NORTHERN REGION
REVIEW
GOVERNMENT AFFAIRS, ENERGY AND ENVIRONMENT
MAY 2011

NET ZERO STRATEGIC COMMUNICATIONS

ARMED FORCES DAY

Aberdeen Proving Ground (APG) Armed Forces Day
From left to right: David Guldenzopf, Acting Director of REEO-N; Janet Dettwiler, Adjutant General APG; Thomas Frendak, Project Manager REEO-N and Tim McNamara, Deputy to the Garrison Commander APG, discuss APG's selection as a pilot installation for Net Zero water.

The Army's Regional Environmental Energy Office Northern (REEO-N) participated in the annual Military Appreciation Week/Armed Forces Day observance held at Aberdeen Proving Ground (APG), MD from May 16-21, 2011. The highlight of this celebration whose theme was *Power for Peace* occurred on May 18, 2011, on the grounds of the APG Museum where soldiers, family members, civilian employees and contractors united as one in support of America's Warriors. Visitors engaged in hands-on exhibits, interactive demonstrations, and information and technology displays provided by garrison organizations. REEO-N's staff highlighted the Army's Net Zero Installation initiative and the Army's Chesapeake Bay Strategy. The REEO-N exhibit focused on these two important strategic outreach messages of the ASAIE&E and reached a large audience including senior leaders from APG's many organizations, soldiers, civilians, and community members.

ARBOR DAY/EARTH DAY CELEBRATION

On April 29, 2011, the Army's REEO-N participated in the annual Arbor Day/Earth Day Celebration at APG. The event theme of *Light of the Bay* hosted by the Commander, US Army Research and Development and Engineering Command including an encasement of a 50-year time capsule inside a scale replica of the Poole's Island Lighthouse, a presentation of the Tree City U.S.A. Award, poster and essay contests by local area middle school students and displays and exhibits by garrison support organizations. REEO-N staff manned an exhibit with posters featuring the Army Net Zero initiative, the Chesapeake Bay Strategy and an Earth Day Poster with an overall message of the exhibit titled, "Sustain the Mission, Secure the Future." The REEO-N's contribution to the time capsule included a laminated copy of the 2011 Army Earth Day Message, and a unique collage of Army Earth Day Posters celebrating 15 years of Army Earth Day. Several hundred people participated, including APG garrison supported organizations and elected county officials.

WISCONSIN MILITARY SUSTAINABILITY AND ENVIRONMENT MEETING

The Army's REEO-N hosted the Wisconsin (WI) Military Sustainability and Environment meeting between DoD and the WI Department of Natural Resources (DNR) on April 6, 2011 at Truax Field in Madison, WI. The meeting included WI DNR bureau and division chiefs and staff and representatives from the WI National Guard HQs, Army and Air Force installations in the State, and the DoD Region 5 Regional Environmental Coordinator Team. The agenda topics included environmental compliance, energy project coordination, Executive Order 13547, sustainability and the Army's Net Zero initiative. Of note, the WI DNR recognized the military installations for their continued compliance and good overall environmental performance. Many of the attendees expressed significant interest in Net Zero, future initiatives/updates and in sharing lessons learned from installations. The meeting received overwhelming, positive feedback and attendees agreed to a follow-on meeting in FY 2012.

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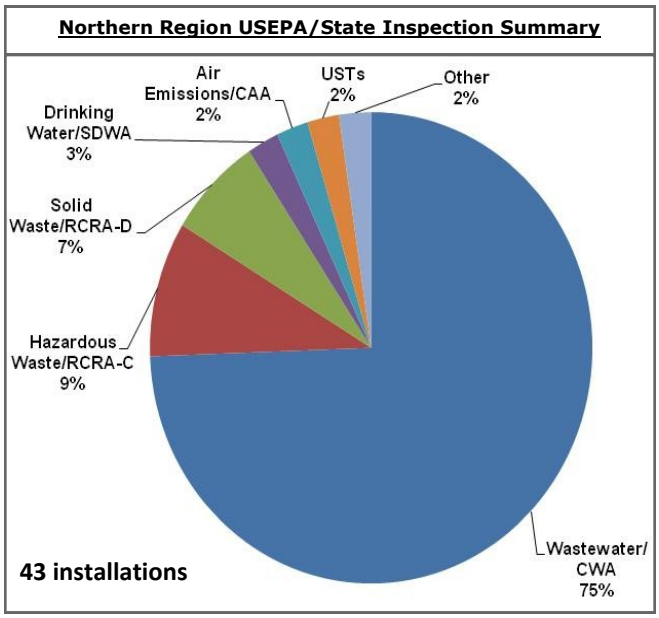
ENVIRONMENTAL INSPECTION SUMMARY FOR ARMY INSTALLATIONS IN EPA REGIONS 1, 2, 3, & 5

The purpose of this summary is to provide information on Environmental Inspections by state and federal regulators on Army installations in the Northern Region (EPA Regions 1, 2, 3, 5) during the 1st quarter FY 2011. This information is not intended to represent trends of the US Environmental Protection Agency, or State inspection programs. This information is intended to be used for situational awareness.

According to the Army Environmental Data Base (AEDB), a total of 134 environmental inspections were conducted on Army installations nationwide during the 1st Quarter of FY 2011. Forty-three (43) of those inspections occurred on Army installations in the Northern Region. The pie chart displays the media breakdown for those 43 inspections. The focus of inspections in the Northern Region was by far on Wastewater/Clean Water Act (75%), followed by RCRA-C (9%) and RCRA-D (7%).



Data obtained online from the Army Environmental Database (AEDB).

REGIONAL ENVIRONMENTAL & ENERGY OFFICE - NORTHERN WORKING FOR YOU.

The NORTHERN REGION REVIEW provides current information on government affairs, energy and environment relevant to Department of Defense interests in the 22 states and territories in Federal Regions 1, 2, 3 and 5. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Northern Region Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. For further information on the Army's Regional Environmental and Energy Offices, visit: http://www.asaie.army.mil/Public/ESOH/REEO/

USEPA RELEASES PHASE II WIP GUIDE

The following information is provided for installations located within the Chesapeake Bay watershed. USEPA released a guide addressing the development and review of the Chesapeake Bay Total Maximum Daily Load (TMDL) Phase II Watershed Implementation Plans (WIPs) to be submitted by Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia. USEPA compiled this guide in response to requests for information on what USEPA expects Bay jurisdictions include on their Phase II WIPs. USEPA expects the seven Bay jurisdictions to develop Phase II WIPs with more specific information actions by local partners to control nitrogen, phosphorus and sediment to achieve the allocations. Phase II WIPs also provide Bay jurisdictions with an opportunity to further demonstrate reasonable assurance that TMDL allocations will be achieved and maintained. USEPA revised the WIP II schedule to provide jurisdictions an additional five months - from November 1, 2011 to March 30, 2012, to engage local partners in the final Phase II WIPs. USEPA also allowed more time to develop draft 2012-2013 jurisdiction milestone commitments. The state guide and schedule can be found at: www.epa.gov/chesapeakebaytmdl.

CHESAPEAKE BAY TMDL TRACKING AND ACCOUNTING SYSTEM

The following information is provided for those installations effected by the Chesapeake Bay TMDL. On April 29, 2011, USEPA reissued guidance to the six Bay states to utilize the website that was developed by the Chesapeake Bay Program to assess Bay restoration activity. The Chesapeake Bay TMDL Tracking and Accounting System (BayTAS) aids users in tracking and verifying progress in meeting requirements of the recently established Chesapeake Bay TMDL. The BayTAS website was developed to inform USEPA, the Bay jurisdictions, and the public on progress in implementing the Bay Total Maximum Daily Load (Bay TMDL). Future versions of BayTAS will include reporting of Best Management Practice (BMP) implementation and verification. BayTAS will help ensure that the Chesapeake Bay partners and the public have a transparent means of tracking, accounting and verifying pollution reductions as the Bay TMDL is implemented. Learn more about BayTAS and the terminology of the TMDL and get answers to frequently asked questions about the Bay TMDL.

NEXT STAC QUARTERLY MEETING

The following information is provided for those installations within the Chesapeake Bay Watershed. The Scientific and Technical Advisory Committee for the Chesapeake Bay Program (STAC) has issued an announcement of the next quarterly meeting. All meetings are open to the public. The next meeting is scheduled for June 7-8, 2011, in Annapolis MD.

