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Arcwood Environmental  
Arkema, Inc.  
Bayer CropScience  
Clean Harbors Environmental Services  
Eastman Chemical Company  
Formosa Plastics Corporation, USA  
INV Nylon Chemicals Americas, LLC  
Ross Incineration Services, Inc.  
The Dow Chemical Company  
Veolia ES Technical Solutions, LLC  
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## GENERATOR MEMBERS

Anduril Industries, Inc.  
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3M

## ASSOCIATE MEMBERS

AECOM  
ALL4 LLC  
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B3 Systems  
Civil & Environmental Consultants, Inc.  
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Focus Environmental, Inc.  
Franklin Engineering Group, Inc.  
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Ramboll  
Spectrum Environmental Solutions LLC  
Strata-G, LLC  
TEConsulting, LLC  
Trinity Consultants  
W.L. Gore and Associated, Inc.  
Wood, PLC

## INDIVIDUAL MEMBERS

Ronald E. Bastian, PE  
Ronald O. Kagel, PhD

## ACADEMIC MEMBERS (Includes faculty from:)

Colorado School of Mines  
Lamar University  
Louisiana State University  
Mississippi State University  
New Jersey Institute of Technology  
Northern Illinois University  
University of California – Berkeley  
University of Dayton  
University of Kentucky  
University of Maryland  
University of Utah

43330 Junction Plaza, Suite 164-641  
Ashburn, VA 20147  
Phone: 703-431-7343  
E-mail: [mel@crwi.org](mailto:mel@crwi.org)  
Web Page: <http://www.crwi.org>

## CRWI Update August 31, 2025

### HWC RTR

Growing frustrated with EPA's failure to publish a proposed hazardous waste combustor (HWC) risk and technology review (RTR) rule, the plaintiffs in the deadline suit asked the district court to order the Agency to file status reports on the rulemaking. The court agreed and ordered the Agency to file a report by August 26, 2025. The Agency is also to file a status report every 30 days after that. The report was to contain the status of the current rulemaking and an estimate of when the Agency would sign a proposed rule. On August 26, 2025, EPA filed a report with the court stating that it expects to sign the proposed rule on or before September 30, 2025. It will submit its next report on September 25, 2025.

### Disaster debris

On August 26, 2025, EPA published an interim final rule to make it easier for commercial and industrial solid waste incinerators (CISWI) to burn disaster debris on a temporary basis. Essentially, this puts the CISWI regulations on the same level as the requirements in the Other Solid Waste Incinerator rule for handling disaster debris. To qualify for the reduced restrictions, the debris must come from an area that has been declared as a state of emergency by a local, state, or federal government and all CISWI control devices must be operated if technically feasible. EPA will not require any notification as long as the units are operated for less than eight weeks. If the devices are to be operated longer than that, the facility must notify the Administrator and request permission to continue to operate. EPA will take comments on the interim final rule for 45 days. As with all interim final rules, this one will stay in effect until formally withdrawn. More details can be found in the *Federal Register* notice.

### TCE final rule delay

On August 20, 2025, EPA published another extension of the effective date for the TSCA section 6(g) exception to the ban on the use of trichloroethylene (TCE). This one is for 90 days. EPA also announced they would be redoing the 2024 final rule although they

have not specified exactly what is to be revised or a timetable for doing this. Additional details can be found in the *Federal Register* notice.

## **PFAS**

On July 25, 2025, Stephen Jones and Richard Renshaw filed a civil suit against three Purdue companies under the citizen suit provisions of RCRA in U. S. District Court for the District of Maryland. Mr. Jones and Mr. Renshaw are seeking relief and the assessment of civil penalties for improper disposal of solid wastes containing per- and polyfluorinated alkyl substances (PFAS). The plaintiffs allege that Purdue's practices contaminated the area's groundwater and surface waters by spraying PFAS contaminated wastewater on the land and releasing contaminated wastewater into a nearby creek.

To resolve a lawsuit, DuPont has reached an agreement with New Jersey to clean up PAS contamination at four New Jersey sites and pay a \$875 million natural resources damages claim. The entire packages is estimated to cost the company about \$2 billion.

