspended until an intelligent limit can be established.

134. **Nick Says:**

September 10th, 2009 at 1:16 pm

On site septic systems in rural communities need to be addressed. Too often water quality issues in rural communities are blamed on farming with no consideration to residential development, construction and waste. Ground water is being affected by drainfields and communities cannot afford to build proper waste treatment facilities to protect groundwater. Surface water is affected by residential development and citizens but little action is being taken by this sector to clean up.

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135. **Allen Says:**

September 10th, 2009 at 2:57 pm

Re: Financial Responsibility

Forensic accounting and liens should be used more often to obtain assets for the cleanup of abandoned sites. Thousands of hazmat sites around the country languish because reticent owners have hidden their assets. It appears that no attempt is made by enforcement agencies to get responsible parties to the negotiating table through liens or other financial mechanisms.

136. **Elizabeth Paredes Says:**

September 11th, 2009 at 12:13 pm

Protection of drinking water sources through the stormwater program is an area that should continue to be a priority. The search for unauthorized discharges to our surface water bodies (including solid waste disposal to our surface water bodies) should continue and identified to correct them by requiring treatment or eliminating them.

137. **maria payan Says:**

September 11th, 2009 at 12:15 pm

The EPA, in regards to CAFO'S must put pressure on the state agencies to ensure compliance. Annual inspections should be mandated by the federal government. Regulations without enforcement is useless. Violations should not be discretionary. The EPA needs to put some muscle into the whole process. I also think local government needs to be involved in this process. They have their hand on the pulse of the people. State agencies, especially with the budget cuts are not able to ensure compliance. Agriculture is responsible for over half the problems and therefore should not be exempt from regulations.

138. **Laura Yanney Says:**

September 11th, 2009 at 10:04 pm

Unless we want to see water become the next gold standard it is imperative that we stop the degradation of our water supply not just nationally but world wide from industrial polluters. We need to consider sources including CAFOs (intensive animal feeding operations) manufacturing plants as well as our own personal use of chemical solvents, cleaners and fertilizers. We all share a personal stake in this matter. If there is a shortage of clean water for human and animal consumption imagine what the price of a bottle of water will look like for future generations. The up and coming century will have its new black gold and once again corporations will have the upper hand over the middle and lower class. It is time we take control of our natural resources and protect those natural resources needed to sustain life as we know it. Clean air clean water and clean land. EVERY INDUSTRY SHOULD BE MADE TO TOW THE LINE WHEN IT COMES TO LIVING UP TO THE STANDARDS NEEDED TO KEEP OUR

FARMS OUR COMMUNITIES AND OUR EARTH SUSTAINABLE AND VIABLE. NO ONE SHOULD BE EXEMPT! Empower our nation not with more regulation but with more enforcement. Put some bullets in the guns of the authorities in charge of policing the industries and give them the authority to pull the trigger on those industrialists who would destroy the viability of an entire planet in order to line their own pockets with gold. Give local authorities the teeth as well as the backbone to protect their communities from those giants who threaten the little man with the use of the lobbyists they keep in their pockets and politicians in their holsters. Whistle blowing should not be a dirty word but instead used when referring to heroes. ENFORCEMENT, ENFORCEMENT. ENFORCEMENT WITH LIBERTY AND JUSTICE FOR ALL.

139. **Elvis Licul Says:**

September 13th, 2009 at 10:09 am

The land application of bio solids on farms is mostly self regulated. Recently, a total of 10 farms in my County have had their properly permitted Bio solids site banned or suspended from further use of this sludge. The data provided by the USDA in regards to the water table in our area was inaccurate, consequently, the farmers were having bio solids applied in areas strictly prohibited in the states bio solids regulation. How was this proved?, local septic information was submitted to the state official. This septic info was stamped by a professional engineer and showed clearly that the water table in our area was in danger of being contaminated by the toxins and nitrogen in bio solids. Self regulation of Cities that need to get rid of bio solids, applicators who get paid to haul and spread bio solids and farmers who receive free fertilizer, does not protect our ground water. What incentive do any of them have to report a problem with the use of Bio solids? More strict oversight, and hefty fines must come from the Federal level.