RAIN GARDENS FOR THE BAYS CAMPAIGN

The following campaign information can be incorporated into an installations stormwater and Net Zero water planning projects. A Regional Campaign recently featured on the USEPA TMDL page focused on creating awareness on Rain Gardens. USEPA joined several Bay Groups in promoting the rain garden campaign. The campaign slogan is, *"Greening our Neighborhoods and protecting our streams and Bays by creating Thousands Of Rain Gardens, in Local Watersheds."*

DoD News

COMMANDER-IN-CHIEF'S AWARDS

Congratulations to all the installations receiving the Commander-In-Chief's Award especially to the Region 5 award winner, the Defense Logistics Agency Land and Maritime Program in Columbus, Ohio. The Commander-in-Chief's Annual Award for Installation Excellence recognizes the outstanding and innovative efforts of the people who operate and maintain U.S. military installations. The five recipients of this highly competitive Presidential award were selected for their exemplary support of Department of Defense missions. In an April 29, 2011, note to the recipients, President Barack Obama congratulated the awardees on their achievement, *"Your installations are being honored for exceeding all standards, and I hope you take pride in the example set by your continued commitment to excellence."* Criteria include supporting military missions, providing a high quality of life for service members and their families, providing for the health and safety of service members and their families, interacting with surrounding communities, exercising sound business and communications practices and demonstrating responsible environmental stewardship.

ARMY ENERGY SECURITY AND SUSTAINABILITY REPORT

The April 2011 AUSA Torchbearer Issue featured a National Security Report, *U.S. Army Energy Security and Sustainability: Vital to National Defense.* In the issue, a treatment of the underlying principles, cultural changes, mechanisms and levels of scope provide a snapshot into the future of the Army while laying the groundwork for a discussion about the Army as a more "green" and flexible force.

NATIONAL SECURITY IMPLICATIONS OF CLIMATE CHANGE ON NAVAL FORCES

The National Research Council of the National Academies released a pre-publication draft of a report titled *National Security Implications of Climate Change for US Naval Forces*. The report was commissioned by the Chief of Naval Operations. The study found that even moderate trends in climate change, if continued, would present new national security challenges for the US Navy, Marine Corps, and Coast Guard. The report addresses both short and long-term implications for US naval forces. It discusses and makes several recommendations about mission requirements, command structure, training, equipment, navigation, communication, and charting associated with climate change in the Arctic. The report also discusses the effect of sea level rise on coastal Navy installations, impacts to coastal nations, and the need for more accurate data and computer models to more accurately forecast sea-level changes over the long term.

DoD AND USACE SUSTAINABILITY SCORECARDS

On April 20, 2011, Federal agencies released performance benchmarks for energy and sustainability goals. These benchmarks are contained in Scorecards that enable agencies to target and track the best opportunities to improve efficiency, reduce pollution, and eliminate waste. Under Executive Order 13514, President Obama directed Federal agencies to lead by example in clean energy, and to meet energy, water, pollution, and waste reduction targets. DoD released a Fiscal Year (FY) 2010 DoD Scorecard on Sustainability/Energy. In addition, the U.S. Army Corps of Engineers (USACE) also released a FY 2010 USACE Scorecard on sustainability and energy performance (other agency Scorecards).

USACE PROPOSED 2012 NATIONWIDE PERMITS

USACE has announced the reissuance of the existing nationwide permits (NWPs), general conditions, and definitions, with some modifications. USACE is also proposing to issue two new NWPs and two new general conditions. USACE is requesting comment on all aspects of these proposed nationwide permits. More specifically, USACE is requesting comments on options for NWP 21, which authorizes discharges of dredged or fill material into waters of the United States associated with surface coal mining activities, such as reissuing NWP 21 with modifications or not reissuing NWP 21. USACE is also seeking comments on whether to reissue NWP 48 with modifications to authorize new commercial shellfish aquaculture activities or to issue a separate NWP to authorize only new commercial shellfish aquaculture activities. The current set of nationwide permits expires March 18, 2012. The nationwide permits being proposed now will replace the existing set. The Comment period has closed. To see a summary of all the Proposed 2012 Nationwide Permits (revised), click here.

DoD MULTIYEAR CONTRACT AUTHORITY FOR RENEWABLE ENERGY

DoD recently amended the Defense Federal Acquisition Regulation Supplement (DFARS) authorizing the purchase of electricity from renewable energy by contract for a period not to exceed 10 years [76 FR 14587]. For contracts exceeding five years, DoD's

contracting activity must determine that the proposed purchase of electricity under such contract is cost effective and it would not be possible to purchase electricity from the source in an economical manner without the use of a contract for a period in excess of five years. This ruling became effective in March 2011.

NAVY FINAL PEA AND DRAFT FONSI FOR SMALL SCALE WIND PROJECTS

The Department of the Navy, and DoD announced the availability of a Final Programmatic Environmental Assessment (PEA) and draft Finding of No Significant Impact (FONSI) for the development and operation of small-scale wind energy projects at United States Marine Corps (USMC) facilities throughout the Continental United States (CONUS)[76 FR 21712, April 12, 2011]. The Final PEA and draft FONSI are available at http://marines.mil/unit/marforres/MFRHQ/FACILITIES/FACILITIES.aspx.

DoD COMMENTS ON ADDITION OF VAPOR INTRUSION TO HAZARD RANKING SYSTEM

DoD submitted comments to USEPA opposing and commenting on its proposal to add a Vapor Intrusion Component to the Hazard Ranking System (HRS) for evaluating sites for inclusion on the "Superfund" National Priorities list (NPL).

FORMERLY USED DEFENSE SITES (FUDS) NATIONAL FORUM

DoD, along with USEPA, the States, and Federal Land Management agencies (FLMs), reactivated the FUDS Forum in February 2011 to enhance communication and coordination between DoD, environmental regulators, and land managers with the ultimate goal of improving the efficiency and effectiveness of cleanup at FUDS. The FUDS National Meeting occurred May 24 - 26, 2011, in Chicago and it was the culmination of months of planning and represents an all-inclusive effort to encourage participation from all levels of the participating organizations and agencies. The forum was open to state regulators and personnel from USEPA and Federal Land Manager headquarters, regional, and local offices. DoD Environmental Management staff, Department of the Army, and U.S. Army Corps of Engineers staff from Headquarters, Divisions, and Districts, will also participate.

DoD ENTERPRISE E-MAIL MIGRATION

Aberdeen Proving Ground (APG), home of REEO-N, is in the process of Enterprise E-mail migrations to the Defense Information Systems Agency (DISA) messaging services. The REEO-N staff email accounts have been converted as of May 2011. Please note our new e-mail addresses are shown in the contact directory listing. Please provide us a reply message after your e-mail address has been converted in order to continue receiving the Northern Region Review.

FEDERAL ENVIRONMENTAL NEWS

NEW PRESIDENTIAL MEMORANDUM-FEDERAL FLEET PERFORMANCE

The following information is provided for situational awareness to installations, specifically Fleet Managers. On May 24, 2011, President Obama signed a Memorandum informing federal agencies they must adopt new fleet performance measures and reach new federal fleet inventory targets. By December 31, 2015, all new light duty vehicles leased or purchased by agencies must be alternative fueled vehicles. Additionally, these vehicles must be located in proximity to fueling stations with available alternative fuels. DoD may exempt vehicles used for law enforcement, protective, emergency response, or military tactical operations consistent with guidance to be prepared by the General Services Administration.

OBAMA ADMINISTRATION RELEASES CLEAN WATER FRAMEWORK

The following guidance is provided for those whose area of responsibility is directly related to the Clean Water Act compliance. On April 27, 2011, the Obama Administration released a national clean water framework that showcases its comprehensive commitment to protecting the health of America's waters. The framework is intended in part to clarify definitions of wetlands and waterways and where the Clean Water Act applies. The framework, entitled *"Clean Water: Foundation of Healthy Communities and a Healthy Environment,"* is accompanied by the release of draft guidance from the USEPA and Army Corps of Engineers that updates Federal guidance regarding where the Clean Water Act applies nationwide [76 FR 24479, May 2, 2011]. The guidance is now open for 60-days of public comment and closes on June 28, 2011.

FEDERAL AGENCY REQUIREMENTS FOR CLIMATE ADAPTATION PLANNING

The following information and requirements are intended for those responsible for implementing and complying with new Climate Adaption planning rules. Over the next several months/years, federal agencies will need to produce a series of

documents to explain the vulnerability of each agency's mission and operation to climate change and describe how the short- and long-term effects of climate change will be managed. The following two documents are necessary for meeting the upcoming requirements, the Federal Agency Climate Change Adaptation Planning Implementing Instructions and the Companion Support Document. Federal agencies are required by June 3, 2011, to identify to the White House Council on Environmental Quality (CEQ) a senior federal agency official responsible for carrying out climate change adaptation planning and also required to issue and make public an agency-wide climate change adaptation policy statement. CEQ issued guiding questions that are provided in the support document and the guiding question responses are due by June 3, 2011.

NATIONAL FRAMEWORK FOR ELECTRONICS STEWARDSHIP

The following notice is provided for those managers who are involved in creating net zero waste management programs and is for informational purposes. USEPA is currently developing a national strategy and recommendations for improving federal stewardship of used electronics [76 FR 11243]. The national strategy will consider product lifecycle from design and manufacture through use and eventual recycling, recovery, and disposal.

