

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Statement of Priorities

OVERVIEW

EPA works to ensure that all Americans are protected from significant risks to human health and the environment, including climate change, and that overburdened and underserved communities and vulnerable individuals -- in particular, communities with environmental justice concerns -- are meaningfully engaged and benefit from focused efforts to protect their communities from pollution. EPA acts to ensure that all efforts to reduce environmental harms are based on the best available scientific information, that federal laws protecting human health and the environment are enforced equitably and effectively, and that the United States plays a leadership role in working with other nations to protect the global environment. EPA is committed to environmental protection that builds and supports more diverse, equitable, sustainable, resilient, and productive communities and ecosystems.

By taking advantage of the latest science, the newest technologies and the most cost-effective and sustainable solutions, EPA and its federal, Tribal, state, local, and community partners have made important progress in addressing pollution where people live, work, play, and learn. By cleaning up contaminated waste sites, reducing greenhouse gases, lowering emissions of air pollutants, and investing in water and wastewater treatment, EPA's efforts have resulted in tangible benefits to the American public.

Efforts to reduce air pollution alone have produced hundreds of billions of dollars in benefits in the United States, and tremendous progress has been made in cleaning up our nation's land and waterways. But much more needs to be done to implement the nation's environmental statutes and ensure that all individuals and communities benefit from EPA's efforts to protect human health and the environment and to address the climate crisis.

EPA will use its regulatory authorities, along with grant- and incentive-based programs, technical and compliance assistance, and research and educational initiatives, to address the following priorities set forth in EPA's Strategic Plan:

- Tackle the Climate Crisis

- Take Decisive Action to Advance Environmental Justice and Civil Rights
- Implement Environmental Laws and Ensure Compliance
- Ensure Clean and Healthy Air for All Communities
- Ensure Clean and Healthy Water for All Communities
- Ensure Clean and Healthy Land for All Communities
- Protect Communities from Potential Risks from Pesticides and Toxic Chemicals
- Safeguard and Revitalize Communities
- Ensure Safety of Chemicals for People and the Environment

As EPA develops regulations, we seek to increase participation and engagement of members of the public affected by our regulations, including in the development of our regulatory priorities. In our Regulatory Plan we detail engagement efforts that have helped to inform our priorities to date, as well as future engagement efforts we have planned. Throughout our engagement, EPA values input from all. EPA would particularly like to hear from members of the public who have not typically participated in the regulatory process, including communities affected by climate change, rural workers, and others. EPA continues to make strides in ensuring participation is more accessible and meaningful.

All of EPA's work will be undertaken with a strong commitment to scientific integrity, the rule of law and transparency, the health of children and other vulnerable populations, and with special focus on supporting and achieving environmental justice at federal, Tribal, state, and local levels.

HIGHLIGHTS OF EPA'S REGULATORY PLAN

This Regulatory Plan highlights our most important upcoming regulatory actions. As always, our Semiannual Regulatory Agenda contains information on a broader spectrum of EPA's upcoming regulatory

actions.

Tackle the Climate Crisis

EPA is taking appropriate regulatory action under existing statutory authorities to reduce emissions from our nation's largest sources of greenhouse gases (GHG) to respond to the severe and urgent threat of climate change. The impacts of climate change are affecting people in every region of the country, threatening lives and livelihoods and damaging infrastructure, ecosystems, and social systems. Overburdened and underserved communities and individuals are particularly vulnerable to these impacts, including low-income communities and communities of color, children, the elderly, tribes, and indigenous people.

Exercising its authority under the Clean Air Act (CAA), EPA will address major sources of GHGs that are driving these impacts by taking regulatory action to minimize emissions of methane from municipal solid waste landfills; and reduce GHGs at existing fossil fuel-fired power plants. EPA will also carry out the mandates of the American Innovation and Manufacturing (AIM) Act to implement a national phasedown in the production and consumption of hydrofluorocarbons (HFCs), which are highly potent GHGs. Further, these regulatory priorities complement the commitment to combat damaging climate pollution while supporting the creation of good jobs and lowering energy costs holistically and aggressively for families together with implementation of relevant climate provisions of the Inflation Reduction Act.