140. **Susan Fox Says:**

September 14th, 2009 at 4:34 pm

We need to stop Land Application of sludge. It is ridiculous to say it is safe when a myriad of anything and everything can and will be in sludge at any given moment. We do not have the science to make it safe nor the testing equipment to even test what is in it so we must stop land Application. The treatment processes they use do not remove all the pollutants and pathogens in sludge, the science is not there. We also need the EPA to enforce the rule in 503 that allows Local Governments to adopt more strict or stringent regulations than the Federal or State regulations and not allow the Attorney General of a State to sue its own residents with their tax dollars as in PA. A local government has its finger on the pulse of their community much better than the State agency and it is their duty to protect the Health, Safety and Welfare of their community. Please start looking at your outdated Sludge program and protect the water, air, soil and the people in this Country. The Chesapeake Bay and all other waterways can never be cleaned up until you do, just looking to regulate nitrogen and phosphorus will not stop their pollution. Thank you for opening up this comment period for us.

141. **Emily Says:**

September 15th, 2009 at 6:26 pm

Beyond the direct environmental issues we are striving to address, priorities include staffing and infrastructure/systems requisite to 1) effectiveness and 2) efficiency (priority order). Beyond technology (e.g. centralized data collection and reporting systems), sound administration necessitates well-trained staff. First, a comprehensive set of environmental guidelines/policies should be established in all major areas including recourse levels (varying degrees) for violations, which will minimize the number of misjudgments that lead to inefficiencies and take well-intentioned entities away from directing resources to the issues. Second, a comprehensive training program should be developed for all levels of the EPA (and related regulatory agencies) to establish the analytical skills, decision-making (with supporting matrices included in training materials), communications/diplomacy skills, etc. as needed to enable regulatory staff to appropriately assess priorities.

142. **Jim Bynum Says:**

September 17th, 2009 at 10:31 am

I don't know whether to laugh or cry over this question. EPA has the equivalent of over 17,384.3 full time employees who are supposedly experts in their fields with a budget of \$10.5 + billion dollars, yet, the implication is that the enforcement priority is going to be based on the comments of less than 100 people who have no idea that fecal coliform is the name of a test for thermotolerant bacteria rather than a category of bacteria. Based on past actions, few people within EPA or the commenters realize the empty promise of "EPA's efforts to build a greener economy, move into a clean energy future, and protect human health and the environment in communities across the nation."

According to EPA, "The Budget reflects this Administration's strong commitment to vigorous enforcement of our nation's environmental laws and ensures that EPA will have the resources necessary to maintain a robust and effective criminal and civil enforcement program."

According to the 1980 report, Institutional Constraints and Public Acceptance Barriers to Utilization of Municipal Wastewater and Sludge for Land Reclamation and Biomass Production, while local groups opposed sludge reuse projects, the National Wildlife Federation, National Resources Defense Council, Sierra Club and Audubon Society have typically not mobilized their membership against sludge reuse projects. Because of local opposition and a lack of opposition by the National organizations, this "in part has contributed to a shifting of the focus away from disposal methods that are regulated to methods that remain unregulated, or regulated less severely."

The EPA Journal of April, 1984 reported that "National studies suggest that agricultural nonpoint source pollution adversely affects portions of over two-thirds of the nation's river basins." According to the article: About 63 percent of non-federal land in the

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United States is used for agricultural purposes, including crop and livestock production. It is not surprising, therefore, that agricultural activities constitute the most pervasive cause of water quality problems from nonpoint sources. Indeed, it is considered the most serious cause in most EPA regions.” (p. 28)

If, as the Clean Water Act states, it is the national policy that programs for the control of nonpoint sources of pollution be developed and implemented in an expeditious manner so as to enable the goals of this Act to be met through the control of both point and nonpoint sources of pollution, why would EPA claim sludge is excluded from the law against creating nonpoint sources of pollution based on the exclusion for agricultural stormwater discharges?

An Inspector General’s (OIG) Report, Status Land Application of Biosolids dated March 28, 2002, implies that the four people managing the Office of Water’s part 503 sludge disposal program are responsible for completely disregarding the federal environmental laws. Laws which state that sludge from pollution control facilities are an RCRA solid waste with hazardous infectious exposure characteristics. Under the agricultural exemptions of CWA and CERCLA, even the most extreme hazardous solid waste becomes a nonpoint source of water pollution after it is disposed of as a fertilizer on farmland.