VAPOR INTRUSION GUIDANCE

The following notice is provided to update environmental mangers on vapor intrusion risks and is also provided for informational purposes. USEPA is developing final guidance titled *Evaluating Vapor Intrusion to Indoor Air Pathway from Contaminated Groundwater and Soil (Subsurface Vapor Intrusion Guidance* [76 FR 14660]. The agency is seeking comment for consideration during development of the final document, which is anticipated to be published November 2012. A public meeting was held April 11, 2011. The comments period closed on May 14, 2011.

USEPA ACTION INITIATION LIST

The following notice is provided to update installation environmental managers on the most recent USEPA regulatory actions. USEPA released the March Action Initiation List (AILs). The AIL list is an overview of the rules USEPA is currently initiating. Generally, AILs include those actions that will appear in the upcoming Semiannual Regulatory Agenda and have been approved for commencement by USEPA's Regulatory Policy Officer.

NEW RULES FOR TRANSPORT OF HAZARDOUS MATERIALS

The following two Federal Register notices are provided for safety awareness and are intended to be communicated to all hazardous transport personnel. The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule prohibiting texting by drivers during the operation of a motor vehicle transporting hazardous materials in sufficient quantity to require placarding of the vehicle or any quantity of select agents or toxins [76 FR 10771]. PHMSA also issued a proposed rule on hand held mobile device use [76 FR 23923]. The final rule went into effect on March 30, 2011. Also see DoD rule on texting [75 60264].

USGS MISSION AND 10-YEAR STRATEGY

The following notice is provided for informational purposes and is pertinent to those installation personnel working on: climate and land use change/planning, ecosystems management, energy and minerals issues, environmental health, natural hazards, and water quality issues. The US Geological Survey (USGS) is in the process of creating 10-year strategies for each of its missions in the following areas: ecosystems; energy and minerals; environmental health; global change (climate and land use change); natural hazards; and water issues [76 FR 13207]. Draft strategies identify short and long term goals, and specific actions and products. The comments period closes on October 16, 2011. Also see *"USGS Science: Addressing Our Nation's Challenges," and Fact sheet.*

HEARINGS ON MERCURY STANDARDS

The following notice is intended for installation personnel responsible for Title V Air Quality compliance. Additionally, this rule gives insight into the current USEPA regulatory toxic air pollutants direction. On March 16, 2011, USEPA signed proposed new national emission standards for hazardous air pollutants (NESHAP) in response to a 2009 court settlement to replace the vacated Clean Air Mercury Rule (CAMR). USEPA held three public hearings in May on the proposed mercury and air toxics standards. The new power plant mercury and air toxics standards would require many power plants to install widely best available, control technologies (BACT) to cut harmful emissions of mercury, arsenic, chromium, nickel and acid gases. USEPA also will accept written comments on the proposed standards until July 5, 2011. USEPA will finalize the rule by November 2011.

FEDERAL RULES ON LEAD PAINT AND HOUSING

The following information is for installation housing managers, contracted companies that are responsible for housing, and for BRAC transferred personnel who may be renting off post. In May 2011, in New England, USEPA fined several landlords for failing

to notify tenants about Lead Paint hazards. Federal law requires that property owners, property managers and real estate agents leasing or selling housing built before 1978 provide the following information to tenants and buyers: the USEPA-approved lead hazard information pamphlet, *Protect Your Family from Lead in Your Home*; a lead warning statement; statements disclosing any known lead-based paint and lead-based paint hazards; and copies of all available records or reports regarding lead-based paint and lead-based paint hazards. This information must be provided to tenants and buyers before they enter into leases or purchase and sales agreements. Property owners, property managers and real estate agents equally share responsibility for providing lead disclosure information and must retain copies of records regarding lead disclosures for three years. For more information: Lead-based paint health hazards paint disclosure rule (www.epa.gov/ne/enforcement/leadpaint/index.html.

NESHAP ON HAP REDUCTIONS

The following proposed rule is intended for installations with Title V operating permits. In addition, this Federal Register notice provides a through overview on: Hazardous Air Pollutants (HAP), maximum achievable control technology (MACT) or MACT' standards, Clean Air Mercury Rule (CAMR), the recent case on CAA section 304(a)(2), and 112(d) standards for HAP from coal- and oil-fired EGUs. USEPA issued a proposed rule regarding the national emission standards for hazardous air pollutants (NESHAP) from coal- and oil-fired electric utility steam generating units (EGUs) under Clean Air Act (CAA) section 112(d) and is proposing to revise new source performance standards (NSPS) for fossil fuel-fired EGUs under CAA section 111(b) [76 FR 24976, May 3, 2011]. The proposed NESHAP would protect air quality and promote public health by reducing emissions of the hazardous air pollutants (HAP) listed in CAA section 112(b). The comment period closes on July 5, 2011.

EMISSIONS FROM MARINE COMPRESSION-IGNITION ENGINES

The following notice is intended for installation personnel responsible for new and in-use marine compression engines. USEPA issued a notice which clarifies the definitions for types of engines from the original rulemaking, the control of Emissions from New and In-Use Marine Compression-Ignition Engines and Vessels. This notice specifies new definitions for: "New Vessel", vessels with and without category 3 engines, and defines an imported vessel [76 FR 20550, April 13, 2011] a correction has since been issued [76 FR 25242, May 4, 2011].

CONSTRUCTION STORM WATER GENERAL PERMIT

The following notice is intended for installation personnel responsible for stormwater management and NPDES permits. USEPA issued a notice of modification to the 2008 National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities for all USEPA Regions (1, 2, 3, 5, 6, 7, 8, 9, and 10) [76 FR 22891, April 25, 2011]. USEPA is proposing to modify the 2008 NPDES general permits for stormwater discharges associated with construction activity by extending the expiration date of the permit to January 31, 2012. In addition, USEPA is referring, the NPDES general permits to as "permit" or "2008 construction general permit" or "2008 CGP."

NEW REVIEWS ON OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS

The following three documents are pertinent to those installations with Title V permits, boilers, and/or air quality issues. On April 22, 2011, USEPA issued a proposed rule that makes available for public review the documents titled, "Ozone National Ambient Air Quality Standards: Scope and Methods Plan for Health Risk and Exposure Assessment," (REA Plan for the primary ozone NAAQS) and "Ozone National Ambient Air Quality Standards: Scope and Methods Plan for Welfare Risk and Exposure Assessment" (REA Plan for the secondary ozone NAAQS) [76 FR 23755, April 28,2011]. These documents contain the plans for the risk and exposure analyses that USEPA is preparing to conduct in support of the reviews of ozone NAAQS. USEPA is also making available to the public the final document "Integrated Review Plan for the Ozone National Ambient Air Quality Standards" (IRP). The comment period closes on June 27, 2011.

DRAFT REPORT ON LEAD NAAQS

The following notice is for regulatory and environmental informational purposes. This draft document provides scientific analysis of the sources of lead (Pb) to ambient air, measurement and concentrations of Pb in ambient air, its subsequent fate and transport in the environment, pathways of human and ecological exposure, and toxico-kinetic characteristics of Pb in the human body. USEPA issued a Draft Integrated Review Plan (Draft IRP) for the *National Ambient Air Quality Standards (NAAQS) for Lead* [76 FR 20347, April 12, 2011]. The comment period was less than 30-days and closed in April.

UPDATES TO NATIONAL HANDBOOK OF CONSERVATION PRACTICES

The following proposed rule is intended for those installation managers responsible for conservation, and environmental compliance. The Natural Resources Conservation Service (NRCS) issued a proposed rule that updates conservation practice standards in the National Handbook of Conservation Practices [76 FR 19971, April 11, 2011]. These standards include, but are not limited to: Dam Diversion (Code 348), Forest Stand Improvement (Code 666), Irrigation Ditch Lining (Code 428), Irrigation Pipeline (Code 430), Irrigation Reservoir (Code 436), Irrigation System, Micro-irrigation (Code 441), Tail-water Recovery (Code 447), Irrigation Water Management (Code 449), Mulching (Code 484), Pipeline (Code 516), Pond (Code 378), Pumping Plant (Code 533), Renewable Energy System (Code 671), Tree/Shrub Establishment (Code 612), Waste Recycling (Code 633), and Woody Residue Treatment (formerly Forest Slash Treatment) (Code 384). The comment period closed on May 11, 2011.

CHEMICAL STOCKPILE PREPAREDNESS SURVEY

The following notice is for Army regulatory and environmental informational purposes. FEMA submitted to Office of Management and Budget (OMB) an information collection request titled, *Chemical Stockpile Emergency Preparedness Program (CSEPP) Evaluation and Customer Satisfaction Survey* [76 FR 22116, April 20, 2011]. CSEPP is a partnership between FEMA and the Army that provides emergency preparedness assistance and resources to communities surrounding the Army's chemical warfare agent stockpiles. The purpose of the survey is to support development of public outreach and education efforts to improve emergency preparedness surrounding stock-pile sites. The survey will collect data from citizens living in the Immediate Response Zones and Protective Action Zones surrounding stockpile sites. Program managers use survey data findings to evaluate public awareness of protective actions at CSEPP sites, and identify outreach weaknesses and strengths to develop effective outreach and education campaigns. Comments are due by May 20, 2011.

