



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](#).



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

NITROGEN OXIDES OZONE SEASON CAP & TRADE PROGRAM

The Connecticut Department of Energy and Environmental Protection (DEEP) issued a [notice of intent to adopt](#) an intrastate nitrogen oxides (NOx) ozone season cap-and-trade program as a replacement for the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program. While USEPA will continue to operate an interstate ozone season NOx trading program as a successor to the CAIR program, USEPA did not include Connecticut in the successor program, which is called the Cross-State Air Pollution Rule (CSAPR). Because Connecticut relied on continuing NOx emission reductions from the CAIR program to satisfy several federal clean air mandates, Connecticut must maintain the emissions reductions achieved through the CAIR program via another means beginning with the 2012 ozone season. A hearing will occur on 15 Dec 11. The comment period closes on 16 Dec 11.

GENERAL PERMIT FOR POINT SOURCE DISCHARGES FROM PESTICIDE APPLICATION

The Connecticut DEEP issued a notice of [tentative determination](#) to issue the General Permit for Point Source Discharges to the Waters of the State from the Application of Pesticides. The General Permit is being issued to allow applicators to comply with the 7 Jan 09 decision by the U.S. Court of Appeals for the Sixth District in the case of The National Cotton Council of America, et. al vs. USEPA. This General Permit will work in concert with Connecticut's existing pesticide permitting program to comply with federal law and protect the waters of the state from pollution. The comment period closes on 15 Dec 11.



MAINE

PROPOSED RULES FOR UNDERGROUND OIL STORAGE FACILITIES

The Maine Department of Environmental Protection (DEP) issued a [proposed rule](#) (2011-P248) amending the current requirement for the abandonment of underground motor fuel, marketing and distribution oil storage tanks upon the expiration of their tank manufacturer warranty, and to allow tanks and their associated facilities to remain in operation for 10-years beyond their warranty expiration date. Additionally, the rule includes safeguards to prevent an increase in the number of petroleum leaks to ground water from affected underground storage tank facilities. The comment period closes on 16 Dec 11.

PROPOSED RULE FOR SURFACE WATER QUALITY CRITERIA FOR TOXIC POLLUTANTS

DEP issued a [proposed rule](#) relating to surface water quality criteria for toxic pollutants. The surface waters of the state are managed to prevent contamination from toxic pollutants in toxic amounts in order to meet the goals of the Clean Water Act and Maine's water quality standards. This rule revision changes the cancer risk level for inorganic arsenic used in calculating ambient water quality (human health) criteria and establishes revised inorganic arsenic criteria. Further, this revision updates Maine's ambient water quality and human health criteria for pollutants, for which USEPA has updated criteria since Maine's last revision in 2005, using Maine-specific parameters where applicable. The comment period closed on 1 Dec 11.

PROPOSED RULE CHANGES TO SURFACE WATERS TOXIC CONTROL PROGRAM

DEP issued [proposed rule](#) relating to the Surface Waters Toxic Control Program. This rule revision allows the Department when calculating limits for toxic substances, to utilize allocations previously set aside as water quality reserves for future growth, in order to avoid causing statistically generated (potential) exceedance of ambient water quality criteria. This rule revision also specifies that all permit limits for metals are now expressed as mass-based limits only, unless required by adopted effluent

limitation guidelines. In addition, the rule revises the timeframe for routine screening level testing to better provide for use of test results in Department permitting decisions. The comment period closed on 1 Dec 11.

STATE IMPLEMENTATION PLAN REVISION TO MEET REGIONAL HAZE REQUIREMENTS

USEPA issued a proposed rule approving a revision to the Maine State Implementation Plan (SIP) submitted by the Maine DEP on 9 Dec 10 with supplemental submittals on 14 Sep 11 and 9 Nov 11, that addresses regional haze for the first planning period from 2008 through 2018 [[76 FR 73956](#), 29 Nov 11]. This revision addresses the requirements of the Clean Air Act and USEPA's rules that require States to prevent any future, and remedy any existing, manmade impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the "regional haze program"). States are required to assure reasonable progress toward the national goal of achieving natural visibility conditions in Class I areas. The comment period closes on 29 Dec 11.



MASSACHUSETTS

UPDATES TO TOXIC OR HAZARDOUS SUBSTANCES LIST

The Massachusetts Executive Office of Energy and Environmental Affairs issued a [proposed rule](#) amending Sections 301 CMR 41.00 "Toxic or Hazardous Substance List." These regulations implement changes to the list of chemicals made by the Administrative Council on Toxics Use Reduction, pursuant to the statutory amendments to the Toxics Use Reduction Act (TURA, Chapter 211) made in 2006. These changes include (1) adding 16 chemicals that USEPA added to the Toxic Chemical List under the Emergency Planning and Community Right to Know Act (EPCRA) section 313 on 30 Nov 10; (2) designation of formaldehyde as a Higher Hazard Substance; and (3) creation of a separate category specifically for hexavalent chromium compounds, and the designation of hexavalent chromium compounds as Higher Hazard Substances. A hearing occurred on 30 Nov 11 and the comment period closed on 1 Dec 11.