EPA warned: “there is the potential for an increase in the application of sewage sludge to agricultural land. Such an increase could increase exposure to lead from sewage sludge. “In fact, our impact analysis projects there will be a 10-percent decrease in agricultural land.”(FR 54, p. 5777)

EPA seems to have forgotten CWA’s intent to stop the careless land disposal of sludge. “(1) Purpose - This section was not intended to be [the] primary source of regulation of sludge but was intended as [a] cautionary measure to provide additional protection against dangers to navigable waters caused by disposal methods unregulated by section 1311 of this title, i.e. careless land disposal and deep ocean dumping of sludge from vessels. —” (Title 33, part 1345, note 1)

Under the CWA (7) it is the national policy that programs for the control of nonpoint sources of pollution be developed and implemented in an expeditious manner so as to enable the goals of this chapter to be met through the control of both point and nonpoint sources of pollution [i.e., careless land disposal on farms, lawns, parks, schools]

According to Ken Arnold of the Missouri DNR, stormwater runoff from the Kansas City sludge site is a federal, not a state problem. In a letter dated December 18, 1997, he states: “The Kansas City Birmingham permit does not require monitoring or limitations of the storm water runoff from the agricultural crop land fields where biosolids (sludge) are being spread at beneficial use rates. Storm water runoff from these agricultural crop fields is considered a non-point source under State rules as is the storm water runoff from agricultural fields where commercial fertilizers and pesticides are applied. The storm water runoff onto the Alice Minter Trust property is from an

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agricultural crop land field where biosolids are subsurface injected into the soil at beneficial use rates. The potential impact of this storm water runoff onto the adjacent farm land would need to be addressed under the federal rules at 40 CFR 503.”

According to the Corps of Engineers, “Nonpoint sources of microbial pathogens include urban runoff contaminated with pathogens from litter and refuse, sanitary sewer overflows produced during storm events, leaking sewage and septic systems, livestock wastes released into pastures and feedlots, poultry wastes from large production farms, soil surface applications of manure and sewage sludge, and wastes pumped from holding tanks. The Corps lists a new pathogen which is a killer, *Naegleria fowleri* which causes Amoebic meningoencephalitis, a Fatal brain inflammation Water Quality Technical Note PD-03 July 1999

EPA Administrator Johnson speaking to American Water Works Association in March 2006 said, “The use of sound science is particularly necessary in our efforts to confront a major threat to water quality and sources of drinking water – nonpoint source pollution. 35 years ago, the threats to our nation’s water were clearer - and we set out to stop the practice of dumping of waste directly into our rivers and waterways. We must continue to teach people that their individual actions can add up to big environmental gains.”

During the House Science Committee Hearing on sludge held March 22, 2000. Attorney Kohn told the Commission Joseph Cocalis of the CDC testified under oath that the 503 sludge rule is indefensible from a public health standpoint ...and that under oath the EPA director of the Ecological Research System said the 503 sludge rule is NOT SCIENTIFICALLY DEFENSIBLE ...people will die from the rule!

Yet, with statutory violations of federal law under the stormwater exclusions, EPA will focus on three main areas of the storm water program: (1) homebuilding construction; (2) big box store construction; and, (3) ready mix concrete with crushed stone and sand and gravel operations. It doesn’t make sense.

143. **Stacey Fox Bondurant Says:**

September 17th, 2009 at 7:43 pm

Sewer Sludge being spread on our growing food is filled with all the toxins that go down the drain and into our sewers: Drains, discarded pharmaceuticals, factory waste, blood from mortuaries with infectious diseases, cleaning agents, bleach, vomit, to name a few. Our food does NOT need to be drenched in poison as it grows, poisoning Americans who eat it. Cancer is on the rise and soaking food in toxic waste will exacerbate things tremendously. And the fumes and air pollution from the spreading of these feces and such are unbearable, and have caused many respiratory and skin ailments. Not to mention that you can’t even go out doors because of the smell, for weeks without vomiting!

144. **Richard Says:**

September 19th, 2009 at 10:34 pm

The measure of how effective EPA enforcement programs has historically been based on how many non-compliances are found, how many fines have been charged, and how much money has been collected through these fines. I believe these are misleading measures of effectiveness. The measure of how effective our enforcement programs are should be based on the environmental quality of our air, water, and land. Furthermore, if the number or amount of fines decreases from one year to the next, the public interprets this to mean that EPA enforcement has been lax; whereas, perhaps more facilities are meeting their permit requirements and therefore their compliance rates have improved and the number of fines levied by EPA has appropriately decreased.

