Regional Environmental & Energy Office ❖ OCTOBER 2011

Northern Region REVIEW

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REGIONAL ENVIRONMENTAL & ENERGY OFFICE - NORTHERN

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/

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

CONNECTICUT

PROPOSED AMENDMENTS TO RECYCLING REGULATIONS

The Connecticut Department of Energy and Environmental Protection (DEEP) issued a proposed rule and comment request on a proposal to expand the list of mandatory recyclable materials. The proposed regulations update the list of designated recyclable items that every person and entity in Connecticut is required to recycle. The list of expanded designated recyclable items includes: containers of three gallons or less made of polyethylene terephthalate [PET #1] plastic and high-density polyethylene [HDPE #2] plastic, and additional types of paper, including boxboard, magazines, residential high-grade white paper and colored ledger. Comments were due 9 Oct 11.

PROPOSED RULES TO CONTROL VOC EMISSIONS

The Connecticut Department of Energy and Environmental Protection (DEEP) issued a proposed rule, notice and comment request that would amend the regulations of *"2008 Control Techniques Guidance: Parts Coating and Pleasure Craft Coating."* The volatile organic compound (VOC) reductions associated with the reasonably available control technology update portion of this proposal will assist Connecticut in attaining and maintaining the federal ozone national ambient air quality standards (NAAQS) and serve as directionally correct measures with respect to Connecticut's attainment and maintenance of the fine particulate matter NAAQS. A hearing is scheduled, and comments are due 9 Nov 11.

PROPOSED AMENDMENTS TO STATE AIR QUALITY REGULATIONS

DEEP issued a notice of intent to amend the state air quality program regulations. This proposal has four components: 1) the addition of fine particulate matter requirements into DEEP's new source review permitting program, to retain federal program approval; 2) the exemption from Stage II vapor controls for certain vehicle fleets; 3) additional compliance options for vehicle manufacturers under DEEP's low emission vehicle program; and 4) the repeal of non-core air quality programs , control of open burning, control of portable fuel container spillage; and permits for construction of indirect sources. A hearing is scheduled, and comments are due 9 Nov 11.

MAINE

PROPOSED AMENDMENTS TO STATE TOXIC CHEMICAL RULES

The Maine Department of Environmental Protection (DEP) issued a proposed rule that would amend two toxic chemical rules. In Chapter 81 – 82, Priority Toxic Chemical Use Reduction Laws, the rule defines a list of "priority toxic chemicals" that subjects entities using the substances to reporting and pollution prevention planning requirements. A hearing is scheduled for 18 Oct 11, and comments are due 28 Oct 11.

New Hampshire

PROPOSED STAGE II VAPOR RECOVERY REQUIREMENTS

The New Hampshire Department of Environmental Services (DES) issued a proposed rule called *"Applicability of Stage II Vapor Recovery Requirements."* In order to be in compliance with the Clean Air Act (CAA) New Hampshire has required Stage II controls as an element of its federally-enforceable CAA State Implementation Plan (SIP) in a four-county (Rockingham, Strafford, Hillsborough and Merrimack) ozone nonattainment area since 1992. DES is proposing to phase out the Stage II requirements because the State qualifies for redesignation to attainment, and the onboard refueling vapor recovery controls that have been phased in nationally are not fully compatible with vacuum assist Stage II control systems. This incompatibility can cause excess emissions from storage tank vents, resulting in a 1-10% decrease in overall vapor recovery efficiency depending on the technology mix. Comments are due 17 Oct 11.

FINAL WATER TRANSFER RULES

DES issued a final rule that amends and clarifies the review process for proposed new or modified activities that are determined to result in significant lowering of water quality. In addition, the rule replaces the incorporation of the USEPA's "Interim Economic Guidance for Water Quality Standards" with state-specific requirements for demonstrating that the economic or social development benefits of a proposed project outweigh the detriment to the environment that will be caused by the project. This regulation was adopted on 23 Aug 11.

