



The Academy of Board Certified Environmental Professionals

Monthly Newsletter – July 2010

A Note from the ABCEP President



This is my first column as ABCEP's President. Let me introduce myself. Many of you know me as an active part of the National Association of Environmental Professionals (NAEP) since the early 1980's. I was President of NAEP for three terms, one in the 1990's and two terms in 2004 through 2006. I believe in constant improvement. Organizations should be living entities, striving to be the best they can be. I also believe in active participation. Being a member of a Board of Trustees is not a prize or an end, but an opportunity to play a part in the betterment of an organization and the improvement of the experience for its members.

I want to assure you that your current twelve member board, up from 9 members, will be responsive to your comments and position itself to expand the organization. One problem, ABCEP is a professional organization limited in membership to those aspiring to be a Certified Environmental Professional and those who have attained that goal. This is a very select group. As all of you know, just drafting the application is challenging. In 1992, no less than Chuck Zirzow, the perennial chair of the Certification Review Board, was the first to encourage me to become a CEP.

Once the application is sent in, the transcripts and recommendations must follow, otherwise it cannot be processed. Then, being subjected to review by seven of your peers and the oral interview, can cause the meek to sweat and shake. But, all of you have accomplished this feat! Congratulations are in order. It took me ten years to sit down and will out the application. Getting my CEP was one of the proudest moments of my life.

Now its up to you, ABCEP members, to inspire Your peers to seek the CEP credential, just as I was inspired by Chuck Zirzow and others. I'm sure that you know of at least two colleagues who meet our minimum standards of 9 years experience with 5 years of responsible charge. Turn them on to ABCEP, one of the few certifications for environmental professionals accredited by a third-party accreditation board.

Since Chuck first pressured me to become a CEP, much has happened. NAEP gave birth to ABCEP, ABCEP rethought the CEP and the benefits package once certified and ABCEP was accredited by the Council of Engineering and Scientific Review Boards. The ABCEP website has added many useful tools for CEPS, a CEP mentor program has been established and the CEP-in-training program was started. All of these and other accomplishments have resulted in more value accruing to the CEP certification. To date, several companies promote and upgrade their employees if they have their CEP. ABCEP is continuing to expand its recognition and will become an even greater force.

In the next year, I hope to make it easier for many of you to participate in the organization. Please, spread the word about ABCEP and the CEP. Go to our website, ABCEP.org, and use it. Send me suggestions for improvement. Join our committees. Meet us at our semi-annual Board of Trustees meetings, the next one in October. If you don't see it, ask for it and we will do our best to produce it for you. Contact me at ABCEPPrez@gmail.com or call me at 410-537-4423

New Members



Certification Review Board Chairperson Robert Michaels reports and the Board of Trustees is pleased to announce the following persons have recently become Certified Environmental

Professionals and/certified Environmental
Professionals in Training:

William Lukash, CEP
City Planner
City of Omaha

Robert Taylor, CEP
South Florida Water Management
District
West Palm Beach, Florida

Richard Beck, CEP
RBF Consulting
Irvine, CA

Joseph Sicluna, CEP-IT
New York State Department of Transportation
Binghamton, NY

Irv Cohen Awarded Kramer Award

Congratulations to Irv Cohen for being recognized for his extensive contributions to our profession. Irv became the sixth recipient of the Richard Kramer Award, named in honor of ABCEP's first president.



ABCEP Kramer Medalists (l to r): John Fittipaldi (2009), Audrey Binder (2006), Irv Cohen (2010), Rich Burke (2008), and Bob Michaels (2004). Absent: Norm Arnold (2005), Michael Herbaugh (2007). Photo by Bob Morris; Award Luncheon, National Association of Environmental Professionals, 2010 Annual Conference; Atlanta, Georgia 28 April.