ENERGY NEWS

NOMINATIONS SOUGHT FOR GREENGOV PRESIDENTIAL AWARDS

The GreenGov Presidential Awards honor the best efforts and practices from leaders in the Federal workforce that, conserve water, meet waste reduction targets, increase operational efficiency, reduce costs, and lead by example in clean energy. Winners will be recognized at the 2011 GreenGov Symposium, in Washington, DC. The White House Council on Environmental Quality (CEQ) announced that beginning on May 2, 2011, Federal employees can nominate their colleagues for the 2011 GreenGov Presidential Awards for demonstrating extraordinary achievement in the pursuit of President Obama's Executive Order on Federal Leadership in Environmental, Energy and Economic Performance (Executive Order 13514). For more information about 2010 GreenGov Presidential awardees, click here. To view information about Executive Order 13514 on Federal Sustainability, click here .

DOE RELEASES 2011 STRATEGIC PLAN

The following information is provided for situational awareness. On May 10, 2011, the Department of Energy (DOE) released their "Strategic Plan" for 2011, in a report outlining the department's goals for the year.

REGIONAL

For more information on regional issues, contact your Regional REC as identified in the REEO - N Personnel Directory.

NATIONAL OCEAN COUNCIL STRATEGIC ACTION PLANS

The following information is provided for those stakeholders who are involved in Coastal and Marine Spatial Planning (CMSP) issues, and are tracking the National Ocean Policy. As the National Ocean Council (NOC) continues working toward implementing the first national policy for the stewardship of the ocean, our coasts and the Great Lakes, the council has launched a webpage that contains all stakeholder comments received until April 29, 2011 on the Strategic Action Plans. Draft strategic action plans will be released in the summer of 2011. To read comments, please visit this website and choose which of the Nine National Priority Objectives listed you wish to read. CMS Plans are regional in scope and developed cooperatively among Federal, State, tribal, local authorities, and regional governance structures, with substantial stakeholder and public input. REEO-N is a DoD representative to the Great Lakes Regional Planning Body established by NOC.

REGIONAL STATUS OF STATE SIP INFRASTRUCTURE REQUIREMENTS

The following updates pertains to those directly responsible for Title V Air Quality compliance and permitting compliance. Under USEPA Infrastructure Requirements are permitting requirements. This notice provides an overview of current State Implementation Plans (SIPs) Infrastructure status for all states in the northern region. The Clean Air Act requires states to submit SIPs that implement, maintain, and enforce a new or revised national ambient air quality standard (NAAQS). These SIP revisions must address a number of basic requirements, including: ambient air quality monitoring and data systems, programs for enforcement of control measures, adequate authority and resources to implement the plan. This USEPA web site provides reports of the status of state submittals and USEPA action on the submittals for required infrastructure elements by state. View your state and specifically, look for Section 110(a)(2)(L) which pertains to permitting fees.

REGION 1

For more information on any state issues in Region 1, contact Robert Muhly, Army Regional Environmental Coordinator, Region 1, (410) 436-6224, e-mail: robert.l.muhly.civ@mail.mil.

POLLUTANT ANNUAL BUDGET TRADING AND BANKING PROGRAM

The Department of Environmental Services (DES) in coordination with the Joint Legislative Committee on Administrative Rule (JLCAR) issued a proposed interim rule [INT 2011-8] for rule [Env-A 2900] that would readopt with amendments the rules that implement the Multiple Pollutant Annual Budget Trading and Banking Program, which expired on May 13, 2011. This interim rulemaking includes the methods for allocating allowances and the requirements for emissions monitoring, recordkeeping, reporting, and automatic deduction of allowances to offset emissions. The interim rule is in effect from May 13, 2011, until November 15, 2011. The potential impact of this rulemaking is in state military need to be notified of this budget trading program and as evidenced in other states, DoD can take advantage of emissions trading and banking.

REGION 2

For more information on any state issues in Region 2, contact Robert Muhly, Army Regional Environmental Coordinator, Region 2, (410) 436-6224, e-mail: robert.l.muhly.civ@mail.mil.

NEW YORK

PROPOSED ULTRA LOW SULFUR DIESEL FUEL REQUIREMENTS

On April 5, 2011, Assembly Bill [A 6899], which relates to the use of ultra low sulfur diesel fuel and the best available technology by the state, was sent to the Assembly Committee on Environmental Conservation. A 6899 amends Section (19-0323) of the Environmental Conservation law to extend the time period by which all heavy duty diesel vehicles must be retrofitted with diesel particulate filter devices. 50-percent of vehicles must be retrofitted by December 31, 2012 and all vehicles must be retrofitted by December 31, 2014. The legislation also provides a complete exemption for all private contractors. Current law requires all heavy duty diesel vehicles to be retrofitted with diesel particulate filter devices by December 31, 2010. Department of Environmental Conservation (DEC) recently issued a stay on enforcement of these regulations due to a recent court case challenging the regulation (Matter of New York Construction Materials Association, Inc. v. New York State DEC, et al, Case No. 510593). The potential impact of this pending legislation is that the Army National Guard (ARNG), a state agency, does have heavy duty vehicles and off road vehicles that are not specifically exempted in this bill, comment may need to be generated addressing implications to the low sulfur fuel and retrofitting.

PROPOSES HAZARDOUS WASTE PROGRAM FEES AND SURCHARGES

On April 19, 2011, Assembly Bill [A 7229], *"An Act to amend the environmental conservation law, in relation to hazardous waste program fees and surcharges,"* was sent to the Assembly Committee On Environmental Conservation. A 7229 provides that no fee shall be imposed on a generator for any amount of hazardous waste or hazardous wastewater that is both generated and recycled on-site. For all other on-site recycling of hazardous waste or hazardous wastewater, the fee imposed shall be determined based upon the net amount of hazardous waste or hazardous wastewater generated which is not recycled on-site in such calendar year. As of May 10, 2011, A 7229 has not yet been scheduled for a hearing. If passed, implications (if any) that this bill may have on the current Hazardous Waste Generator Surcharge Fee and its impact on federal facilities will require further investigation.

NEW JERSEY

REQUEST FOR STAKEHOLDER RESPONSE ON OFF SHORE WIND LEASES

The Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) has issued a call for information on the submission of nominations for one or more commercial leases for the construction of a wind energy project-(s) on the Outer Continental Shelf (OCS) offshore New Jersey [76 FR 22130, April 20, 2011]. BOEMRE will use the response to this Call for Information and Nominations (Call) to gauge specific interest in acquiring commercial wind lease (s) in some or all of the area, and to determine what competitive interest exists. The area under consideration for commercial leasing is located off the coast of New Jersey, beginning approximately 7 nautical miles (nmi) from the shore, extending roughly 23 nmi seaward to the approximate 100 ft depth contour, and extending 45 nmi parallel to the Federal/State boundary between Avalon and Barnegat Light. This area is approximately 418 square nmi. This area was delineated in consultation with the BOEMRE/New Jersey Renewable Energy Task Force and has been identified as a Wind Energy Area (WEA) as referenced and described in the Secretary's announcement of the Department's "Smart from the Start" offshore wind energy initiative. Although this notice is primarily provided for situational awareness and the action is not as likely to affect Army activities, Service constituents, especially the Navy are keeping plans and commenting when necessary. Future projects may have the potential to impact certain specific military training routes and will be commented accordingly. The comment period closes on June 6, 2011.

HIGHLANDS PLANNING AND ENVIRONMENTAL PERMITTING PROVISIONS

On April 28, 2011, Senate Bill [S 2835], also referred to as, *"An Act concerning the Highlands Region, and amending and repealing various parts of the statutory law,"* was sent to the Senate Committee on Environment and Energy. SF 2835 (identical companion bill is A 2525) repeals Highlands planning and environmental permitting provisions of "Highlands Water Protection and Planning Act," and amends various statutes to reflect repeal. The bill deletes that language which is unnecessary as a result of the provisions of this bill to repeal various sections of the Highlands act. This bill does not affect sections 63 through 71 of the Highlands act which amended the "State Planning Act" to incorporate coordination with regional entities into the State Development and Redevelopment Plan process. The potential impact of this proposed legislation, if passed may have implications for Picatinny Arsenal such as their NPDES, stormwater, and other water related permitting processes. A similar bill was introduced and was reviewed in a prior Northern Region Review edition.