Rhode Island

FOUR NEW RENEWABLE ENERGY LAWS

On 15 Sep 11, Governor Chafee signed four renewable energy bills into law. Among the bills the governor signed was legislation (2011-S 0722,2011-H 5938) establishing the Renewable Energy Coordinating Board. This new body will develop and recommend a strategic renewable energy implementation plan for the state. The second bill, (2011-S 0457A, 2011-H 5939 A) limits net-metering (in accordance with federal requirements) to those projects connected to meters and where the use of the power is located in the same complex as the energy production site. The third bill, (2011-S 0723 Aaa, 2011-H 6104Aaa) concerns distributed generation, the small-scale generation of power in locations all over the grid, as opposed to only at large-scale power plants. The fourth bill, (2011-S 0721A, 2011-H 6222Aaa) will reduce delays in renewable energy projects by setting timelines for National Grid (electric and gas company) to complete engineering studies for connecting projects to the grid.

Vermont

IMPROVEMENTS TO STATE ENVIRONMENTAL PROTECTION PROCESS

The Vermont Natural Resources Board (NRB) and Agency of Natural Resources (ANR) issued an information request and are seeking ideas and comments on how to improve Vermont's Environmental Protection Process, permit processes of Act 250, other land-use permits, state air and water-related permits, and other permits needed for small and large-scale projects. The intent of this regulatory review is to not only maintain the current standards and criteria, but also, make the permitting process more efficient, better coordinated, more transparent, and more user-friendly. A public meeting schedule is provided in the above link.

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 JERSEY

36 PCS COMMUNICATIONS TOWERS PROPOSED FOR THE PINELANDS

The Pinelands Commission issued a notice of a T-Mobile Northeast LLC's proposed rule that would amend the comprehensive management plan for Power Center Substation (PCS) communications facilities in the Pinelands. T-Mobile's proposed amendment specifies the siting of 36 local communications facilities throughout the Pinelands Area. An amendment to an approved plan, is required whenever a local communications facility greater than 35 feet in height is proposed to be located within any Pinelands management area other than a Regional Growth Area or a Pinelands Town. The comment deadline closed on 30 Sep 11.

APPROVAL OF NEW EXHAUST EMISSION TEST FOR GASOLINE FUELED VEHICLES

USEPA issued a proposed rule that would approve revisions to the State Implementation Plan (SIP) submitted by the New Jersey Department of Environmental Protection for New Jersey's enhanced inspection and maintenance (I/M) program [76 FR 57691, 16 Sep 11]. Specifically addressed is a new exhaust emission test for gasoline fueled vehicles and the extension of the new vehicle inspection exemption from 4 years to 5 years. The intended effect of this action is to maintain consistency between the State-adopted rules and the federally approved SIP. Comments must be received on or before 17 Oct 11.

NEW YORK

MOTOR VEHICLE ENHANCED INSPECTION AND MAINTENANCE PROGRAMS.

USEPA issued a proposed rule that would approve the State Implementation Plan revision submitted by the New York State Department of Environmental Conservation [76, FR 57696, 16 Sep 11]. This revision consists of changes to New York's motor vehicle enhanced inspection and maintenance program that would eliminate the transient emission short test program as it relates to the New York portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT 8-hour ozone moderate nonattainment area. EPA is proposing approval of this State Implementation Plan revision because it meets all applicable requirements of the Clean Air Act and EPA's regulations and because the revision will not interfere with attainment or maintenance of the national ambient air quality standards in the affected area. Comments must be received on or before 17 Oct 11.

NEW WATER WITHDRAWALS LAW

On 16 Aug 11, Governor Cuomo signed Assembly Bill (A 05318) into law, now Chapter 401. This law relates to new water withdrawals, and is an act which amends the environmental conservation law, in relation to regulating the use of the state's water resources. In addition, the law repealed laws relating to Great Lakes water conservation and management and water withdrawal reporting. It also requires water conservation and efficiency program goals and relates to agricultural water withdrawals and inter-basin diversions.