The Deepwater Horizon Incident

Donald R. Deis, CEP

Oil released from the BP Deepwater Horizon Incident (Mississippi Canyon 252 Incident) is on the surface and in the water column in the loop current in the Gulf of Mexico and has reached coastal waters in Louisiana, Mississippi, Alabama, and Florida. This is a continuous oil release and very different than a "traditional" vessel spill where the product is released in a short period of time. The result has been what seems to be a slow response effort, but the response is actually proceeding in a planned and practiced manner. A considerable effort is currently in place; however, it is just complicated by the fact that the source of the release has yet to be controlled. Other environmental professionals have asked me how they can get involved in response efforts. They want to be a part of saving the Gulf of Mexico ecosystems or at least understanding the damage that may be done and be a part of the restoration efforts.

I offer two things to keep in mind about this incident. One is that, during an oil spill, shoreline areas have a potential for oiling on a recurring basis until the source is controlled and the oil is contained. Response to these varying conditions occurs in three stages.

- Stage I: On-water recovery of floating oil slicks in offshore and nearshore waters.
- Stage II: Initial cleaning of bulk oil from intertidal, shoreline areas until the source is controlled.
- Stage III: Removal of oil to habitat-specific cleanup endpoints once the source control is achieved.

Stage I and II are actively occurring as quickly as possible in all areas that are being affected; however, Stage III, the actual cleanup, cannot begin until the source is controlled and the oil is static. This is because the overriding precedent of the response effort is **doing no additional harm to the environment** than is being done by the release and product itself. That means that we should not clean and re-clean areas, particularly sensitive areas such as coastal marsh systems, until the source has been contained and

the oil is static and no re-oiling can occur. Multiple efforts to clean sensitive habitats generally has been determined to cause greater harm than protecting areas as much as possible and waiting to initiate cleanup. Therefore, we have yet to really start cleanup efforts in most areas. There may be little or no treatment in marsh areas other than gross oil removal, because natural recovery may be the preferred alternative and could occur in 3-5 years.

The other thing to remember is that the cleanup effort may be small compared to the restoration efforts that may need to occur subsequent to the cleanup. As indicated in the description of Stage III of cleanup efforts, the cleanup will reach a determined habitat-specific endpoint beyond which subsequent actions in that habitat are considered to be restoration. Efforts have just begun and will need to continue on the natural resource damage assessment. A primary consideration in determining damage is that the impact is measureable. The effort of measuring impacts in specific affected environments, determining restoration requirements (i.e., primary restoration), and determining projects and costs for compensatory restoration has just begun. You can imagine that this incident has occurred at the time when many species are reproducing and developing through life history stages in nearshore and offshore waters. How is that measured, restored, and compensated? Those and many other questions about impacts to the natural environment need to be answered as best as possible. It is greatly complicated by the impacts that have occurred to our coastal systems.

As a comparable incident, I offer to you the IXTOC 1 oil well release that occurred in June of 1979 in 200 foot water depth in the Bay of Campeche in the Gulf of Mexico. That incident too was caused by the failure of a blowout preventer. Attempts at “junk shots” and drilling mud insertions into the well were attempted, as well, as a “top hat” type of collector. The release was not controlled until two relief wells were completed. The release was controlled in 10 months and 3.3 million barrels of oil was released. The current incident is occurring in 5,000 feet water depth. Hopefully, the first relief well will be completed in August.

I hope that this has put some perspective on this incident and the potential that many environmental professionals will be needed along the way. In the mean time, I suggest a couple of websites that I visit frequently to stay current on the incident and the environmental response effort. The National Oceanic and Atmospheric Administration (NOAA) is the primary science related responder to the incident. Information on their efforts is located at:

http://response.restoration.noaa.gov/dwh.php?entry_id=809

ROFFS (Roffer’s Fishing Forecasting Service) is, as it indicates, a fishing forecasting service; however they have used their forecasting and ability to communicate with fishing vessels to predict and, at times, confirm the presence of oil throughout the affected area. Their reports are located at:

<http://www.roffs.com/deepwaterhorizon.html>



ABCEP Board of Trustees

At its April meeting your ABCEP Board of Trustees voted to increase the number of trustees to 12 from 9. This provides for more leaders to tackle our new strategic plan. In addition, the BOT has consolidated its committee structure to better coincide with the strategic plan. There are now five committees:

