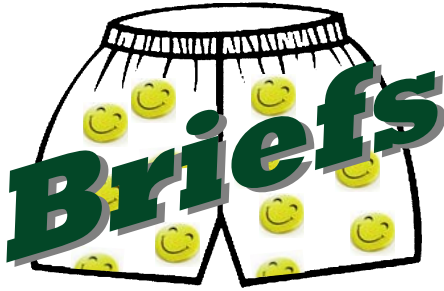


**CUMMINGS
RITER**
CONSULTANTS, INC.



**Environmental
Site Development
Surveying & Mapping
Information Management
Health & Safety
Human Resources**

PITTSBURGH • ALTOONA, PA • MIDDLETOWN, DE

**WHAT CANDIDATE DID EPA ADMIN-
ISTRATOR JACKSON SUPPORT?
(HINT: NOT HER BOSS)**

In the primaries Jackson financially supported, and was an at-large delegate pledged to, Hilary Clinton. A few more interesting items...

- Born in Philadelphia in 1962, adopted weeks later, and raised in New Orleans' 9th Ward.
- First in her class at St. Mary's Dominican High School.
- Graduated *summa cum laude* in chemical engineering from Tulane, and from Princeton with a master's in chemical engineering.
- First African-American woman to head a state environmental agency and first African-American of either gender to head the USEPA.
- Was visiting home when Katrina hit and drove her family to safety in Shreveport, not realizing it would be the last time they would see their home intact.
- On the resumé:
 - Two years in the private sector
 - USEPA Region 2 and HQ
 - VP of a 10-state cap-and-trade program
 - Two weeks as Gov. Corzine's chief of staff
- An avid cook whose specialty is seafood gumbo.

Spring is here and there's no better time to LOOK AHEAD EXPECTANTLY: new leaders, new regs, a promising treatment for VOCs in groundwater, and maybe a new way of getting this newsletter. Enjoy.

What to expect (from EPA) if you're expecting

Arguably, expectations have never been higher for a new political administration, so let's get on the bandwagon: What can environmental professionals expect now that Lisa Jackson heads the USEPA?

EXPECT NO GRENADES

Perhaps one telltale sign is that Jackson's confirmation process was among the smoothest of the new administration. Most environmental and industry groups gave their stamp of approval, while Republicans had only one question—and not even for Jackson, but her former boss Carol Browner, who now holds the newly created role of energy and climate advisor. Maybe they wanted to see if Browner had mellowed since her days as former Administrator, when one industry leader described her negotiating style as “She kicks the door open, throws in a hand grenade then walks in to shoot who's (*sic*) left...she really doesn't like to compromise.” Jackson, on the other hand, is described even by opponents as approachable and diplomatic, and drew no real opposition.

LOOKING BACK: FOCUS ON REDUCING GREENHOUSE GAS EMISSIONS

Despite 16 years with USEPA in site cleanup and enforcement, Jackson's more recent role as Commissioner of the New Jersey Department of Environmental Protection may better predict what to expect now. New Jersey became only the third state to legislatively mandate major greenhouse gas emissions cuts (i.e., 20 percent by 2020 and 80 percent by 2050). Many also credit her with improving the state's water quality programs, while there is less agreement on her contributions to site cleanup.

LOOKING FORWARD: PRIORITIES

Among Jackson's stated priorities—address climate change by reducing greenhouse gas emissions; improve air and water quality; tighten chemicals management; and expedite site cleanup—the President's view of climate change as “the defining issue of our time” and USEPA's recent endangerment finding will likely make greenhouse gas reduction the *top* priority. She has voiced her desire for Congress to address the matter through legislation but does not rule out regulation, saying that USEPA is compelled to act, both by a Supreme Court decision (*Mass. v. EPA*) and by science itself.