DRAFT MODEL RULES FOR SOLVENT DEGREASING OPERATIONS

The Ozone Transport Commission (OTC) issued draft model rules for Solvent Degreasing and for Non-Road Mobile Sources. This rule applies to all persons who own or operate batch-loaded cold cleaners, open-top vapor degreasers, all types of conveyorized degreasers, and air tight and airless cleaning systems that carryout solvent degreasing operations with a solvent containing volatile organic compounds (VOC). Since the OTC only covers USEPA Regions 1-3, the DoD CAA Steering Committee will not be submitting comments. However, (DoD REC Regions 1 & 3) comments received from Service component constituents were consolidated and coordinated through the Naval Facilities Engineering Command (NAVAC) Mid-Atlantic and a draft comment letter has been prepared for submission.

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

APPROVAL FOR TRI-STATE 1997 8-HOUR MODERATE OZONE NONATTAINMENT AREA

USEPA issued a final rule, approving the State Implementation Plan (SIP) revisions submitted by the District of Columbia, the State of Maryland, and the Commonwealth of Virginia (the States). These revisions pertain to the 2002 base year emissions inventory, the reasonable further progress (RFP) plan, RFP contingency measure, and reasonably available control measure (RACM) requirements of the Clean Air Act (CAA) for the Washington, DC-MD-VA moderate 1997 8-hour ozone nonattainment area (the Washington Area) [76 FR 58116, 20 Sep 11]. USEPA is also approving the 2008 transportation conformity motor vehicle emissions budgets (MVEBs) associated with this revision. USEPA is approving the SIP revisions because they satisfy the emission inventory, and demonstrate further progress in reducing ozone precursors. This final rule is effective 20 Oct 11.

DELAWARE

CONTROL OF STATIONARY GENERATOR EMISSIONS

The Division of Air Quality (DAQ) issued a proposed rule that amends the Control of Stationary Generator Emissions. Consistent with USEPA's New Source Performance Standards for internal combustion engines, the rule requires new, emergency generators to meet the Tier 2 or 3 standards, as the federal regulation already requires. DAQ is also proposing new recordkeeping and reporting requirements for certain non-emergency generators. The public comment period closed on 22 Sep 11.

ADHESIVES AND SEALANTS PROPOSED RULE

USEPA issued a proposed rule that approves the State Implementation Plan (SIP) revision submitted by the State of Delaware [76 FR 59087, 23 Sep 11]. The SIP revision adds Section 4.0, under Regulation 1141, relating to the control of emissions of volatile organic compounds (VOC) from the manufacture, sale, use, or application of adhesives, sealants, primers, and solvents. The comment period closes on 24 Oct 11.

NOX SIP APPROVAL

USEPA issued a final rule approving a SIP revision submitted by the State of Delaware. The revision establishes and requires the addition of nitrogen oxides (NOX) as a precursor to ozone in the Delaware SIP [76 FR 58120, 20 Sep 11]. USEPA is approving this revision to include NOX as a precursor to ozone in the requirements for preconstruction review for prevention of significant deterioration (PSD) areas in Delaware in accordance with the requirements of the Clean Air Act (CAA). This final rule is effective on 20 Oct 11.

MARYLAND

CONTROL OF FUEL-BURNING EQUIPMENT

On 26 Aug 11, the Maryland Secretary of the Environment adopted amendments to Regulations .01, .02, and .10 under COMAR 26.11.09, "Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations." The final rule (pg. 1148) is adopted as proposed and went into effect 19 Sep 11.

NEW EROSION AND SEDIMENT CONTROL PRACTICES

Maryland Department of the Environment (MDE) issued a proposed rule (pg. 59) that amends the regulations concerning Erosion and Sediment Control. The rule updates the existing regulations and revises the 1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control handbook. The inclusion of new erosion and sediment control practices in the revised handbook allows for additional choices when designing and constructing a project. It also should lead to better

erosion and sediment control on a site, thereby improving the water quality of runoff from a site during construction. The comment period closed in 2010 and revisions to the document and regulations were incorporated by reference including the comments. Additionally, the name of the document has been changed to the *"2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control II."*

PENNSYLVANIA

PAG-13 CORRECTION

DEP issued a notice of correction to the 17 Sep 11, version of Pennsylvania National Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (PAG-13) incorrectly stated that NPDES MS4 permittees with regulated small MS4s located in, or discharging to, receiving watersheds that drain to the Chesapeake Bay, have 24 months from the effective date of the Approval of General Permit Coverage to prepare and submit to DEP for approval a Chesapeake Bay Pollutant Reduction Plan. The revised version timeframe is 12 months. The expiration of the current PAG-13 permit is now 15 Mar 13.