I believe that to achieve this shift in focus it will be more constructive if the main objective of environmental inspections is to find environmental problems and find environmental solutions (i.e., solve problems). Inspectors would still find problems and levy fines, but this should no longer be their main focus. If their main focus is on environmental solutions (problem-identification and problem-solving), they can bring to bear their vast knowledge of what different industrial facilities are doing and share leading environmental practices among facilities. I believe this will be very constructive and rewarding work. This would lead to a more collaborative relationship between inspectors and facilities that will also put the focus on what matters most — improving the environment — and achieve these improvements more quickly.

Thank you.

145. **Steve Hellem for the Corporate Environmental Enforcement Council Says:**

September 30th, 2009 at 3:28 pm

FINANCIAL ASSURANCE AS AN ENFORCEMENT PRIORITY SHOULD BE RECONSIDERED or REFOCUSSED. Financial assurance may be one area where poor understanding of the applicable requirements by the regulated community and implementing states may be an important source of identified non-compliance, and for that reason, formal enforcement actions may not be, in the first instance, the most appropriate and effective means to assure compliance. While financial assurance mechanisms play an important role in protecting the public fisc, their direct role in reducing risk to human health and the environment is a little more removed. And to the extent financial assurance remains a priority, the focus ought to be forward-looking. The Agency's current focus on financial assurance enforcement is driving many States to review their own files for past years, and to request companies to supply expected documentation found to be missing to fill out historical state files (i.e., so that State files would be complete when EPA came to review). There can be no objection to enforcement, if warranted, where documents are missing, but remedies ought to be focused on the future, not re-documenting financial assurance demonstrations for past years, at least where more current, replacement mechanisms are already in place.

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146. **dj Says:**

October 20th, 2009 at 4:49 pm

the epa must have stringent inspections on cafos. actions must be taken with violators. To protect residence, cafos should be built at least 10 miles away from residential areas . There are harmful affects from the fans that can cause many heath issues as well as issues with water.. I fear the h1n1 issues will be found due to these cafos.

147. **Victoria Hennessy Says:**

November 30th, 2009 at 9:11 pm

Our organization the Green Environmental Coalition (GEC) sent previous comments in Sept 2009. Since that time we conducted a public survey of Greene County (and surrounding county) residents on their top 3 priorities for Compliance and Enforcement Assurance by USEPA. Participants were asked to rank their top 3 priorities from a list (with explanation) of the current USEPA priorities for 2008-2010. The results of our survey showed the top 3 priorities among those interviewed were CAFOs (78%), Air Emissions from Industrial Facilities (62%), and Financial Responsibility for Hazardous Waste Site Cleanup (58%). In a large agricultural state like Ohio, more and more concern is being expressed about CAFO's- especially with the passage of State Issue 2 which puts a 13 member private board in charge of Ohio agriculture. Currently there is also legislation pending to put the ODA as the authority of issueing NPDES permits to livestock facilities, which removes this responsibility from the OEPA. We feel it is important for the USEPA to target compliance and enforcement activities in states, such as Ohio, with lower levels of CAFO permit coverage.

148. **CONCERNED TEXAS Says:**

December 1st, 2009 at 12:20 pm

I would definitely keep air toxics and air emissions as high priorities, with an added emphasis on aggregate/rock crushing & quarrying around populated areas. Once a seam of limestone is found, it appears that many corporations, such as the huge multi-national conglomerates, move into the area without regard to the thousands of families living nearby. These operations comply with state and local laws, if any, but may need more attention from the federal authorities. Also, monitoring devices need to be more prevalent and/or initiated in these areas.

Suggestions on Providing Information for Public Use

What additional compliance or enforcement information would you like to see on our Web site for National Priorities for Enforcement and Compliance Assurance?

149. **Tim Gablehouse Says:**

August 31st, 2009 at 10:32 am

Enforcement of the CAA risk management plan and EPCRA programs may identify facilities with compliance problems and may identify facilities that are in full compliance. Either situation is of vital interest to local emergency planning committees, local emergency responders and the community. Various EPA regions do nothing to communicate this information and may fail to even disclose noncompliance conditions that present immediate risks to first responders in the case of a chemical incident.

To address these situations it is recommended that the EPA regions provide a list of inspections and/or inspection reports to the state emergency response commissions on a quarterly basis and that EPA commit to providing information on facilities with substantial noncompliance conditions to the LEPCs and SERCs on a prompt basis.