PINELANDS CMP INSTALLATION OF SOLAR ENERGY FACILITIES

The Pinelands Commission issued a proposed rule that would amend Subchapters: (2) Interpretations and Definitions, (4) Development Review and (5) Minimum Standards for Land Use Distribution and Intensities, of the Pinelands Comprehensive Management Plan (CMP), [N.J.A.C. 7:50]. The amendments and new rule now being proposed by the Commission relate to the installation of solar energy facilities in the Pinelands as well as the installation of local communications facility antennas on existing communication towers or similar structures. The proposed amendments and new rule aim to define where and under what circumstances solar energy facilities may be permitted as a principal use and to provide a mechanism to speed the development of accessory facilities where they would be located on existing structures or installed over existing impervious surfaces. Joint Base - McGuire, Dix, Lakehurst (JB-MDL) would definitely be interested in keeping apprised of events regarding Pinelands Proposals and the potential impacts related to these actions. A hearing occurred on May 19, 2011. The comment period closes on June 17, 2011.

EXPIRATION DATE EXTENSION FOR THE COASTAL PERMIT PROGRAM

The Department of Environmental Protection/Division of Land Use Policy and Planning issued a proposed rule that updates the expiration date for to the Coastal Permit Program [N.J.A.C. 7:7]. The rule extends the expiration date for the rules that establish the procedures by which the Department reviews permit applications and appeals from permit decisions under the Coastal Area Facility Review Act (CAFRA), the Waterfront Development Law [N.J.S.A. 12:5-3], and the Wetlands Act of 1970 [N.J.S.A. 14:9A-1 et seq]. In addition, DEP is currently reviewing and streamlining the permitting process. On March 21, 2011, Governor Christie directed that the expiration date for [N.J.A.C. 7:7] be extended from March 21, 2011 to December 15, 2012. DoD may have to adjust to revisions in permitting in the coastal zone.

PROPOSED RULES FOR THE REMEDIATION OF CONTAMINATED SITES

The New Jersey Department of Environmental Protection (NJDEP) in coordination with the Licensed Site Remediation Professionals (LSRP) Program Steering Committee issued a proposed rule that adopts several amendments to the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) rule [N.J.A.C. 7:26C], and the Technical Requirements for Site Remediation rule [N.J.A.C. 7:26E]. In one amendment there is a one year extension from the March 1, 2011 mandatory timeframe, until March 1, 2012. In addition, the rule amends: the requirements for mitigation of vapor intrusion, the penalty table to make it consistent with the other amendments, and revises certain form names. The potential impact of this rule is still undetermined further analysis needs to be conducted to assess the potential impact to current and future cleanup efforts. The comment period closes on July 1, 2011.

REGION 3

For more information on any state issues in Region 3, contact Amy Alton, Army Regional Environmental Coordinator, Region 3, (410) 436-7098, e-mail: amy.j.alton.civ@mail.mil

DISTRICT OF COLUMBIA

LEAD HAZARD PREVENTION AND ELIMINATION LAW

The Lead Hazard Prevention and Elimination Act of 2010 (DC Bill 18-697) passed and was assigned law number [18-348] (pg.28 of 187). The new law updates several technical provisions contained in the Lead Hazard Prevention and Elimination Act of 2008. Specifically, the law modifies the definition of "lead-based paint" by reducing the amount of lead from (1.0 mg/cm2) to (.7 mg/cm2); expands protection from lead exposure for pregnant women and children under a specified age; modifies lead disclosure requirements; and expands the permissible use of the Lead Poisoning Prevention Fund. This new law will require military facilities to modify any existing lead-based paint program and materials, typically with regards to on-post housing. The law became effective March 31, 2011 after the Congressional Review hold period ended and was published in the *DC REGISTER* on April 29, 2011.

MARYLAND

AIR QUALITY PERMITS TO CONSTRUCT AND OPERATE

Maryland Department of the Environment (MDE) issued a proposed rule (pg. 562) that amends air quality regulations (.01, .10, and .13) under COMAR (26.11.02) Permits, Approvals, and Registration. The proposed rule intends to 1) clarify the requirements for 'Sources Exempt from a Permit to Construct' and 2) grants approval to sources with "pre-control potential-to-emit" levels of air pollution. In addition, this rule clarifies what installations must obtain a State Permit to Operate under 26.11.02.13 (Sources Subject to State Permits to Operate). Except for a source that is covered by a Part 70 permit, a state permit to operate is required for general and by-product waste incinerators of 2,000 pounds (907 kilograms) or more per hour rated capacity; pathological incinerators; incinerators burning special medical waste as defined in [COMAR 26.13.11.02B]; and sewage sludge incinerators. In addition, permits are required for fuel-burning equipment, hot oil heaters, and stationary combustion turbines with a maximum rated heat input capacity of 50 million Btu (52.8 gigajoules) or more per hour. Examples of equipment or processes to be removed from the State Permit to Operate list include: reactors, distillation columns, evaporators and strippers that have pre-control potential-to-emit of less than 20 lbs of VOC per day for the equipment to be permitted and pre-control Potential-to-Emit of less than 100 lbs of VOC per day for the entire premises. This proposed rule provides clarification regarding the construction and operations that may require air permits at military installations. This action will be submitted to USEPA for approval as part of Maryland's State Implementation Plan (SIP). The hearing and comment deadline is May 25, 2011.

PENNSYLVANIA

PENNSYLVANIA SAFE DRINKING WATER ACT AMENDMENTS PROPOSED

Pennsylvania Senate Bill [S 859], amending the Pennsylvania Safe Drinking Water Act, was referred to the Environmental Resources and Energy Committee. The bill provides new definitions for critical zone, groundwater, surface water, wellhead, wellhead protection area, Zone I and Zone II; includes a section on applications and requests for approval for facilities and activities in the critical zone, which covers permitting in critical zones; establishes requirements for municipalities concerning wellhead protection and surface water intake protection; and provides for powers and duties of the PA Department of Environmental Protection (PADEP) to impose civil and criminal penalties. If passed into law, among other implications, PADEP would be restricted from issuing permits/approval in critical zones around water supply wells and intakes, including those on federal lands such as military installations, if the water supply has the potential of being impacted.

VIRGINIA

FINAL AIR QUALITY RULE ON SULFUR DIOXIDE

Governor McDonnell signed Senate [S 1099] into Law (Chapter 523, Code of Virginia) which amends [§10.1-603.8:1] of the Virginia Code relating to Stormwater nonpoint nutrient offsets. Specifically, the law establishes priorities for permit issuing authorities to use when considering offsite phosphorous control options for stormwater permits. The new law also provides conditions under which use of an offsite option can be granted. In addition, the law provides for the granting of full or partial substitution of nonpoint nutrient offsets for existing onsite nutrient control when the offsets will compensate for 10 or fewer pounds of the annual phosphorous requirement associated with the land disturbing activity. Furthermore the law provides for those instances when existing on site controls are not functioning as anticipated and the use of the offset will make up the deficiency. Impacts of the law closely relate to how the Commonwealth plans to address aspects of the USEPA Chesapeake Bay Total Maximum Daily Load and could subsequently help support a trading platform between federal facilities, including DoD, and non-federal entities. Chapter 523 goes into effect on July 1, 2011.

RENEWABLE ENERGY FACILITY SITING ORDINANCES

Governor McDonnell signed Senate Bill [S 862] into Law (Chapter 750, Code of Virginia) which amends [§67-103] of the Virginia Code and relates to the Commonwealth Energy Policy and local renewable energy facility siting ordinances. The law requires that ordinances include provisions that establish reasonable requirements limiting noise, ensuring required buffer areas and setbacks, and addressing facility decommissioning. The new law states that measures required by the ordinance be consistent with the locality's existing ordinances. The DoD Regional Environmental Coordinator community in Region 3 anticipates monitoring development of local ordinance criteria for siting of renewable projects, particularly wind and solar. Chapter 750 goes into effect on July 1, 2011.

NEW STORMWATER MANAGEMENT SYSTEMS CHARGES AND EXEMPTIONS

Governor McDonnell signed House Bill [H 1737] into Law (Chapter 452, Code of Virginia) which addresses stormwater management systems. Specifically, it states that a locality may establish a utility or enact a system of service charges to support a local stormwater management program. The law also specifies what costs may be paid or recovered using the funds from a utility or enacted system of service charges. These costs include: enlargement, improvement and maintenance of levees, floodwalls and pump stations; ambient water quality monitoring; public education; watershed planning; inspection and enforcement activities; and pollution prevention planning and implementation. The service charges will be assessed to property owners. However, full waivers are provided for federal facilities, including military installations, which hold a permit to discharge stormwater from a municipal separate storm sewer system. Partial waivers are provided for any person who has a stormwater management facility that reduces stormwater flow or pollutant loadings. Chapter 452 goes into effect on July 1, 2011.

STORMWATER NONPOINT NUTRIENT OFFSETS

Governor McDonnell signed Senate [S 1099] into Law (Chapter 523, Code of Virginia) which amends [§10.1-603.8:1] of the Virginia Code relating to Stormwater nonpoint nutrient offsets. Specifically, the law establishes priorities for permit issuing authorities to use when considering offsite phosphorous control options for stormwater permits. The new law also provides conditions under which use of an offsite option can be granted. In addition, the law provides for the granting of full or partial substitution of nonpoint nutrient offsets for existing onsite nutrient control when the offsets will compensate for 10 or fewer pounds of the annual phosphorous requirement associated with the land disturbing activity. Furthermore the law provides for those instances when existing on site controls are not functioning as anticipated and the use of the offset will make up the deficiency. Impacts of the law closely relate to how the Commonwealth plans to address aspects of the USEPA Chesapeake Bay Total Maximum Daily Load and could subsequently help support a trading platform between federal facilities, including DoD, and non-federal entities. Chapter 523 goes into effect on July 1, 2011.