VIRGINIA

REGULATIONS FOR THE APPLICATION OF FERTILIZER TO NONAGRICULTURAL LANDS

The Board of Agriculture and Consumer Services issued a final rule (pg. 6) which amends regulations for the Application of Fertilizer to Nonagricultural Lands. The regulations establish requirements for certification of fertilizer applicators, exemptions from the requirements of these regulations for certain categories of individuals, the certification renewal process, supervision requirements for noncertified individuals who apply fertilizer to nonagricultural lands, recordkeeping requirements for fertilizer applicators and civil penalties for individuals who are not board certified. This rule does not apply to federal employees, but is applicable to any contract employees applying fertilizer on DoD lands. The final rule went into effect 12 Oct 11.

VPDES PERMIT FOR DISCHARGES OF STORM WATER FOR INDUSTRIAL ACTIVITY

The State Water Control Board issued a final rule (pg. 2797) amending the General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Storm Water Associated with Industrial Activity. The rule updates citations in the Board's regulations which are necessary due to the re-codification of the Solid Waste Management Regulations from (9VAC20-80 to 9VAC20-81). The amended regulations are: 9VAC25-31 (VPDES Permit Regulation) Section 9VAC25-31-100.P.12.d, Section 9VAC25-31-450, Section 9VAC25-31-790.A.3.d(3), 9VAC25-151 (General VPDES Permit for Discharges of Storm Water Associated with Industrial Activity). The final rule went into effect on 28 Sep 11.

SIP NOX APPROVAL

USEPA issued a final rule that approves a State Implementation Plan (SIP) revision submitted by the Commonwealth of Virginia. The revision establishes the addition of nitrogen oxides (NOx) as a precursor to ozone in Virginia for permits of major stationary sources or major modifications locating in Prevention of Significant Deterioration (PSD) areas [76 FR 54706, 2 Sep 11]. This revision to add NOX as a precursor to ozone is in accordance with the requirements of the Clean Air Act (CAA). This final rule went into effect on 3 Oct 11.

VPDES PERMIT FOR DISCHARGES OF PESTICIDES APPLIED TO SURFACE WATERS

The State Water Control Board issued a final rule (pg. 2836) amending a Virginia Pollutant Discharge Elimination System (VPDES) general permit for discharges from pesticides applied directly to surface waters for the control of pests present in or over, including near, surface waters. This rule was issued in order to bring the state regulations in compliance with federal requirements. At its meeting on 14 Apr11, the Board amended and readopted the rule and changed the effective date to 31 Oct 11, and the expiration date to 31 Dec 13.

REGION 5

For more information on any state issues in Region 5, contact Dr. Hartman, DoD Regional Environmental Coordinator, Region 5, (410) 436-7096, e-mail: james.r.hartman32.civ@mail.mil

ILLINOIS

PROPOSED UST AMENDMENTS

The Office of the State Fire Marshal issued a proposed rule (see pg. 14895) amending *"Administrative Requirements for Underground Storage Tanks (UST) and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances"* [41 Ill Adm. Code176; 35 Ill Reg. 14895]. The rule would implement federal requirements by creating 3 classes of operators for UST facilities (USTs) designated Class A, B, and C, specifying operator responsibilities and training requirements, providing for operator examinations and fees, and establishing UST record keeping and administrative requirements. The comment period closes on 24 Oct 11.