150. **Knute Jensen Says:**

August 31st, 2009 at 3:01 pm

I am unable to find results of the degree to which previous stated priority goals were met. Publishing all the goals for the previous triannual period and their updated results in a tabular form would help in trying to answer whether past priorities should remain, be modified or cease according to the stated “exit strategy” of each priority.

151. **Knute Jensen Says:**

August 31st, 2009 at 3:48 pm

In the National program of enforcement, “National Priorities” are contrasted with “core program activities”. While the two may have overlapping areas of focus or approaches, they represent separate workloads that any fixed set of resources must choose between. In other words, not only must there be selection of a limited number of National Priorities, but there must be a decision to allocate some portion of resources to National Priorities and a remaining portion to core activities, even if the portion for one is zero. National Priorities appear to address temporary or short term problems and what they seek to achieve is generally made clear (or at least a process is described for making it clear in the 2007 Guide for Addressing Environmental Problems). Clarity on the aim of the National Priorities is achieved in establishing goals under the 2007 guidance which also describes a means for determining a transition back to core activities when these goals are met. But this assumes an importance in National Priorities that exceeds those of the core activities. What are the goals of the core activities? And how is it determined if or when the National Priorities exceed the importance of the core activities? Without a framework to compare the importance of the two it seems impossible to decide if, when or how much to divert resources between

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them. What data is available about the value or importance of core activities that might be compared with those which are published about National Priorities? What data exists about the total enforcement resources (state and Federal combined) and the allocation of this total between National Priorities and core program activities in recent years? Does EPA suggest an allocation along with each priority?

152. **J. Ward Says:**

August 31st, 2009 at 4:11 pm

I would like to see more effort devoted to the importation and distribution of illegal or questionable pesticides into the US. I have seen some data indicating that almost any chemical can be produced in China per an order from a US company. With all of the problems with lead contamination and animal feed impurities, it's hard to believe that some of the pesticides being shipped here are not of the same quality

153. **D. Cunningham Says:**

September 1st, 2009 at 10:17 am

The problem of coal combustion waste should be a national priority. Nationwide there are vast numbers of landfills, many unlined and not monitored, holding millions of tons of toxic waste from coal mining and coal fired plants. These wastes are polluting water sources in many communities. The Clean Water Act needs to be enforced. Appalachian mountains are being destroyed by surface mining as waste from this practice is being dumped into mountain streams, the headwaters of rivers. The water supply of our country needs to be protected .

154. **Mark Says:**

September 22nd, 2009 at 11:11 am

Increased use of the EPA Enforcement and Compliance History database. Make the database searchable by SIC/NAICS.

155. **James Bowen Says:**

October 20th, 2009 at 10:51 am

County authorities and state authorities MUST KNOW what is being put into the ground and into our water by oil drillers , in situ uranium miners, and gas fracking companies. Those compounds such as drilling mud, fracking fluids, and uranium solvents are contaminating water and the extractive industries are not telling public officials what is in their "secret" formulas. This isn't Coca Cola you know.

156. **Faith Wurtzel Says:**

November 11th, 2009 at 11:48 am

Please take away the trade-secret word 'fragrance', and force the chemical industry to put what's really in our personal care and cleaning products ON THE LABEL, where we can read them.

Fragrances contain BPA, xylene, toluene, benzene, formaldehyde, and other toxic waste in doses that the chemical industry has deemed 'safe', even though these poisons are bio-accumulative, and there is no safe level of exposure.

We are deploying hazardous waste products throughout our homes, and rubbing them into the skins of our babies because of this vile euphemism for poison: Fragrance

Please Google this:
toxic trade secret fragrances

EPA, please unmask the word 'fragrance', once and for all!

Thanks

Suggestions on Providing Information for Public Use

How can EPA make information on national priorities easier for the public to understand?

157. **Phyllis Harris Says:**

August 31st, 2009 at 11:14 am

Regions should be required to provide an opportunity for comment on regional priorities that are different from the National Priorities to the extent that Regions have priorities that are significantly different.

158. **Amy Brown Says:**

August 31st, 2009 at 5:05 pm

The EPA like many other government agencies, fails in its communication efforts at times. The web site one sees today for District 10 only gives a minimal amount of information and if a citizen wishes to alert the EPA about something that appears to be a problem, the complaint can be made but nothing is communicated about the problem to the citizen. A reply is not forthcoming. This gives a purposeless reason to comment.