- Communication and Recognition: interim chairs Peter Havens and Irv Cohen
- Partnerships and Alliances: Corry Platt, Chair
- Membership Benefits: Don Deis, Chair
- Certification Review Board: Robert Michaels, Chair
- Executive Team: Gary Kelman, Chair

This gives immediate benefits to the efficiency of the BOT by providing:

- Improved function of the committees since there will be more than one person to discuss tasks
- Opportunities to interact with other committees through project oriented task forces
- Fewer reports to the BOT that consolidate committee tasks
- Less discussion of details by the BOT acting as a committee of the whole unless it is necessary to make decisions

Each committee was given the task of developing its mission statement and was assigned initial projects to get the members used to the new structure. One of the projects was to contact ABCEP members to participate on the committees. If you are contacted, I urge you to serve. If you are proactive, please contact the committee chairs or the ABCEP office to volunteer. This will help you to earn maintenance points for 2010.

Gary Kelman, CEP - ABCEP President and NAEP Representative on the ABCEP Board
Maryland Department of the Environment,
Baltimore, MD.

Irving Cohen, CEP – ABCEP President-Elect and CESB Representative
Enviro-Sciences, Inc., Mr. Arlington, NJ.

Jim Yawn, CEP – ABCEP Past President and ABCEP Representative on the NAEP Board
Walt Disney Resort Real Estate Development,
Buena Vista, FL.

Heidi Pruess, CEP – ABCEP Secretary
Mecklenburg County, NC.

Peter Havens, CEP – ABCEP Treasurer
Sound & Sea Technology, Inc., Poulsbo, WA.

Robert Michaels, PhD, CEP – Chairman, Certification Review Board
RAM TRAC Corp. Schenectady, NY.

Audrey Binder, CEP – CESB Alternate
US EPA, Washington, DC.

Richard E. Burke, CEP
URS Corp., Los Angeles, CA.

Donald Deis, CEP
PBS&J, Jacksonville, FL.

Connie Chitwood, CEP
Golden, CO.

Sun Temple Helgren, CEP
HDR|e2M, Clayton, NC.

Eric Neugaard, CEP
Reynolds, Smith & Hills, Inc.,
Fort Lauderdale, FL.

Cory T. Platt, CEP
Concept2Delivery, Inc., Cary, NC

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Nadine Jackson-Bey
ABCEP Executive Administrator
Towson, MD

Richard P. McGucken, CEP Emeritus
Newsletter Editor
Kingwood, TX



**EPA Issues Report on
U.S. Climate Change
Indicators**

WASHINGTON – Heat waves, storms, sea levels, glaciers, and wildlife migrations are just a few of the environmental indicators that show measurable signs of climate change. A U.S. Environmental Protection Agency (EPA) report, Climate Change Indicators in the United States, looks at 24 key indicators that show how climate change impacts the health and environment of the nation’s citizens.

“These indicators show us that climate change is a very real problem with impacts that are already being seen,” said Gina McCarthy, assistant administrator for EPA’s Office of Air and Radiation. “The actions Americans are taking today to save energy and reduce greenhouse gas emissions will help us solve this global challenge.”

Some of the key findings include:

Greenhouse gas emissions from human activities are increasing. Between 1990 and 2008, there has been about a 14 percent increase in emissions in the United States.

- Average temperatures are rising. Seven of the top 10 warmest years on record for the continental United States have occurred since 1990.
- Tropical cyclone intensity has increased in recent decades. Six of the 10 most active hurricane seasons have occurred since the mid-1990s.
- Sea levels are rising. From 1993 to 2008, sea level rose twice as fast as the long-term trend.

Glaciers are melting. Loss of glacier volume appears to have accelerated over the last decade.

The frequency of heat waves has risen steadily since the 1960s. The percentage of the U.S. population impacted by heat waves has also increased.

The information included in this report will help inform future policy decisions and will help evaluate the success of climate change efforts. The data used in this report were collected by several government agencies, academic institutions, and other stakeholder organizations. As new data and information become available, EPA will update and broaden the indicators in future reports.