- **Revise/Update the Standards of Performance and Emission Guidelines for Municipal Solid Waste Landfills**

The Agency is in the process of collecting information about new technologies and approaches that could be implemented in the upcoming revision and update to the Standards of Performance for Municipal Solid Waste Landfills (NSPS) and its companion rule, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (EG) that were finalized on August 29, 2016 (81 FR 59332 and 81 FR 59276). The Agency aims to understand how these new technologies and approaches could be incorporated into updated NSPS/EG rules in an effective manner to reduce emissions from municipal solid waste landfills and to protect the environment and the health of people that live nearby.

- **Emission Guidelines for GHG Emissions from Existing Fossil Fuel-Fired Combustion Turbine EGUs**

On May 23, 2023, under section 111 of the CAA, the EPA proposed greenhouse gas (GHG) standards and emission guidelines for new and existing fossil fuel-fired electric generating units (EGUs), and repeal of the Affordable Clean Energy (ACE) Rule. As a part of that action, EPA proposed GHG emission guidelines for a subcategory of existing combustion turbine EGUs. On April 24, 2024, the EPA finalized the other components of that action, but did not finalize the emission guidelines for the existing combustion turbine EGUs. EPA is now undertaking a new rulemaking to establish GHG emission guidelines for existing fossil fuel-fired combustion turbine EGUs under CAA section 111(d).

- **Phasedown of Hydrofluorocarbons (HFC): Review and Renewal of Eligibility of Application-specific Allowances**

This rule continues to implement the HFC phase down provisions under the American Innovation and Manufacturing (AIM) Act of 2020. The AIM Act identifies six applications that are to receive “the full quantity of [HFC] allowances necessary, based on projected, current, and historical trends,” under the allowance allocation program through the end of 2025. The six applications are a propellant in metered dose inhalers, defense sprays, structural composite preformed polyurethane foam for marine use and trailer use, the etching of semiconductor material or wafers and the cleaning of chemical vapor deposition chambers within the semiconductor manufacturing sector, mission-critical military end uses, and onboard aerospace fire suppression. EPA can renew this status for up to five years at a time based on statutory criteria outlined in the AIM Act. In this final rule, EPA intends to establish renewal decisions for each of the six applications, consistent with the statutory process under AIM subsection (e)(4)(B). Additionally, EPA intends to both establish how it will review eligibility if petitioned for inclusion of additional applications and revise existing regulatory requirements.

Ensure Clean and Healthy Air for All Communities

All people regardless of race, ethnicity, national origin, or income deserve to breathe clean air. EPA has the responsibility to protect the health of vulnerable and sensitive populations, such as children, the elderly, and persons overburdened by pollution or adversely affected by persistent poverty or inequality. Since enactment

of the CAA, EPA has made significant progress in reducing harmful air pollution even as the U.S. population and economy have grown. Between 1970 and 2023, the combined emissions of six key pollutants dropped by 78%, while the U.S. economy remained strong as GDP grew 320% over that period. As required by the CAA, EPA will continue to build on this progress and work to ensure clean air for all Americans, including those in underserved and overburdened communities. Among other things, EPA will take regulatory action to review and implement health-based air quality standards for criteria pollutants; limit emissions of criteria pollutants and hazardous air pollutants (including organics like formaldehyde, metals, and acid gases) from stationary combustion turbines operating in the power sector and other industries; limit emissions of harmful air pollution, including limiting emissions of criteria and hazardous air pollutants (including mercury, dioxins/furans, and sulfur dioxide) from new and existing large municipal waste combustors, and address sources of hazardous air pollution (HAP) and other pollutants that disproportionately affect communities with environmental justice concerns.

Along with the full set of CAA actions listed in the regulatory agenda, the following high priority actions will allow EPA to continue its progress in reducing harmful air pollution.