SOLID WASTE FACILITIES PERMIT FEES

Governor McDonnell signed Senate Bill [S 1007] into Law (Chapter 420, Code of Virginia) which amends [§10.1-1402.1:1] of the Virginia Code and pertains to the rules for annual fees for nonhazardous solid waste management facilities. Specifically, the law establishes the same fee structure for sanitary landfills, noncaptive industrial landfills, and construction and demolition debris

landfills. In addition, the law provides that incinerators and energy recovery facilities will be assessed an annual fee per ton; increases the annual fee for composting, regulated medical waste and transfer stations; and requires VA DEQ to improve its solid waste program and submit a report to the General Assembly. Military installations currently paying solid waste management fees covered by this law should anticipate an increase in the fee structure. Chapter 420 goes into effect on July 1, 2011.

SUPPLEMENTAL ENVIRONMENTAL PROJECTS

Governor McDonnell signed House Bill [H 2368] into Law (Chapter 505, Code of Virginia) which provides for the use of supplemental environmental projects. A"supplemental environmental project" or SEP is an environmentally beneficial project undertaken as partial settlement of a civil enforcement action that is not otherwise required by law. Specifically, it authorizes the Virginia Soil and Water Conservation Board, the Director of the Department of Conservation and Recreation, and courts to provide for the undertaking of SEPs through orders. The law requires that the project must provide for: public health, pollution prevention, pollution reduction, environmental restoration and protection, environmental compliance promotion, and emergency planning and preparedness. In addition, the law grants an exemption from public documents disclosure. This law now provides the option for military installations, if involved in a civil enforcement action, to negotiate a SEP as partial settlement of the order. Chapter 505 goes into effect on July 1, 2011.

UPDATES TO IMPAIRED WATERS PLANS

Governor McDonnell signed House Bill [H 2486] into Law (Chapter 281, Code of Virginia) which amends [§ 62.1-44.19:7] and addresses Impaired Water Plans for the restoration of impaired waters within the Commonwealth. The law requires a plan to include: the promulgation of water quality standards for those substances listed on the Chesapeake Bay Program's "toxics of concern" list as of January 1, 1997; items listed by USEPA pursuant to Section 307 (a) of the Clean Water Act; and items identified by the State Water Control Board (Board) as having a particularly adverse effect on state water quality or living resources. In addition, the water quality standards are required to be promulgated pursuant to a schedule established by the Board following public notice and comment and the standards are required to be in accordance to applicable federal criteria or standards, unless the Board determines that an additional or more stringent standard is necessary, to protect public health, aquatic life or drinking water supplies. The law is primarily administrative in nature with minimal anticipated impacts to military installations. Chapter 281 goes into effect on July 1, 2011.

NEW AIRCRAFT NOISE ATTENUATION MEASURES

Governor McDonnell signed House Bill [H 773] into Law (Chapter 135, Code of Virginia). The new law amends [§15.2-2295] of the Virginia Code and relates to the adoption or enforcement of regulations with regard to the provision or installation of acoustical treatment measures. The law allows any locality or adjacent locality, which has either a United States Master Jet Base, a licensed airport, United States government, and/or military air facility to adopt and enforce building regulations relating to the provision or installation of acoustical treatment measures applicable to buildings and structures. Furthermore, the law provides that a locality may adopt noise overlay zones as an amendment to its zoning map. This law's expansion of noise attenuation authority for VA localities with airports and military air facilities may have positive impacts to DoD with the possibility of reducing noise complaints. Chapter 135 goes into effect on July 1, 2011.

NEW CONSERVATION EASEMENT NOTIFICATION REQUIREMENTS

Governor McDonnell signed House Bill [H 1715] into Law (Chapter 207, Code of Virginia). The new law addresses notification requirements for conservation easements. This law creates new notification requirements for installations involved in conservation easement efforts in Virginia, particularly through the Army Compatible Use Buffer (ACUB) Program. Chapter 207, in particular, removes the requirement that the person recording the conservation easement mail a certified copy to the Attorney General. The bill requires that copies of the easement and any associated plans be mailed to the Commissioner of Revenue for the locality in which the easement property is located; the Virginia Department of Conservation and Recreation; the Virginia Outdoors Foundation; and any other public body named in the instrument. If the easement is on lands where there is a historic place or landmark listed on the National Register of Historic Places or the Virginia Landmarks Register, notice of the date and place of recordation has to be given to the Department of Historic Resources rather than the Virginia Historic Landmarks Board, which currently receives such notice. This law goes into effect July 1, 2011

CONSERVATION PLAN FOR THREATENED AND ENDANGERED SPECIES

Governor McDonnell signed Senate Bill [S 982] into Law (Chapter 47, Code of Virginia) which amends [§29.1-563 and §29.1-56867-103] of the Virginia Code. The new law adds definitions for conservation plan, experimental population, and incidental take. It authorizes the Virginia Department of Game and Inland Fisheries to adopt regulations that allow for the taking,

possession, exportation, transportation, or release of fish or wildlife within or among designated experimental populations of a specific species within the context of an approved species conservation plan. The amendments provide for the incidental taking of certain threatened or endangered species of fish and wildlife as long as the project enhances the long-term survival of the species. This law is included for situational awareness, since DoD is exempt from state endangered species requirements, although most installations manage state species from a stewardship perspective and integrate state requirements with mission activities and installation planning. Chapter 47 goes into effect on July 1, 2011.

REGION 5

For more information on any state issues in Region 5, contact Dr. David Guldenzopf, Acting DoD Regional Environmental Coordinator, Region 5, (410) 436-7100, e-mail: david.b.guldenzopf.civ@mail.mil

ILLINOIS

APPROVAL OF SIP INFRASTRUCTURE REQUIREMENTS

While not expecting to have a significant impact on military installations, the following proposed rule notice offers insight into USEPA Infrastructure requirements encompassing all permitting and enforcement requirements. USEPA issued a proposed rule approving some elements and conditionally approve other elements of certifications submitted by Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin on infrastructure requirements of sections 110(a) (1) and (2) of the Clean Air Act (CAA) for the 1997 eight-hour ground level ozone national ambient air quality standards (1997 ozone NAAQS) and 1997 fine particle national ambient air quality standards (1997 PM2.5 NAAQS) [76 FR 23757, April 28, 2011]. The requirements are designed to ensure the components of each State's air quality management program meet the State's responsibilities under the CAA. The comment period closes on May 31, 2011. Click here to see the status of IL State SIP Infrastructure Requirements.

NEW COMPLIANCE DATE FOR NITROGEN OXIDE EMISSIONS

The following proposed rule notice changes a compliance date that may impact military facilities with permitted industrial boilers, process heaters, or fossil-fuel fired stationary boilers. The Pollution Control Board issued a proposed rule (pg. 6770) modifying the date for compliance with the requirements of various Subparts of [35 Ill. Adm. Code 217, Nitrogen Oxides Emissions]. Specifically, the proposal would extend the compliance date for control of NOx emissions from various source categories from January 1, 2012 to January 1, 2015. The proposed new compliance date applies to emissions from source categories such as industrial boilers, process heaters, glass melting furnaces, cement kilns, lime kilns, furnaces used in steel making and aluminum melting, and fossil fuel-fired stations. The IEPA states that extending the compliance date for the requirements under Subparts [D, E, F, G, H, I, and M of Part 217] would "satisfy Illinois',” obligation to submit a State Implementation Plan (SIP) to address the requirements under Sections 172 and 182 of the federal Clean Air Act for major sources of NOx in areas designated as nonattainment with respect to National Ambient Air Quality Standards (NAAQS). The comment deadline closes on June 6, 2011.

USEPA APPROVES SIP CHANGES

USEPA issued a final rule approving a revision to the Illinois SIP for ozone of interest to military installations using propylene carbonate and dimethyl carbonate. The State revised its definition of volatile organic compound (VOC) by deleting these two chemicals from the list of VOC compounds contributing to ozone formation [76 FR 23196, April 26, 2011]. This revision is based on USEPA's 2009 determination that these two compounds do not significantly contribute to ozone formation. This final rule will be effective on June 27, 2011, contingent on no adverse comments being received by USEPA.