Information about the Climate Change Indicators report:

<http://www.epa.gov/climatechange/indicators.html>

Information about climate change:
<http://www.epa.gov/climatechange>



2010 Membership Renewal

Friendly Reminder: For those that have not paid the ABCEP

2010 Membership Dues, please submit payment and use the CEP Express web-link to submit your continuing professional development hours. Contact the ABCEP Office to confirm if payment has been received and continuing development hours complete.

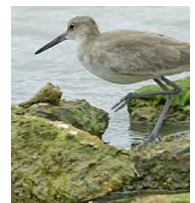


Galveston Bay Estuary Program

The Texas Commission on Environmental Quality's (TCEQ) Galveston Bay Estuary Program works to preserve one of the state's most valuable recreational, economic, and environmental assets.

The willet is one of several shorebirds found in the Galveston Bay system.

Photo courtesy of Stan A. Williams/TxDOT.



Galveston Bay is a coastal treasure—one of the state's most valuable recreational, economic, and environmental assets.

Fed by the Trinity and San Jacinto rivers, local bayous, and incoming tides from the Gulf of Mexico, this 600-square-mile bay is the largest and most important estuary on the Texas coast.

A unique nutrient-rich environment that plays host to an abundance of plants and animals is created in the estuary by the mixing of fresh water with the salty sea water. Many marine organisms—such as shrimp, oysters, crabs, and fish—find food and shelter here during their juvenile phase.

Keeping Galveston Bay Healthy is Critical

In terms of seafood, Galveston Bay ranks as one of the most productive estuaries in the nation, second only to Chesapeake Bay. Its recreational and commercial fishing industries combined are valued at over \$3 billion annually, and support over 40,000 jobs in the area. The bay and its associated habitats claim one of the most diverse bird populations on earth. And its unique variety of wildlife draws people from around the world,

supporting the important and fast-growing nature-tourism segment of the area's \$7.5 billion tourism industry.

Keeping the bay healthy is critical to the region's well-being and economy. Yet human activities can alter the ecosystem and affect its productivity. And with over five million people, or 75 percent of Texas' coastal population, residing in the five counties surrounding Galveston Bay, managing bay resources to sustain its future productivity is not without challenges.

Greatest Challenge

Wetlands and other natural areas along the Texas coast provide many important services—from protecting water quality to mitigating erosion and lessening the intensity of storm surges and flood damage. Wetlands provide habitat for a diversity of fish and wildlife, including many commercially and recreationally important species.

"Habitat loss poses the greatest challenge to the health of the bay's ecosystem," says Helen Drummond, the director of the TCEQ's Galveston Bay Estuary Program (GBEP), who holds a B.S. in marine and environmental science and an M.S. in environmental management.

Ericka McCauley, the GBEP's public information officer, adds that from the early 1950s to 1989, Galveston Bay lost nearly 35,000 acres (20 percent) of its wetlands.



Bolivar Flats. Photo courtesy of Jarrett (Woody) Olen Woodrow, Jr.

The TCEQ, through the GBEP, is working hand-in-hand with local partners to maintain and improve water quality, restore wetlands, protect unique habitats, ensure safety of the seafood from the bay, and support healthy, resilient communities.

Galveston Bay Estuary Program

The GBEP was established in 1989 as part of the National Estuary Program—created by the U.S. Congress to promote long-term planning and management of nationally significant estuaries. The GBEP is one of 28 programs in the country that work with local stakeholders to protect and restore estuaries.

In 1995, the U.S. EPA approved the Galveston Bay Plan, a comprehensive 20-year science-based plan designed to protect and restore the bay. The Galveston Bay Council, a 41-member advisory committee to the TCEQ, guides the implementation of the plan and GBEP staff coordinates implementation efforts.

The 41 members of the council represent a broad range of interests, including local governments, businesses, ports, commercial fisheries, recreational anglers, environmental organizations, and state and federal natural-resource agencies.

Drummond, who joined the GBEP in 1994 as leader of the water and sediment quality team, emphasizes the importance of partnerships and collaboration to the success of the program. "Diverse concerns for habitat and wildlife protection, competing resource uses, water quality, and human health require the involvement of multiple agencies and groups, and are in part the impetus for our partnership approach."