- **Review of the Secondary National Ambient Air Quality Standards for Ecological Effects of Oxides of Nitrogen, Oxides of Sulfur and Particulate Matter (Ecological Effects of NO_x, SO_x, and PM Secondary NAAQS Review)**
- Under the Clean Air Act, the EPA is required to review and, if appropriate, revise the air quality criteria and national ambient air quality standards (NAAQS) every five years. On April 3, 2012, the EPA published a final rule in which the Agency determined to retain the current secondary standards (welfare-based) for nitrogen oxides (NO_x) and for sulfur oxides (SO_x). On January 15, 2013, the EPA published a final rule in which the Agency retained the secondary standards for particulate matter. The current review of the air quality criteria and secondary standards for ecological effects of SO_x, NO_x, and particulate matter included the preparation of an Integrated Science Assessment and a Policy Assessment by the EPA, with opportunities for review by the EPA's Clean Air Scientific Advisory Committee (CASAC) and the public. These documents informed the Administrator's proposed decision to strengthen the secondary NAAQS for SO_x to 10-15 ppb, as an annual average, averaged over three years, while proposing to retain existing secondary standards for NO_x and

particulate matter. The proposed decision was published in the Federal Register with opportunity for public comment. Opportunities for public engagement and sharing of information concerning this NAAQS review include a public hearing on May 8, 2024, where three people provided testimony, Tribal consultation offer letters were sent out to all Federally Recognized Tribes on April 17, 2024 and no Tribe requested consultation; informational meetings, such as the EJ Community Engagement call on April 16, 2024, the National Association of Clean Air Agencies call on April 24, 2024, and the National Tribal Air Association call on April 25, 2024; and several CASAC public meetings (May 31, June 28&29, and September 5-6 2023). The Administrator's final decisions will take into consideration published documents, CASAC advice, and public comment on the proposed decision. EPA is under a consent decree for this review to sign the final rule by December 10, 2024.

- **Renewable Fuel Standard (RFS) Program: Standards and Other Changes**

Under the Clean Air Act, the EPA is required to determine the applicable volume requirements for the Renewable Fuel Standard (RFS) for years after those specified in the statute. This action finalizes the applicable volumes and percentage standards beginning in 2026 for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel. This action also contains several regulatory changes to the RFS program intended to improve the program's implementation.

- **National Emission Standards for Hazardous Air Pollutants for the Polyether Polyols Production Industry**

This action will address the agency's technology review of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for subpart PPP in 40 CFR part 63 that applies to the Polyether Polyols Production industry. The Polyether Polyols Production (PEPO) NESHAP was promulgated pursuant to section 112(d) of the Clean Air Act (CAA) on June 1, 1999, and most recently, the agency conducted its residual risk and technology review (RTR) of the PEPO NESHAP on March 27, 2014. The PEPO NESHAP applies to major sources and regulate hazardous air pollutant (HAP) emissions resulting from the production of chemical products formed by the reaction of ethylene oxide, propylene oxide or other cyclic ethers with compounds having one or more reactive hydrogens. The HAP emission sources at PEPO production facilities include process vents, storage vessels, equipment leaks, wastewater, and heat exchange systems. The HAP

emitted by the facilities producing polyether polyols include, but are not limited to, ethylene oxide, propylene oxide, hexane, and toluene. This action will implement the technology review requirements of CAA section 112(d)(6). CAA section 112(d)(6) requires the EPA to review and revise the NESHAP as necessary, considering developments in practices, processes, and control technologies, no less often than every 8 years. The agency also plans to conduct a residual risk assessment to consider risks from the polyether polyols production source category during its technology review.