SENATE BILL 1357 ON COMPLIANCE COMMITMENT AGREEMENTS

On May 6, 2011, Senate Bill S 1357 also referred to as, *EPA-Compliance Agreements*, passed the Senate and also passed the House with an Order of Concurrence House Amendment (s)-1. S 1357. This bill amends sections of the IL Environmental Protection Act by requiring persons who have complaints brought against them to submit the proposed terms of a Compliance Commitment Agreement (CCA) rather than the currently required proposed CCA. It further requires the Agency to provide the proposed CCA or a notice that certain violations cannot be resolved without the involvement of the Office of the Attorney General or State's Attorney. It also authorizes Agencies to include proposed administrative penalties to language in the proposed CCA, institutes new acceptance or rejection procedures, stipulates response times, and other changes. S 1357 was

approved in the Senate by the Environment Committee (56-0). The House version H 1357, removes a provision authorizing a person to cure a violation of a CCA by entering into a mutually agreed upon amendment to that CCA, decreases the mandatory civil penalty for a violation of the terms and conditions of a CCA from $3,000 to $2,000. The pending legislation potentially impacts military facilities that will enter into future CCAs with the State.

APPROVAL OF STATE ELECTRONIC DISCHARGE MONITORING

Of importance to military facilities having discharge reporting requirements, USEPA granted approval of the State of Illinois' request to revise its USEPA-authorized program to allow electronic reporting. On July 8, 2010, the ILEPA submitted an application for its Electronic Discharge Monitoring Report (EDMR) document receiving system for revision of its USEPA-authorized program under title 40 CFR part 3 [76 FR 24020, April 29, 2011]. USEPA reviewed ILEPA's request to revise its USEPA-authorized program and, based on this review, USEPA determined that the application met the standards for approval set out in [40 CFR Pat 3, subpart D]. The final rule became effective on April 29, 2011.

INDIANA

WATER PERMITTING RULES RE-ADOPTION

Indiana is proposing readoption of several current wastewater and NPDES permitting rules. As no significant changes are being made these re-adoptions will not significantly impact military installations. Specifically, the Indiana rule Department of Environmental Management (IDEM)/Water Pollution Control Board issued a rule re-adoption for permitting requirements for wastewater treatment facilities, permits for construction, industrial wastewater pretreatment programs, National Pollutant Discharge Elimination System (NPDES), and wetland activity permits. The proposed rules being considered for re-adoption include: 327 IAC 3-2; 327 IAC 3-6; 327 IAC 5-3.5; 327 IAC 17-1; 327 IAC 17-2; 327 IAC17-3; 327 IAC 17-4. [LSA Document #11-193 (2011 Readoption)]. The comment deadline closing date was May 20, 2011.

WATER QUALITY RULES READOPTION AND RULE REVIEW

IDEM also proposes readoption of State water quality rules that likewise are not expected to significantly change existing rules and thus will not significantly impact military installations. Specifically, IDEM issued a proposed rule [#11-194] regarding the re-adoption and rule review of current water quality standards and is soliciting comments on each of the specific rules. IDEM will determine if further issues and rulemaking is necessary through the comment and hearing process. IDEM is requesting that specific changes and language suggestions be made with the specific rule and IDEM is also requesting that commenter's include the LSA Document #11-194 (2011 WPCB Non-sunset rule review) with their comments. The comment deadline closing date was on May 20, 2011, and a hearing is scheduled for June 8, 2011.

STAGE I VAPOR RECOVERY RULE

Of interest to military installations with gasoline dispensing facilities, USEPA issued a proposed rule to amend the Indiana State Implementation Plan (SIP), pertaining to the Stage I vapor recovery rule, and administrative changes to Stage II vapor recovery rule, that was submitted by IDEM on June 11, 2010 [76 FR 20910, April 14, 2011]. These rule revisions made volatile organic compounds (VOC) emission control requirements for filling at gasoline dispensing facilities more stringent by applying them statewide, making the rule applicable to smaller tanks and revising the requirements for newer submerged fill pipes. These new state requirements update the SIP consistent with new Federal requirements from January 10, 2008 area source National Emissions Standards for Hazardous Air Pollutants (NESHAP) for gasoline dispensing facilities. The revisions also delete references to compliance dates which have passed. The comment period closed on May 16, 2011.

NEW COLLECTION RULES FOR UNUSED PHARMACEUTICALS

The State implemented new requirements for disposal of unused pharmaceuticals that could impact military facilities with hospitals or medical clinics. On May 9, 2011, Indiana Governor Mitch Daniels signed H 1121 into law, now Public Law No. 119-2011. The new law is intended to create a process for the proper disposal of unused medication. In addition, the law requires the board of pharmacy to adopt rules for the creation of an unused medication program. In addition, the law provides civil liability immunity for an entity or employee of an entity who participates in a program, except for certain intentional misconduct and the enforcement of certain rules.

MINNESOTA

HOUSE BILL 1442 ON RECYCLED WATER USE STANDARDS

On April 11, 2011, House Bill [HF 1442], also referred to as, *Recycled Water Use Standards*, was referred to the House Committee on Environment, Energy and Natural Resources Policy and Finance. This bill provides standards for use of recycled water and could impact installations considering or currently using recycled water. Specifically, this bill establishes standards for use of recycled water from sources containing domestic waste, in whole or in part. In addition, the bill provides new definitions for the terms approved laboratory, coagulated wastewater, conventional treatment, disinfected secondary-2.2 recycled water, disinfected-23 recycled water, disinfected tertiary recycled water and filtered wastewater.

SENATE BILL 1115 ON AQUATIC INVASIVE SPECIES

On May 10, 2011, Senate Bill [SF 1115], also referred to as, Aquatic Invasive Species (AIS) Rule, passed the Senate and was sent to the House where it was substituted for House Bill [H 1097]. SF 1115 increases requirements for aquatic invasive species (AIS) enforcement. Proposed enforcement actions of this bill include strengthening of AIS control requirements to all water-related equipment, new notification requirements for newly discovered AIS in areas not previously detected, and granting greater authorization for inspectors to inspect all water related equipment. The bill also provides for new criminal and civil penalties for violations. The potential impact of this proposed legislation is on military sponsored training and recreation due to additional enforcement requirements for inspection and disinfection of water related equipment to prevent introduction of AIS.

OHIO

CHANGES IN SIP ON VOC UNDER RACT

USEPA issued a proposed rule, as part of Ohio's State Implementation Plan (SIP) under the Clean Air Act (CAA), a revised rule [3745-21-07], *Control of Emissions of Organic Materials from Stationary Sources* (i.e., emissions that are not regulated by rules [3745-21-09, 3745-21-12, 3745-21-14, 3745-21-15, 3745-21-16, or 3745-21-18] of the Administrative Code). This rule was revised because the prior version of [3745-21-07], in Ohio's SIP, has inadequate compliance test methods and definitions [76 FR 20598, April 13, 2011]. The most significant issue with the prior version was the definition of "photo-chemically reactive material," which is different than the definition of "volatile organic compounds" (VOC), upon which USEPA's reasonably available control technology (RACT) regulations are based. The revised rule was approved because it satisfies the requirements for RACT under the CAA. The comments period closed on May 13, 2011. Military installations with CAA permit requirements for VOC emissions or RACT should review these changes for impact to their permits.

AMENDMENTS TO THE CLASS V WELL RULE

The Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) issued a final rule revising underground injection control (UIC) Class V well requirements. The amendments to the rules are a result of the five-year rule review requirements of [Section 119.03] of the Revised Code. The amendments to the Class V well rule allow, without a permit minimal discharge of wastewater resulting from the treatment of drinking water. Currently, all such discharges are required to have a permit. However, a permit is not always necessary based on the dilution of the wastewater being discharged (and the reduction of total dissolved solids or TDS). Primary impact to installations with Class V well operations. New language would allow certain discharges of wastewater from treatment of drinking water without a permit. The final rule went into effect on May 2, 2011 and primarily impacts military facilities and installations with Class V well operations.

PROPOSED RULES ON RADIATION EXPERTS AND GENERATING EQUIPMENT

The Department of Health/Radiation Control issued a proposed rule that amends the rules for the certification of radiation experts (CREs) [3701:1-66-03] and industrial analytical radiation generating equipment [3701:1-66-13]. Some elements of this rule may impact CRE staff at military medical facilities/hospitals or installations with regulated instruments or measurement devices with radiation sources. The comment deadline was May 4, 2011.

PROPOSED RULES ON LEVEL 3 DATA REQUIREMENTS AND REPORTING

Ohio EPA issued a proposed rule that amends several rules [3745-4-01, -02, -03, -04, -05, -06] regarding criteria for three levels of credible data related to surface water monitoring and assessment. In addition, this rule also concerns training and experience

requirements for qualified data collectors, sampling protocols and field methods to ensure that the data collection and interpretation are reproducible, and a computerized database of all credible water quality data. This proposed rule has the potential to impact facilities conducting surface water sampling and analysis. The comment deadline and hearing occured on May 24, 2011.