For the past several years, most PFAS legislation has been a part of the annual National Defense Authorization Act (NDAA). The current Senate version includes a provision to repeal the 2022 ban on using incineration to destroy Department of Defense PFAS waste. On July 31, 2025, Senator Pete Ricketts (R-NE) filed an amendment to the FY 2026 NDAA to exempt certain passive receivers of PFAS from coverage under CERCLA. This amendment, if adopted, would also modify the definition of a PFAS compound to be one that contained at least two fully fluorinated carbon atoms. The current definition is one fully fluorinated carbon atom. Whether it gets incorporated will depend upon how much support Senator Ricketts can gather during the Senate floor debate.

In a rather strange turn of events, the Make America Healthy Again movement is pressing the Trump Administration to remove certain riders in the EPA appropriations bill that would prevent EPA from regulating PFAS compounds. Specifically, the group opposes the rider preventing EPA from finalizing the biosolids risk assessment.

EPA has asked and received another delay on briefing the Chamber of Commerce (and others) challenge to the final rule that made perfluorooctanoic acid and perfluorooctane sulfonic acid hazardous substances under CERCLA. The new deadline is September 17, 2025. The Agency appears to be moving towards modifying this rule but there has been no official statements on how the Agency intends to proceed.

## **Guidance documents website**

During the first Trump Administration, EPA developed a website that listed all active guidance documents. If a guidance document was not included on this list, it could not be used. This was taken down early in the Biden Administration. The second Trump Administration has reposted the website (<https://www.epa.gov/guidance/guidance->

[documents-managed-program-offices](#)). This time, there does not seem to be the same restrictions that a guidance document must be in the list before it can be used. From a quick scan of the current database using the search word “incineration,” the portal seems to include most of the old documents from the time when these units were controlled under RCRA.

## **EPA personnel**

EPA has officially dissolved its contract with the unions representing agency employees. This will remove the ability of the unions to file grievances and force union representatives to conduct union business on personal time. It does not disband the union but does change how it operates. It is anticipated the unions will challenge this decision in court.

As a part of the Senate version of the EPA appropriations bill, the Senate Appropriations Committee strongly disagreed with EPA’s reorganization of the Office of Research and Development (ORD). In August, 88 House Democrats sent a letter to the Administration urging them to preserve this office. They asked for answer from EPA by August 21, 2025. It is not clear if EPA has responded to the letter. There seems to be widespread, bipartisan Congressional opposition to EPA’s ORD reorganization plans. In theory, EPA is required to obtain Congressional approval before making major reorganizations.

## **EPA enforcement**

EPA’s current enforcement strategy remains vague. It will likely remain so until a new Assistant Administrator for the Office of Enforcement and Compliance Assurance is confirmed. The Senate Environment and Public Works is scheduled to vote on this nomination on September 3, 2025. For now, EPA is continuing some enforcement while delaying others. One of the enforcement actions that is continuing is the New Source Review violations of the EES Coke Battery in the Detroit, MI area. In an August 25, 2025 opinion (*U.S. v. EES Coke Battery LLE*), the court found the company liable on all counts.

## **Environmental justice**

Although the federal government has almost completely ceased their environmental justice program and has been successful in clawing back some of the money designated for the issue, some states are picking up the slack. For example, after EPA canceled \$1.7 billion in environmental justice grants, the city of Seattle awarded grants totaling \$1.2 million to local organizations confronting climate change impacts to the community. The Michigan legislature is working on a bill that would require the Department of Environment, Great Lakes, and Energy (EGLE) to reduce cumulative pollution in environmental justice communities. If passed, it would require EGLE to consider the impact of all sources of pollution in a community, take into account social and economic factors, and give the agency the authority to deny permits if there is a negative impact on the community and no compelling need for the project. Maryland’s

governor signed an executive order establishing an environmental justice council to identify and leverage resources to implement outreach, adaption, and mitigation strategies for overburdened communities.

### **CRWI meetings**

The next CRWI meeting will be held on November 12-13, 2025, in Port Arthur, TX. It will feature a tour of Veolia's hazardous waste combustor. Please contact CRWI (703-431-7343 or [mel@crwi.org](mailto:mel@crwi.org)) if you are interested in attending.