Ensure Clean and Healthy Water for All Communities

The Nation's water resources are the lifeblood of our communities, supporting our health, economy, and way of life. Clean and safe water is a vital resource that is essential to the protection of human health. The EPA is committed to ensuring clean and safe water for all, including low-income communities and communities of color, children, the elderly, Tribes, and indigenous people. Since the enactment of the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA), EPA and its state and Tribal partners have made significant progress toward improving the quality of our waters and ensuring a safe drinking water supply. Along with the full set of water actions listed in the regulatory agenda, the regulatory initiatives listed below will help ensure that this important progress continues.

- **Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Chemicals, Plastics and Synthetic Fibers Point Source Category**

This proposed rule would establish the first national effluent limitations guidelines and standards limiting wastewater discharges of per- and polyfluoroalkyl substances for any industrial category. This rulemaking was included as part of EPA's PFAS Strategic Roadmap which outlines specific actions and commitments to bolder new policies on PFAS to safeguard public health, protect the environment, and hold polluters accountable. The EPA selected PFAS manufacturing as the first industrial category to propose PFAS ELGs because the EPA expects the manufacturing category to have the most varied and highest concentrations of PFAS.

- **Clean Water Act Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category**

Nutrient pollution is one of the most widespread, costly, and challenging environmental problems impacting water quality in the United States. Excessive nitrogen and phosphorus in surface water can lead to a variety of problems, including eutrophication and harmful algal blooms, that have negative impacts on human health and

the environment. The meat and poultry processing industry discharges the highest phosphorus levels and second highest nitrogen levels of all industrial categories. Revisions of the existing meat and poultry products regulation will improve water quality and protect human health and the environment by reducing the discharge of nutrients and other pollutants to the nation's surface waters.

- **Water System Restructuring Assessment Rule**

This rulemaking provides another tool to improve drinking water compliance. Under the Safe Drinking Water Act, states and the EPA may require struggling water systems to identify and assess feasible, system-specific changes that are needed to provide safe, affordable drinking water. These water systems frequently violate safety standards because they do not have the capacity either to take corrective actions to resolve underlying causes of violations or to sustainably provide safe, affordable drinking water over the long term. Feasible, system-specific changes include sharing operators or equipment, making operational changes, upgrading, or replacing components of water system infrastructure, receiving water from a neighboring system, merging with other water systems, or transferring ownership. The SDWA also provides enforcement relief and liability protection to encourage compliant water system to merge with, or acquire ownership of, struggling water systems as permanent, long-term solutions. The EPA's proposed Water System Restructuring Assessment Rule (WSRAR) creates a framework that is designed to support collaborative efforts between states, local authorities, struggling water utilities and community leaders to identify workable solutions. The primary goal of the WSRAR proposal is to ensure that all communities served by public water systems receive safe, affordable, and reliable drinking water.

Safeguard and Revitalize Communities

EPA works to protect the human health and environment of all communities by preventing contamination, cleaning up and returning land to productive use, and responding to emergencies. EPA collaborates with other federal agencies, industry, states, tribes, and local communities to enhance the livability and economic vitality of neighborhoods. Challenging and complex environmental problems persist at many contaminated properties, including contaminated soil, sediment, surface water, and groundwater that can cause human health concerns. EPA acts under several different statutory authorities, including the Resource Conservation and Recovery Act

(RCRA), and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). EPA's regulatory program works to incorporate new technologies and approaches to cleaning up land to provide for an environmentally sustainable future more efficiently and effectively, as well as to strengthen climate resilience and to integrate environmental justice and equitable development when returning sites to productive use. Along with the other land and emergency management actions in the regulatory agenda, EPA will take the following priority actions to address the contamination of soil, sediment, surface water, and groundwater.

- **Definition of Hazardous Waste Applicable to Corrective Action for Solid Waste Management Units**

On February 8, 2024, EPA issued a proposed rule that would modify the regulations at 40 CFR Part 260, 261, and 270 to clarify that the definition of hazardous waste found in RCRA section 1004(5) is applicable to corrective action for releases from solid waste management units. The proposed rule would more clearly implement EPA's longstanding interpretation of its authority under RCRA section 3004(u) and (v). After considering public comments submitted on the proposed rulemaking, EPA plans to take final action.