Jackson maintains, though, that the USEPA is “much broader than climate,” frequently citing air and water issues like non-attainment and perchlorate in drinking water as evidence, while land issues are rarely mentioned. Efforts to cut greenhouse gas emissions will, however, heighten the emphasis on green remediation, for which USEPA is now determining how to develop standards. And while most of USEPA's \$7.22 billion share of stimulus funds will go to water infrastructure, \$300 million will go to Brownfields (mostly to previous applicants) and storage tank sites while \$600 million will boost efforts at 50 Superfund sites (see the list at www.cummingsriter.com).

Notwithstanding her recent Al Gore-esque claim that “I'm trying to save the world,” it appears that much of Jackson's effort will focus on air and water, leaving site assessment and clean up to carry on as ever. Senator Barbara Boxer has likened USEPA to Sleeping Beauty, intimating that Jackson will awaken it from the “deep and nightmarish sleep” of the last eight years. Whether you agree or not, let's hope the analogy extends to us all living happily ever after. In fact, let's expect it.

Project Profile

NZVI used to treat VOCs in groundwater

A pilot study was conducted to evaluate the feasibility of reducing chlorinated solvent concentrations in groundwater using nanoscale zero-valent iron (NZVI). The average concentration of total volatile organic compounds (VOCs) in the source area at this site located in South Carolina was about 170 milligrams per liter. Cummings/Riter evaluated three in-situ remedies: enhanced biodegradation with Hydrogen Release Compound or edible oil substrate (EOS[®]); in-situ chemical oxidation with Fenton's reagent, permanganate, sodium persulfate, or RegenOx[™]; and chemical detoxification using NZVI. NZVI was chosen based on this evaluation; a successful track record at similar sites; a high potential to significantly reduce VOCs in the short term; and long-term benefits that include the ability to enhance naturally occurring biodegradation.

Permanent monitoring and injection points were installed in an area with high VOC concentrations and a target zone of 25 to 45 feet below ground surface. Nearly 1,900 gallons of a 10-gram-per-liter NZVI solution were directly injected into the groundwater plume through injection points at two depth intervals. After six months, trichloroethene concentrations were reduced at seven of nine monitoring locations from 52 to 99.7 percent, suggesting that NZVI is a viable treatment technology at this site. NZVI is now being considered for full-scale implementation.

Quotable

I'm not out there just to be dancing around. I expect to win every time I tee up.
— Lee Trevino

C/R HELPS TRAIN FOR ENVIRONMENTAL JOBS

C/R's Pat O'Hara and Mike Lambert recently volunteered as classroom and field instructors for the Monongahela Valley Environmental Technician Training Program, an eight-week course in which 23 unemployed or underemployed students from low-income, Brownfields-impacted areas were trained for environmental jobs. Pat and Mike were impressed with the program, funded in part by USEPA, and more than a little inspired by the students' dedication. Hats off to this excellent joint effort of the Heritage Health Foundation and Carnegie Mellon University's Western Pennsylvania Brownfields Center!



Ken Bird, VP

VOTE: PAPER OR E-BRIEFS

Bird's Eye View will return soon. Meantime, please go to www.cummingsriter.com & tell us how you want to receive future *Briefs*: hard-copy or electronic? Voters will be entered in a drawing for a fabulous prize. (please bear in mind that *fabulosity* is highly subjective)

Regulatory & Legal

Ch - Ch - Ch - Changes

PENNSYLVANIA ACT 2: Effective March 30, 2009, a new bill extends liability protection to nonprofit entities created by a redevelopment authority.

POLLUTION PREVENTION: Amendments to the Spill Prevention, Control, and Countermeasure (SPCC) regulations became effective April 4, 2009, and changes are significant. C/R develops and certifies SPCC plans.

NEW JERSEY LICENSURE: As of May 7, 2009, NJ must establish a site remediation professional licensing program. It will take two years to fully develop the program, which will be similar to those in West Virginia and Massachusetts, but temporary licenses will be available within six months.

NEW JERSEY SOIL STANDARDS: The brains of C/R's Ken Bird and Doug Spicuzza are spilling over with knowledge after their recent NJDEP training on application of the new soil standards. If you have questions, they can help.

Cummings/Riter Consultants, Inc.
10 Duff Road, Suite 500
Pittsburgh, PA 15235