FINAL RULE ON NITROGEN OXIDE EMISSIONS

The Illinois Pollution Control Board (IPCB) issued a final rule (see pg. 6770) modifying the date for compliance with the Subparts of [35 Ill. Adm. Code 217], relating to Nitrogen Oxides (NOx) Emissions. Emission sources impacted include: industrial boilers, process heaters, glass melting furnaces, cement kilns, lime kilns, furnaces used in steel making and aluminum melting, and fossil fuel fired stationary boilers. This rulemaking extends the compliance date for requirements under Subparts D, E, F, G, H, I, and M of Part 217 from 1 JAN 12, to 1 Jan 15, and satisfies Illinois' obligation to submit a State Implementation Plan (SIP) to address the requirements under Sections 172 and 182 of the Clean Air Act. The rule primarily affects NOx emission sources in the Chicago and St. Louis ozone nonattainment areas that emit, or have the potential to emit, an amount equal to or greater than 100 tons/year and any industrial boiler emitting an amount equal to or greater than 15 tons per year and equal to or greater than 5 tons per ozone season. The final rule went into effect on 22 Aug 11.

PROPOSED NEW PERMITTING RULES FOR SMALLER SOURCES OF AIR POLLUTION

The IPCB issued a proposed rule (pg. 14616) amending *"Permits and General Provisions"* (35 Ill Adm. Code 201; 35 Ill Reg. 14616) by allowing qualifying "smaller sources" of air pollution to register with the Environmental Protection Agency as an alternative to applying for a permit. These qualifying smaller sources would no longer be required to apply for construction or operating permits, pay construction and operating permit fees, or submit an annual emissions report. Instead, they will pay an annual fee, submit initial and annual certifications stating that the source continues to meet program criteria, and keep records supporting the certification. Several thousand small source entities may be affected by this rulemaking. The comment period closes on 7 Nov 11.

CORRECTIONS TO NPDES RULE AND SOLID WASTE RULE

The Joint Committee on Administrative Rules (JCAR) announced several corrections for publication errors in the *Illinois Register* for an USEPA rulemaking titled *"Permit Fees for National Pollutant Discharge Elimination System Permits and Domestic Sewage Sludge Generator or Sludge User Permits"* (35 Ill Adm. Code 325; 34 Ill Reg. 2608), which was adopted in the 29 Jun 10 Register, and a Pollution Control Board Rulemaking titled "Solid Waste" (35 Ill Adm. Code 807; 35 Ill Reg. 3199) adopted in the 8 Jul 11 Register. The corrections include changing the timeframe for permit action deadlines to "within 180 days of" and "within 90 days of" permit expiration dates versus the current language stating *"180 days after"* and *"90 days after."* Additionally, the term "CV," meaning *"current value of the trust,"* was added after being inadvertently omitted from the rule text.

AMENDMENTS TO SOLID WASTE AND LANDFILL RULES

The IPCB proposed amending two rules, one on Solid Waste (35 Ill. Adm. Code 807) (see pg. 10490), and the second on Standards for New Solid Waste Landfills [35 Ill. Adm. Code 811] (see pg. 10505). These proposals incorporate technical corrections to the Board's prior rulemaking docketed as R10-9, In the Matter of: Financial Assurance Instruments – Renewal and Terms: Amendments to 35 Ill. Adm. Code 807 Subpart F and Appendix A, 810.104 and 811 Subparts C, G and Appendix A. Affected sources and facilities would include those sources required to obtain financial assurance for the closure and post closure care of waste disposal sites and any sources and facilities that provide financial assurance services for waste disposal

sites in response to a Notice of Violation. Under the federal requirements, unmanned facilities must also designate class A, B, and C operators, though one person properly trained can fulfill multiple roles. Records of training completion and emergency response plans and phone numbers must be kept at the facility. The comment period closes on 28 Oct 11.

INDIANA

AMENDMENTS TO RULES CONCERNING ANTIDEGRADATION STANDARDS

The Indiana Department of Environmental Management (IDEM) issued a proposed rule amending new rule and amendments to rules concerning antidegradation standards and implementation procedures. The proposed rule is required by Clean Water Act under Section 303 (c) that specifies a review of state water quality standards must be done at least every years. IDEM held a hearing on the proposed rule on 14 Sep 11.