- **Listing of Specific PFAS Constituents to Appendix VIII**

On February 8, 2024, EPA published a proposed rule to amend its regulation under the Resource Conservation and Recovery Act (RCRA) by adding nine specific per- and polyfluoroalkyl substances (PFAS), their salts, and their structural isomers, to its list of hazardous constituents in 40 CFR part 261 Appendix VIII. As proposed, when corrective action requirements are imposed at a RCRA treatment, storage and disposal facility, these PFAS would be among the hazardous constituents expressly identified for consideration in assessments and, when necessary, further investigation and cleanup of these facilities. After considering public comments submitted on the proposed rulemaking, EPA plans to take final action.

Ensure Safety of Chemicals for People and the Environment

EPA is responsible for ensuring the safety of chemicals and pesticides for all people at all life stages. Chemicals and pesticides released into the environment as a result their manufacture, processing, distribution, use, or disposal can threaten human health and the environment. EPA gathers and assesses information about the risks associated with chemicals and pesticides and acts to minimize risks and prevent unreasonable risks to

individuals, families, and the environment. EPA acts under several different statutory authorities, including the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Federal Food, Drug and Cosmetic Act (FFDCA), the Toxic Substances Control Act (TSCA), the Emergency Planning and Community Right-to-Know-Act (EPCRA), and the Pollution Prevention Act (PPA). As part of its duties under these acts, EPA works to address the unreasonable risk of existing chemical substances under TSCA. Upon determining that an existing chemical presents an unreasonable risk of injury to health or the environment, the Agency must immediately initiate an action to apply, by rule, requirements under TSCA to eliminate the unreasonable risk. EPA may consider a range of risk management options under TSCA in such a rule, including labeling, recordkeeping or notice requirements, actions to reduce human exposure or environmental release, or a ban of the chemical or of certain uses.

Using best available science, the Agency will continue to satisfy its overall directives under these authorities and highlights the following rulemakings. After determining that the chemical substances present unreasonable risk under their conditions of use, the Agency intends to finalize risk management regulations for addressing the unreasonable risks of 1-bromopropane (RIN 2070-AK73) and n-methylpyrrolidone (RIN 2070-AK85) and to develop proposed regulations addressing the unreasonable risks that EPA may determine are presented by certain other chemical substances under their conditions of use upon issuing related final risk evaluations under TSCA.

The Agency has undertaken and will continue to engage in extensive outreach and consultation efforts throughout the development of these actions. In addition to stakeholder outreach conducted throughout the risk evaluation and risk management rulemaking processes for these chemical substances, EPA also consulted with State, local, and Tribal government officials, and held public environmental justice consultations to further opportunities for underserved and overburdened communities to share information and input with the Agency prior to proposal. When applicable, EPA also convened Small Business Advocacy Review Panels and consulted with small entity representatives as required under the Regulatory Flexibility Act to provide advice and recommendations to ensure that EPA carefully considers small entity concerns. Further, the Agency has hosted public webinars to brief stakeholders on proposed risk management regulations that have published in the **Federal Register** and to receive additional public input in addition to written public comments submitted to the rulemaking dockets. EPA's chemical risk management efforts reflect the feedback we have received from the

various stakeholders and government officials, and the Agency will continue these practices of sharing information and seeking input. For more information about the Agency's public involvement efforts, please visit EPA's Risk Management for Existing Chemicals under TSCA page. (<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca#meetings%20> and [https://www.epa.gov/reg-flex/small-business-advocacy-review-sbar-panels.](https://www.epa.gov/reg-flex/small-business-advocacy-review-sbar-panels))

Rules Expected to Affect Small Entities

By better coordinating small business activities, EPA aims to improve its technical assistance and outreach efforts, minimize burdens to small businesses in its regulations, and simplify small businesses' participation in its voluntary programs. Actions that may affect small entities can be tracked on EPA's Regulatory Flexibility Web site (<https://www.epa.gov/reg-flex>).