If a citizen is interested enough to alert a government agency that something is amiss, the agency at least could advise what steps if any will be taken.

Otherwise, the populace becomes cynical, and eventually that great divide that is between private and government widens even more to the detriment of all.

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I appreciate the EPA for giving people an opportunity to speak up today. This is great and very much appreciated. Thanks so much.

It seems the government and the private citizens could work together to get our environment in better shape. When agencies act so secretive, it only makes things worse.

You could make a web site that lists the national priorities and have then written in easy to understand language and tell what you are doing about certain problems and even go as far as to tell a citizen if their information is helpful. It just opens the door to better communication and more trust. You could allow citizens to alert you about situations and if this is not on your agenda, it would really help if you could say so and offer an explanation or a direction.

I am specifically speaking today about the grandfathered plants in Longview Washington - the smell at times is overwhelming and this simply should not be. The chicken farms in Longview are also a problem - the run off in the sloughs is a great concern. Those waters on the west side of the Interstate must be full of toxic chemicals - so many dead trees! On the east side, there appears to be a huge pond that is simply covered in algae. It also looks very disturbing. I wrote about this a few years ago, and did not get an answer and it looks like the issues are not improved at all.

Finally, I think if you offered to work with the cities and counties to clean things up it might help. You could choose one or two days every six months or a year and ask citizens to participate in cleaning up environmental concerns. Little rewards could be given and this would increase participation. I think the great divide between government and individuals is only getting worse - pushing people into a Minority Report mode. We need to have more communication and more participation. Thanks for asking!

Considering the great fiasco with the post office - they keep raising rates yet their service is worse every month and when the reports came out about the post office employees selling their million dollar homes back to the post-office, and the average loss was approx. \$500,000 per house, what citizen did not feel totally abused and devalued.

So thank you EPA - the chance to participate and make our voices heard is outstanding and will only make for more positive feelings.

159. **Jorie Porter Says:**

September 2nd, 2009 at 4:41 pm

Most people do not go looking for government websites and wouldn't know where to look if they did. The EPA needs to be on television and in newspapers and magazines. Messages there should be simple and short and should ask questions which invite people to explore the topics further on the website.

160. **Emily Says:**

September 15th, 2009 at 6:37 pm

The issue is less about “understanding” and more about “information dissemination”. Comprehensive strategies should be developed to raise public awareness (optimize outreach/media attention). Develop systems for identifying the issues, reporting measures that indicate prevalence and severity, progress reports, sharing strategies for address issues (at the individual through systemic levels) to maximize the sense of public ownership AND potential to pull together to create a better world/situation. Provide the public with tools, encourage civic engagement, and give people hope that they can make a difference.

161. **Steve Hellem for the Corporate Environmental Enforcement Council Says:**

September 30th, 2009 at 3:30 pm

CEEC urges that any compliance or enforcement information systems be developed and deployed with data quality as a principal concern, including appropriate procedures to double check initial data input, data updating, and procedures to correct inaccurate information in a timely fashion. Before committing resources to new/additional compliance or information data systems, CEEC suggests that the Agency devote sufficient resources to correct deficiencies in existing systems.

ECHO ENFORCEMENT ACTIVITY DATABASE — CEEC’s experience has been that the data entered into the Enforcement and Compliance History Online (“ECHO”) database is suspect and, in many cases, incorrect. While EPA has a “data correction” process in place, that process has not operated effectively, with the result that there is a significant amount of incorrect data that has been on the database since the inception of the program despite repeated efforts of companies to correct the data for over five years. Incorrect data can and does result in an inaccurate portrayal of the compliance status of the subject facility; the potential injury is not limited to subjecting the facility to an inappropriately high level of compliance scrutiny by enforcement authorities (including citizen plaintiffs), it also includes a corresponding adverse impact on the environmental reputation of the company, which is increasingly critical. EPA should recommit to making improvements to the ECHO database and the data correction process, including committing the resources necessary to ensure the accuracy of the data and the efficient operation of the data correction process.

ENSURING THAT PUBLICLY AVAILABLE DATA USED TO ESTABLISH ENFORCEMENT PRIORITIES IS USEFUL – In addition to ensuring the accuracy and completeness of compliance and enforcement information and data that the Agency makes available to the public, CEEC believes that it is critical that the data that is made available to the public is useful and that the public can understand how the data provided is used to set enforcement priorities. In most cases this means, at a minimum, that the data is made available with appropriate context. For example, publicly available data should identify and explain, to the maximum extent possible, noncompliance that involves significant risk to human health and the environment. The

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Agency should strive to distinguish such noncompliance from noncompliance that involves relatively low or no risk to human health or the environment.