CROSS CONNECTION CONTROL AMENDMENTS

The Water Pollution Control Board (WPCB) issued a proposed rule amending 327 IAC 8-10, incorporating two new technical references, and making related technical corrections to improve clarification and accuracy. A hearing on the development of amendments was held on 14 Sep 11.

MINNESOTA

ENVIRONMENTAL ASSESSMENT WORKSHEETS FOR GREENHOUSE GASES

The Minnesota Environmental Quality Board (EQB) issued a proposed rule amending the Environmental Review program rules, Minnesota Rules, [Part 4410.4300, and Subpart 15], Air Pollution. The amendment sets a mandatory Environmental Assessment Worksheet (EAW) threshold specific to greenhouse gases ("GHGs") of 100,000 tons per year expressed as carbon dioxide equivalents. Subject GHGs include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride. The amendment also precludes the application of an existing threshold of 250 tons per year to GHG emissions. The proposed threshold is consistent with recent changes in the application of federal law to GHGs. The existing threshold of 250 tons per year would continue to apply to other air pollutants. The comment period closed 21 Sep.11.

OHIO

DRAFT ADMINISTRATIVE RULES ON ADJUDICATION PROCEEDINGS

Ohio EPA drafted revisions to its administrative rules governing public notice procedures, public meetings, public records, trade secret claims, verified complaints and adjudication proceedings. A verified complaint is used when a citizen wishes to formally file a complaint that requires the Director and Ohio EPA to initiate a prompt investigation. This is a second draft and incorporates public comments received during the first review period by deleting a requirement for complainants to research and identify what Ohio rule or law was allegedly violated. The public comment period closed on 23 Sep 11.

OHIO EPA COMPLIANCE AND ENFORCEMENT PRIORITIES ANNUAL REPORT

Ohio EPA recently issued their 2011 Annual Report (published July 2011) providing an overview of air, water permitting, compliance and enforcement priorities, agency operations and air attainment strategies. Progress on DoD cleanups is discussed on page 9.

WISCONSIN

NEW WATER USE PERMITTING RULES

The Wisconsin Department of Natural Resources (DNR) issued a final rule [NR 860.10] implementing 281.346 (4m), (4s), (5),

(5m), (6), and (9). This chapter establishes the process, requirements, and criteria for water use permitting. The final rule became effective on 1 Oct 11.

SB 110 AMBIENT AIR QUALITY STANDARDS FOR TOTAL SUSPENDED PARTICLES

The Joint Committee for Review of Administrative Rules (JCRAR), recently introduced Senate Bill 110 [SB 110] relating to ambient air quality standards established by the DNR. The Bill would renumber 285.21 (4); to create 285.21 (4) (a) and 285.21 (4) (c) and suspend a DNR rule found to be more restrictive then the federal standard for Total Suspended Particles (TSP).

AIR POLLUTION CONTROL PERMITS FOR INDIRECT SOURCES.

JCRAR recently introduced Senate Bill 111 creating 285.60 (11) of the statutes. If passed, the bill would prohibit DNR from requiring air pollution control permits for indirect sources (that include certain parking lots and highways).

DoD News

BULLETIN ON WINTER ANNUAL GRASSES

Winter annual grasses occur in all 50 states, and land managers at military installations face challenges in discriminating between winter annual grasses as invasive species and those that are not detrimental to the ecosystem. Now, comprehensive guidance is available from the US Army Corps of Engineers as a Public Works Technical Bulletin. PWTB 200-88-1, Guidelines for Management of Winter Annual Grasses, is available at http://www.wbdg.org/ccb/ARMYCOE/PWTB/pwtb_200_1_88.pdf.