Through collaborative efforts, public education, and hard work, the GBEP and its partners have made substantial progress in preserving Galveston Bay's ecological and economic health. Their accomplishments not only demonstrate the value of partnerships, but the strength that these long-term relationships maintain through the toughest of challenges.

For more information and to find out what you can do to help preserve Galveston Bay for generations to come, visit www.gbep.state.tx.us.

▪ Galveston Bay Estuary Program Accomplishments

Since its inception, the TCEQ's Galveston Bay Estuary Program (GBEP) has partnered with citizens and organizations in the Galveston Bay area to protect the bay's ecological and economic health. These partnerships, along with hard work and public education, have resulted in numerous successes, and many of the projects have received national awards. Following are just a few of the successful restoration and conservation projects completed by the GBEP and its partners

:Galveston Island State Park. Restored 130 acres of new intertidal marshes in Carancahua and Dana coves of West Galveston Bay, along the north shoreline of Galveston Island State Park. Over two miles of geotextile tubes were placed along the outer perimeter of the coves to protect over 700 acres of marshes, uplands, and shallow open water areas in which an estimated 300 acres of seagrass beds have been re-established.

- **Jumbile Cove.** Protected and restored 100 acres of intertidal marshes and tidal flats from erosion. Created over 40 acres of marsh mounds and shallow open water suitable for seagrass reestablishment. In 2005, the Gulf of Mexico Program acknowledged the Jumbile Cove partners for their efforts.
- **Delehide Cove.** Protected and restored nearly 300 acres of intertidal marsh, tidal flats, open water areas, freshwater wetlands, and upland habitats from erosion by employing 8,000 feet of geotextile tube breakwater structures. The project saved Hoeckers Point and wetlands along the western shore of the historic Eckert Bayou from complete destruction. In 2006, project partners received the prestigious National Wetland

Conservation Partner Award from the U.S. Fish and Wildlife Service.

- **Brays Bayou.** Created an urban wetland complex to treat storm water from a local neighborhood. The completed project increased capacity for flood waters, provided treatment for storm water runoff, and created a place for wildlife to feed and rest, for families to enjoy a day in the park, and for adults and children to learn more about wetlands and Galveston Bay. The site is now home to the annual cleanup and educational event Trash Bash, which provides a hands-on opportunity to educate and involve the local community in environmental stewardship of the watershed. The project has received numerous awards, including: a Partnership Award from the Parks People; the Gulf Guardian Award, Partnership, Second Place, from the Gulf of Mexico Program; and the Engineering Excellence Award, Gold Medal Winner in Environment, from the Texas Council of Engineering Companies. The project was also a finalist for a Texas Environmental Excellence Award.
- **East Bay, Chambers County.** Restored an unprecedented 17,002 feet of the East Bay's northern shoreline and protected 8,000 acres of coastal habitat at the Anahuac National Wildlife Refuge—an ecologically rich and diverse system of wetlands and prairies. Out of 41 entries, the GBEP placed first for the 2007 Gulf Guardian Partnership Award in environmental excellence, an award given by the EPA. The project also received the 2008 Cooperative Conservation Award from the Department of the Interior for its outstanding partnership effort.

Source: TCEQ *Nature Outlook*, Summer 2010,.



Enviro-Sciences, Inc. in the Marketplace

Life is returning to the transactional market place for environmental consulting firms. Enviro-Sciences (of Delaware), Inc. (ESI) has recently been awarded a number of opportunities to

evaluate environmental liabilities in real estate related portfolios. These portfolios all have unique environmental considerations for ESI's client in evaluating the value of the portfolio and the environmental risks associated with them.

Many of the properties either have old reports that do not meet today's ASTM standards for environmental site assessments or considerations have not been given for historical agricultural/orchard/livestock uses of pesticides and herbicides. Surprises of \$1-3 MM of exposure are not uncommon in certain instances and can grossly impact property value.