162. [Heartland Energy Colorado Says:](#)

November 14th, 2009 at 6:10 pm

There is so much reading at the EPA just as there is so many other .gov sites. I would think that providing videos like the FTC has throughout the website and blogs would be a better way to communicate with the public. Not too many people have the time to read all of the content that the EPA provides, but a short video might prove to be a simpler way to reach more people.

[Heartland Energy Colorado](#)

Suggestions on Providing Information for Public Use

How can EPA best demonstrate progress made in accomplishing national priority goals?

163. [Amy Brown Says:](#)

August 31st, 2009 at 5:08 pm

This should be quite easy - simply have your web site list the priority goals and then have your webmaster write what progress has been made.

There is no reason to advertise any of this - those who are interested will know where to find you.

Thanks!

164. [troy w Says:](#)

September 3rd, 2009 at 1:14 pm

the variables effecting the environs are wide ranging. to think it is a bean count will be oversimplified. if effect can be quantified then it could become a "pound per pound" comparison but most of the time it is a lofty statement that has more "gravy than grave" to it.

165. [Steve Hellem for the Corporate Environmental Enforcement Council Says:](#)

September 30th, 2009 at 3:32 pm

MEASURING ENFORCEMENT SUCCESS. It is CEEC's experience that many of the traditional enforcement program indicators, such as numbers of enforcement cases brought or the amounts of penalties assessed, are no longer appropriate measures of the success of an enforcement program. In reality, consistently high numbers of enforcement cases or penalties assessed signals systemic failures that must be addressed outside of the enforcement context. Enforcement programs must be evaluated not on outputs, but on outcomes, performance measures and environmental improvements. Any enforcement program should be structured to achieve the desired performance results (i.e., increased compliance rates and environmental improvement), and utilize

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environmental performance metrics that will allow a meaningful assessment of their success. A successful environmental regulatory system, combined with an effective enforcement program, should result in fewer enforcement cases, greater compliance rates and environmental improvement. CEEC has long advocated the development of new metrics to measure the performance of environmental enforcement programs, including accurate accounting of reductions in emissions or pollutants released to the environment. CEEC has also supported efforts to develop statistically valid compliance rate methodologies as perhaps the most useful metric in measuring the performance and success of environmental enforcement programs, which in turn should feed into the evaluation of the overall success of the environmental protection.

EPA should reexamine how it measures the success of its enforcement program and more fully integrate its enforcement resources with its program offices. EPA is strongly encouraged to move away from looking solely at traditional enforcement program indicators such as number of inspections/cases brought as the barometer of the success of the Agency's enforcement program. Instead, the success of the environmental program should be evaluated on outcomes, performance measures and environmental improvements, and not on program "outputs."

Tracking information such as the percentage of cases that result in environmental improvements and the volume of pollution reduction achieved, while clearly appropriate, is not in and of itself sufficient. CEEC recommends efforts to implement measures that track the success of the enforcement program in terms of whether compliance rates increase (or non-compliance rates decrease). Obviously, an enforcement program that does not increase the compliance rate (however that is measured) is not a successful program. EPA's enforcement programs should be structured to achieve the desired performance results – increased compliance rates and environmental improvement - and utilize environmental performance metrics that will allow a meaningful assessment of their success.

The importance of the ability of the regulated entity to understand its compliance obligations cannot be overstated; compliance with regulatory requirements is fundamentally dependent on the degree to which compliance obligations are clearly understood. In that regard, it is critical that enforcement programs (including compliance assistance mechanisms) must be developed in concert with underlying programmatic requirements such that the regulatory requirements are clear and compliance obligations are clearly delineated and communicated to the regulated community. Upfront involvement of and interaction with enforcement authorities improves regulatory programs and requirements, and ultimately makes enforcement more efficient.

To that end, federal environmental enforcement should not be isolated from EPA's regulatory program offices nor should enforcement be evaluated separately given the necessity of enforcement fostering program office goals. They should be directed to work jointly, and cooperatively, with appropriate incentives as necessary to foster such

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activities. They should also work jointly to achieve greater clarity in communicating regulatory requirements and ensuring that those requirements are not inflexibly applied.