WEB BASED TRAINING

WHAT	WHEN	WHERE	DETAILS
THE ENVIRONMENTAL COMPLIANCE LIBRARY	ANYTIME	WEB-BASED	The Environmental Compliance Library is a Web-based training tool that can be utilized by any organization and its employees with a computer and Internet access. It is ready to use and takes only minutes for you to set-up and begin training.
NPDES PERMIT WRITERS' TRAINING COURSE	ANYTIME	WEB-BASED	The NPDES Permit Writer's Course is a five-day course covering the key elements of NPDES Permit development. The course is taught by experienced USEPA staff and contractors and has been one of EPA's most successful courses over the past decade. USEPA has recorded Web-based presentations covering the material presented in several key modules of the live course. These recorded presentations enable participants who attended the NPDES Permit Writers' Course to review the material on demand in a self-paced environment.
TECHNOLOGY-BASED EFFLUENT LIMITATIONS FOR POTWS	ANYTIME	WEB-BASED	"Technology-based Effluent Limitations for Publicly-Owned Treatment Works (POTWs)." This presentation is part of a self-paced Web-based training series sponsored by USEPA's Water Permits Division. It provides an overview of the national technology-based standards for POTWs and the process for implementing those standards through NPDES permits.
THE ADMINISTRATIVE PROCESS FOR NPDES PERMITS	ANYTIME	WEB-BASED	"The Administrative Process for NPDES Permits." This presentation is part of a self-paced Web-based training series sponsored by USEPA's Water Permits Division. It provides an overview of the administrative process leading to NPDES permit issuance and events that can occur after
ARMY PODCAST SERVICE	ANYTIME	PODCASTS	The Army offers free podcasts on a wide variety of topics, including an environmental series, an Army Corps of Engineers series, and many more. The podcasts are available through a free subscription service. It is not necessary to own an iPod in order to view or listen to a podcast.

Professional Development

FEDERAL FLEET INFRASTRUCTURE AND ELECTRIC VEHICLES	JUNE 2	WEBINAR	The webinar provides insight into ways to accelerate infrastructure upgrades and partner with other entities to advance the use of electric vehicles and other alternative fuel vehicles in Federal fleets.
COMMUNITY WIND PROJECTS	JUNE 15	WEBINAR	This free webinar is part of DOE's Wind Powering America 2011 webinar series. It will provide a discussion about community wind projects. The webinar is free; no registration is required.
ACE11	JUNE 12 - 16	WASHINGTON, DC	ACE11, the American Water Works Association's 130th Annual Conference & Exposition - the water community's forum. Topics range from infrastructure management to water resources protection to advanced treatment technologies.
National Ocean Council's National Coastal and Marine Spatial Planning (CMSP) Workshop	JUNE 21 - 23	WASHINGTON, DC and WEBINAR	National Coastal and Marine Spatial Planning (CMSP) Workshop. The first day of the Workshop will be a dedicated public and stakeholder session. For those who cannot attend the session in person or if interest exceeds capacity, it will also be available to the public through a live webcast on June 21, 2011
LABS, DATA CENTERS, AND HIGH-TECH FACILITIES	JULY 7	WEBINAR	The webinar outlines EO 13514 requirements and best practices for improving the energy and environmental performance of Federal laboratories, data centers and high-tech facilities.
12TH ANNUAL EPA COMMUNITY INVOLVEMENT TRAINING CONFERENCE	JULY 19 - 21	WASHINGTON, DC	The theme for the conference is, "Community Involvement in the 21st Century: Embracing Diversity, Expanding Engagement and Utilizing Technology."
2011 SUSTAINING MILITARY READINESS CONFERENCE	JULY 25 - 29	NASHVILLE, TN	DoD personnel and stakeholders interested in military training and testing, natural and cultural resources management, and sustainable and compatible land, air, sea, and frequency use topics are invited to: attend several workshops Engaging the Media: Tactics for Media Interview Success, Renewable Energy Technologies, War fighter Adaptivity and Climate Change Adaptation,
FED FLEET 2011 CONFERENCE	JULY 26 - 28	ORLANDO, FL	This conference is a one-stop information source for Fleet and Aviation Management professionals that consolidates a comprehensive collection of fleet management tools, for both aviation and automotive procurement.

Internet Resources

State / Territory Resources

Regulatory Sources

CT Department of Environmental Protection.....http://www.ct.gov/dep
DE Department of Natural Resources and Environmental Control...http://www.dnrec.delaware.gov
DC Department of Environment .....http://ddoe.dc.gov/ddoe
IL Environmental Protection Agency.....http://www.epa.state.il.us
IN Department of Environmental Management .....http://www.state.in.us/idem
ME Department of Environmental Protection .....http://www.state.me.us/dep
MD Department of Environment.....http://www.mde.state.md.us
MA Department of Environmental Protection.....http://www.mass.gov/dep
MI Department of Environmental Quality .....http://www.michigan.gov/deq
MN Pollution Control Agency .....http://www.pca.state.mn.us
NH Department of Environmental Services .....http://des.nh.gov
NJ Department of Environmental Protection.....http://www.state.nj.us/dep
NY Department of Environmental Conservation.....http://www.dec.ny.gov
OH Environmental Protection Agency .....http://www.epa.state.oh.us
PA Department of Environmental Protection .....http://www.depweb.state.pa.us/dep
PR Department of Natural and Environmental Resources .....http://www.gobierno.pr
RI Department of Environmental Management.....http://www.dem.ri.gov
VT Agency of Natural Resources .....http://www.anr.state.vt.us
VI Department of Planning and Natural Resources .....https://www.dpnr.gov.vi
VA Department of Environmental Quality .....http://www.deq.state.va.us
WV Department of Environmental Protection.....http://www.wvdep.org
WI Department of Natural Resources.....http://www.dnr.state.wi.us

Legislative Resources

CT General Assembly ..... http://www.cga.ct.gov
DE General Assembly ..... http://legis.delaware.gov
DC City Council..... http://www.dccouncil.washington.dc.us
IL General Assembly..... http://www.ilga.gov
IN General Assembly..... http://www.in.gov/legislative
ME State Legislature ..... http://www.maine.gov/legis
MD General Assembly.... http://mlis.state.md.us
MA General Court ..... http://www.mass.gov/legis/legis.htm
MI Legislature ..... http://www.legislature.mi.gov
MN State Legislature..... http://www.leg.state.mn.us
NH General Court..... http://gencourt.state.nh.us
NJ Legislature..... http://www.njleg.state.nj.us
NY Assembly ..... http://assembly.state.ny.us
NY Senate..... http://assembly.state.ny.us
OH General Assembly .... http://www.legislature.state.oh.us
PA General Assembly ..... http://www.legis.state.pa.us
PR Government..... http://welcome.topuertorico.org/government.shtml
RI General Assembly ..... http://www.rilin.state.ri.us
VT Legislature..... http://www.leg.state.vt.us
VI Legislature ..... http://www.senate.gov.vi
VA General Assembly..... http://legis.state.va.us
WV Legislature ..... http://www.legis.state.wv.us
WI State Legislature ..... http://www.legis.wisconsin.gov/senhome.htm

Other Resources

Military Resources

DoD
DoD Defense Link .....http://www.defenselink.mil

National Defense Center for Environmental Excellence ..... http://www.ndcee.ctc.com

Joint Services P2 and Sustainability Technical Library http://205.153.241.230/

Army
Army Knowledge Online.....https://www.us.army.mil

Assistant Secretary of the Army for Installations, Energy and Environment
http://www.asaie.army.mil/Public/IE

Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health
http://www.asaie.army.mil/Public/ESOH/1ESOH

US Army Environmental Command .....http://aec.army.mil

US Army Sustainability .....http://www.sustainability.army.mil

Army Sustainable Range Program .....https://srp.army.mil

Army Environmental Policy Institute .....http://www.aepi.army.mil

Army Corps or Engineers.....http://www.usace.army.mil
North Atlantic Division .....http://www.nad.usace.army.mil
Great Lakes and Ohio River Division http://www.lrd.usace.army.mil

Other Federal Agency Resources

US Government .....http://www.USA.gov

US Environmental Protection Agency http://www.epa.gov
Region 1.....http://www.epa.gov/region01
Region 2.....http://www.epa.gov/region02
Region 3.....http://www.epa.gov/region03
Region 5.....http://www.epa.gov/region5

US Department of Agriculture .....http://www.usda.gov
National Resource Conservation Service http://www.nrcs.usda.gov

US Department of Interior .....http://www.doi.gov
Bureau of Land Management Eastern States http://www.blm.gov/es/st/en.html
US Geological Survey .....http://www.usgs.gov
US Fish and Wildlife Service.....http://www.fws.gov
Midwest Region (all Reg. 5 States) ..... http://www.fws.gov/midwest
Northeast Region (all Reg. 1, 2, 3 States).... http://www.fws.gov/northeast
National Park Service.....http://www.nps.gov
Bureau of Indian Affairs .....http://www.bia.gov

US Department of Energy ..... http://www.energy.gov
Office of Environmental Management ..... http://www.em.doe.gov

Federal Register .....http://www.gpoaccess.gov/fr/index.html

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