The challenge is to be able to provide information in a timely manner, usually within 2-3 weeks of assignment, and keeping a due diligence budget to a reasonable number. ESI has been very successful in achieving these goals.

For more information, please contact Irving D. Cohen, CEP at 973-810-9001 or icohen@enviro-sciences.com.



EPA Releases Draft Dioxin Report for Peer Review and Public Comment

WASHINGTON - The U.S. Environmental Protection Agency (EPA) has reached a significant milestone toward the completion of the agency's dioxin reassessment with the public release of its draft scientific report, EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS Comments. The draft dioxin report is EPA's response to key comments and recommendations made by the National Academy of Sciences on the agency's draft dioxin reassessment. EPA is moving forward with Administrator Lisa P. Jackson's commitment to complete the long-awaited dioxin reassessment. This comprehensive human health and exposure risk assessment on dioxin, one of the most toxic environmental contaminants, aims to protect the health of the American public. The draft report will now undergo scientific peer review by independent,

external experts as well as public review and comment.

EPA previously asked the National Academy of Sciences (NAS), the science advisors to the nation, to review EPA's 2003 draft dioxin reassessment. The NAS completed its review in 2006. The draft report released today contains the agency's response to key comments and recommendations in the NAS's 2006 report. EPA's draft report also includes significant new analyses that relate to issues raised by the NAS, including potential cancer and non-cancer human health effects that may result from exposures to dioxins. Thus, this draft dioxin report includes an oral reference dose (RfD) for TCDD -- the most well-studied and considered to be among the most toxic of the dioxin-like compounds. An RfD was not in the 2003 draft dioxin reassessment.

As part of EPA's commitment to scientific quality, integrity, and transparency, EPA's draft scientific report will undergo external peer review by an expert panel of scientists convened by EPA's Science Advisory Board (SAB) in July 2010. Public comments on this draft report are encouraged, and a Federal Register Notice published today provides details on how to submit comments. EPA will use the feedback and recommendations of the expert panel, as well as the public comments, to update and complete its draft dioxin reassessment.

Dioxin is a general term that describes a group of hundreds of chemicals that are highly persistent in the environment. Dioxins are formed during combustion or burning. Sources of dioxins include commercial or municipal waste incineration; the burning of fuels like wood, coal, or oil; and natural processes such as forest fires.

While dioxin levels in the United States environment have been declining for the last 30 years due to reductions in emissions from man-made sources, the chemicals break down so slowly that dioxins from past releases will still be in the environment for many years.

EPA and other federal agencies have updated a series of questions and answers to provide the public with general information on dioxins, including what they are, where they can be found,

and major sources of dioxins. They also discuss possible effects of dioxin exposure in humans, include advice about consumption of food that might contain dioxins, and explain the review process for the dioxin reassessment. To view the questions and answers: <http://www.fda.gov/Food/FoodSafety/FoodContaminantsAdulteration/ChemicalContaminants/DioxinsPCBs/ucm077524.htm>

To read the draft report: <http://www.epa.gov/dioxin>

Federal Register Notice with details on the public comment process: <http://www.gpo.gov/fdsys/pkg/FR-2010-05-21/html/2010-12280.htm>

EPA's Risk Assessment Process: <http://epa.gov/riskassessment/basicinformation.htm#risk>



Oregon DEQ Approves Plan for Oregon Paint "Take Back" Program

Pilot program, first in nation, begins July 1 and requires paint manufacturers to manage leftover paint from consumer and contractor painting jobs

The Oregon Department of Environmental Quality (DEQ) has approved a plan that sets in motion the first paint product stewardship "take-back" program in the nation. The PaintCare program, which officially began July 1 and is funded by paint manufacturers, allows consumers to return unused paint to participating retailers and other sites for proper disposal. The pilot program is expected to collect as much as 600,000 gallons of leftover paint annually in Oregon, and is expected to be rolled out nationally.