Federal Environmental News

ENERGY

CEQ MEMO ON ENERGY SAVINGS PERFORMANCE CONTRACTS

The Council on Environmental Quality (CEQ) issued a memorandum (16 Aug 11) to Agency Senior Sustainability Officers urging executive agencies to make the Federal government a leader in energy efficiency and sustainability by implementing federal use of Energy Savings Performance Contracts, and Utility Energy Services Contracts. Agencies should prioritize building upgrades with the highest return on investment, and responsibly fund capital improvements and services yielding future savings and sustainability performance improvements. All proposals for Power Purchase Agreements (PPA's) entered into under ESPC authority are to be submitted to OMB for review.

GREENHOUSE GAS EMISSIONS AND FUEL CONSUMPTION FOR ON-ROAD HEAVY-DUTY VEHICLES

USEPA and National Highway Traffic Safety Administration (NHTSA), on behalf of the Department of Transportation, issued final rules to establish a comprehensive Heavy-Duty National Program that will reduce greenhouse gas emissions and fuel consumption for on-road heavy-duty vehicles, responding to the President's directive on 21 May 10, to take coordinated steps to produce a new generation of clean vehicles [76 FR 57106, 15 Sep 11]. NHTSA's final fuel consumption standards and USEPA's final carbon dioxide (CO2) emissions standards are tailored to each of three regulatory categories of heavy-duty vehicles: Combination Tractors; Heavy-duty Pickup Trucks and Vans; and Vocational Vehicles. The rules include separate standards for the engines that power combination tractors and vocational vehicles and final rule Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium - and Heavy-Duty Engines and Vehicles. The final rules will become effective on 14 Nov 11, although NHTSA final fuel consumption standards do not become mandatory until model year 2016 for most regulatory categories.

HAZARDOUS CHEMICALS

EXPOSURE FACTORS HANDBOOK

USEPA released the final report (3 Oct 11) entitled, *"Exposure Factors Handbook: 2011 Edition."* The document was prepared by the National Center for Environmental Assessment (NCEA) and provides information on various physiological and behavioral factors commonly used in assessing exposure to environmental chemicals for both adults and children.

SUSTAINABILITY

PRESIDENTIAL MEMORANDUM ON SUSTAINABLE PROCUREMENT

The Office of Management and Budget (OMB) issued a Presidential memorandum (5 Oct 11) to senior acquisition procurement officials that includes guidance on efforts to better track information on agency purchases of recycled content, energy efficient, biobased, and environmentally preferable products and services. The Federal Acquisition Regulation (FAR) is also being revised to require that Federal agencies procure designated items composed of the highest percentage of biobased content practicable. Outlined changes should improve agencies' information collection efforts, reduce the reporting burden related to the Resource Conservation and Recovery Act (RCRA) report, and streamline agency input and reporting for the OMB Scorecard on Sustainability/Energy and annual Sustainability Plans.

CLIMATE CHANGE AND LAND PROTECTION FINAL REPORT

USEPA issued a final report (21 Sep 11) entitled, "An Assessment of Decision-Making Processes: Evaluation of Where Land Protection Planning can Incorporate Climate Change Information." The report is a review of decision-making processes of selected land protection programs. The goal of this report is to evaluate where land protection planning can incorporate climate change impacts information into programs. The assessment revealed that there are several strategies that might be useful for incorporating climate change information into decision making. As part of a portfolio of adaptation strategies, land protection may become more important for jurisdictions, particularly to improve climate change impacts on watersheds and wildlife. All federal agencies are required to have climate change plans in place.

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.usdep
PR Department of Natural and Environmental Resources..... http://www.drna.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

For Professional Development information see http://www.asaie.army.mil/Public/ESOH/REEO/Northern/professionaldevelopment.html

Military Resources

DoD

DoD Defense Link ..... . http://www.defenselink.mil
Denix .....http://www.denix.osd.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/ESOH/
Deputy Assistant Secretary of the Army for Installations, Energy and Environment http://www.asaie.army.mil/Public/Partnerships/bios/ index.html
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
US Coast Guard..... http://www.uscg.mil/
National Response Center NRC http://www.nrc.uscg.mil/
Federal Register ..... http://www.gpoaccess.gov/fr/index.html

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