The program stems from the Oregon Paint Product Stewardship law, passed by the 2009 Oregon Legislature. The law directed manufacturers of paints sold in Oregon to set up and run "a convenient, statewide system" for the collection of post-consumer latex and oil-based paint. The new program is the result of a national agreement facilitated by the non-profit Product

Stewardship Institute, Inc. (PSI), which convened paint manufacturers, retailers, contractors, recyclers and government officials to jointly develop an environmentally sound and economically efficient solution to the leftover paint problem.

DEQ Director Dick Pedersen heralded the program as "another indication that Oregon is a leader in implementing the concept of product stewardship as a means of better managing the products manufactured and used."

The American Coatings Association, a trade organization for paint manufacturers, created the non-profit organization PaintCare to administer the program. Consumers will pay for the program by paying a surcharge on paint and stain containers. PaintCare, in turn, will provide a series of depots

statewide where people can drop off unused paint. PaintCare pays an administrative fee to DEQ (\$10,000 for submittal of the program plan and \$10,000 annually thereafter) on behalf of manufacturers for plan approval and program enforcement/oversight.

"The paint industry has committed to properly managing leftover paint in Oregon, and we are ready to step up and assume that responsibility," said Alison Keane, Counsel for the American Coating Association. "We appreciate being able to work with DEQ and PSI to bring significant environmental and financial benefits to communities around Oregon."

"Getting this law passed took a tremendous amount of cooperation from industry, government, and other stakeholders, and it is exciting to see all the hard work finally pay off," said Scott Cassel, Executive Director of the Product Stewardship Institute. "Oregon DEQ had clear goals in mind and persistently worked with the paint industry to develop a viable plan."

The complete, approved Oregon Paint Stewardship Pilot Program Plan is available on DEQ's paint product stewardship webpage at:

<http://www.deq.state.or.us/lq/sw/prodstewardship/paint.htm>. The page also lists participating retailers and brands in the PaintCare program. While statewide paint collection services will be available July 1, additional collection locations will be phased in over the next six months. Manufacturers of covered products may not sell their product in Oregon unless they are participating in the PaintCare program.

The PaintCare program follows the concept of Oregon E-Cycles, a program launched in January 2009, in which manufacturers of electronics sold in Oregon pay for and administer programs to help consumers properly dispose of their unwanted televisions, computers and monitors for free at more than 200 locations across the state. DEQ is charged with providing overall program oversight and enforcement.

The Oregon Legislature-approved 2009 Paint Product Stewardship Law ties into the wider producer responsibility movement, in which manufacturers are accountable for reducing the life cycle impacts of a product, including paying for end-of-life management costs, rather than having government set up and fund collection programs for waste products. The U.S. movement, in which PSI has had a prominent role, has resulted in over 50 state laws in 31 states, including electronics (22), auto switches (13), thermostats (8), batteries (7), and fluorescent lamps (2).

For more information on product stewardship in Oregon, go to DEQ's website at:

<http://www.deq.state.or.us/lq/sw/prodstewardship/index.htm>

For more information about the paint industry's PaintCare program, including drop-off locations for the Oregon program, go to the PaintCare website at:

www.paintcare.org.

For more information about the national Paint Product Stewardship Initiative, go to PSI's website at:

www.productstewardship.us/PaintNationalDialogue.



EPA to Initiate Rulemaking to Reduce Harmful Effects of Sanitary Sewer Overflows

WASHINGTON - The U.S. Environmental Protection Agency (EPA) is initiating a rulemaking to better protect the environment and public health from the harmful effects of sanitary sewer overflows (SSOs) and basement backups. In many cities, SSOs and basement backups occur because of blockages, broken pipes and excessive water flowing into the pipes. SSOs present environmental and health problems because they discharge untreated wastewater that contains bacteria, viruses, suspended solids, toxics, trash and other pollutants into waterways. These overflows may also contribute to beach closures, shellfish bed closures, contamination of drinking water supplies and other environmental and health concerns.

Infrastructure issues were discussed at the Coming Together for Clean Water Conference held by EPA Administrator Lisa P. Jackson on April 15, 2010. The agency plans to address these issues as part of its efforts to protect public health and revitalize local waterways.

EPA is considering two possible modifications to existing regulations: (1) establishing standard National Pollutant Discharge Elimination System (NPDES) permit conditions for publicly owned treatment works (POTWs) permits that specifically address sanitary sewer collection systems and SSOs; and (2) clarifying the regulatory framework for applying NPDES permit conditions to municipal satellite collection systems. Municipal satellite collection systems are sanitary sewers owned or operated by a municipality that conveys wastewater to a POTW operated by a different municipality. As a part of this effort, the agency is also considering whether to address long-standing questions about peak wet weather flows at municipal wastewater treatment plants to allow for a holistic, integrated

approach to reducing SSOs while at the same time addressing peak flows at POTWs.

To help the agency make decisions on this proposed rulemaking, EPA will hold public listening sessions and the public can submit written comments. EPA will accept written comments on the potential rule until 60 days after publication in the Federal Register.

More information on sanitary sewer overflows, the potential rule and a schedule of the upcoming listening sessions:

http://cfpub.epa.gov/npdes/home.cfm?program_id=4.



EPA Sets Stronger National Air Quality Standard for Sulfur Dioxide

First new SO₂ standard in 40 years will improve air quality for millions

WASHINGTON – The U.S. Environmental Protection Agency (EPA) is issuing a final new health standard for sulfur dioxide (SO₂). This one-hour health standard will protect millions of Americans from short-term exposure to SO₂, which is primarily emitted from power plants and other industrial facilities. Exposure to SO₂ can aggravate asthma and cause other respiratory difficulties. People with asthma, children, and the elderly are especially vulnerable to the effects of SO₂.

“We’re taking on an old problem in a new way, one designed to give all American communities the clean air protections they deserve. Moving to a one-hour standard and monitoring in the areas with the highest SO₂ levels is the most efficient and effective way to protect against sulfur dioxide pollution in the air we breathe,” said EPA Administrator Lisa P. Jackson. “This is one of many pollutants we’ve been able to significantly reduce through the Clean Air Act, keeping people healthy, protecting our environment and growing our economy. This new standard -- the first in

almost 40 years -- will ensure continued success in meeting these challenges.”

EPA is setting the one-hour SO₂ health standard at 75 parts per billion (ppb), a level designed to protect against short-term exposures ranging from five minutes to 24 hours. EPA is revoking the current 24-hour and annual SO₂ health standards because the science indicates that short-term exposures are of greatest concern and the existing standards would not provide additional health benefits.

EPA is also changing the monitoring requirements for SO₂. The new requirements assure that monitors will be placed where SO₂ emissions impact populated areas. Any new monitors required by this rule must begin operating no later than Jan. 1, 2013. EPA is expecting to use modeling as well as monitoring to determine compliance with the new standard.

The final rule also changes the Air Quality Index to reflect the revised SO₂ standard. This change will improve states’ ability to alert the public when short-term SO₂ levels may affect their health.

EPA estimates that the health benefits associated with this rule range between \$13 billion and \$33 billion annually. These benefits include preventing 2,300 to 5,900 premature deaths and 54,000 asthma attacks a year. The estimated cost in 2020 to fully implement this standard is approximately \$1.5 billion.

The first National Ambient Air Quality Standards for SO₂ were set in 1971, establishing both a primary standard to protect health and a secondary standard to protect the public welfare. Annual average SO₂ concentrations have decreased by 71 percent since 1980.

The final rule addresses only the SO₂ primary standards, which are designed to protect public health. EPA will address the secondary standard – designed to protect the public welfare, including the environment – as part of a separate review to be completed in 2012.

EPA expects to identify or designate areas not meeting the new standard by June 2012.

More information: <http://www.epa.gov/air/sulfurdioxide>



Newsletter Articles

Beginning with this issue, the ABCEP Newsletter becomes a monthly publication.

The ABCEP Monthly Newsletter is the members' newsletter, and as such, is intended to be a vehicle through which CEPs and CEP-ITs can communicate with their peers. Members are encouraged to contribute articles that would be of interest to the membership. Tell us about the interesting environmental projects you are working on or the unique governmental programs being implemented to improve the environment in your part of the country.

Submit articles to:

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