NEW HAMPSHIRE

UPDATES TO NEW SOURCE PERFORMANCE STANDARDS FOR HAZARDOUS AIR POLLUTANTS

The Department of Environmental Services (DES) issued a [proposed rule](#) (Env-A 500), Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants, which incorporates by reference federal new source performance standards (NSPS) and national emission standards for hazardous air pollutants. DES is authorized to implement and enforce these standards through a delegation agreement with the USEPA. In accordance with the delegation agreement, the Department updates the chapter annually to adopt any new federal standards. The proposed amendments are intended to update the edition of the Code of Federal Regulations cited in the rule from 1 Jul 10 to 1 Jul 11 and add the new NSPS requirement for Sewage Sludge Incineration Units. This rulemaking aligns the state rule with the federal requirements. The comment period closed on 9 Dec 11.

NEW LAW GOVERNING IDLE REDUCTION TECHNOLOGY

New Hampshire House Bill [HB 117](#) was signed by Governor Lynch and assigned Chapter Number 0009. The law allows for additional weight (up to 400 pounds or the weight certified, whichever is less) for vehicles using idle reduction technology in order to promote reduction of fuel use and emissions. This law goes into effect on 1 Jan 12.



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

TOTAL COLIFORM TMDL AMENDMENTS TO WATER QUALITY MANAGEMENT PLANS

The New Jersey Department of Environmental Protection (NJDEP) issued a [final rule](#) that amends the Monmouth County and Ocean County Water Quality Management Plans (WQMPs). The amendments establish five Total Maximum Daily Loads (TMDLs) for total coliform for shellfish-impaired waters that extend into Monmouth County and Ocean County. The amendments consist of a detailed report, entitled "Five Total Maximum Daily Loads for Total Coliform to Address Shellfish-Impaired Waters in Watershed Management Area 12 Atlantic Coastal Water Region," that provides the technical and regulatory basis for the TMDLs. The final amendments were adopted on 13 Oct 11.



NEW YORK

PROPOSED RULE AMENDS WATER WITHDRAWAL PERMITS

The New York Department of Environmental Conservation issued a [proposed rule](#) which would repeal, add and amend the rules concerning water withdrawal permits, and the reporting and registration program. The purpose of this rulemaking is to implement amendments to Environmental Conservation Law. The comment period closes on 22 Jan 11.

THE POWER NEW YORK ACT OF 2011

On 4 Aug 11, New York Assembly Bill [AB 8510](#) was signed by Governor Cuomo and also re-named the "Power NY Act of 2011." The Act reauthorizes and modernizes Article X of the Public Service Law, regarding siting of major electric generating facilities in a manner that enhances public participation and augments environmental justice, and require a study with respect to increasing generation from photovoltaic devices in New York.



PUERTO RICO

PROPOSED LISTING OF THE PUERTO RICO TREE FROG

The U.S. Fish and Wildlife Service (FWS), issued a [proposed rule](#) that amends the 12-month finding on a petition to list the coquiacute llanero (*Eleutherodactylus juanariveroi*), an endemic Puerto Rican tree frog, as endangered under the Endangered Species Act of 1973, as amended (Act) and to designate critical habitat. In addition, the proposed rule specifies approximately 615 acres (249 hectares) of a freshwater wetland for designation as critical habitat. The proposed critical habitat is located in Sabana Seca Ward, Toa Baja, Puerto Rico. This proposed rule, if made final, would extend the Act's protections to this species. FWS seeks data and comments on this proposed listing rule and the designation of critical habitat for the species. The comment period closed on 12 Dec 11; however, FWS will consider all comments on this species after the comment period has closed.



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



DELAWARE

FINAL RULE GOVERNING HAZARDOUS WASTE

The Delaware Department of Natural Resources and Environmental Control (DNREC) issued a [final rule](#) [7 DE Admin. Code 1302], adopting amendments to regulations governing hazardous waste. Delaware is authorized by the USEPA to administer federal authority as part of its State hazardous waste management program. In order for Delaware to maintain its program delegation and authority, USEPA requires Delaware to maintain a program that is equivalent and no less stringent than the federal program. To accomplish this, the State adopted mandated federal regulations and miscellaneous changes to correct errors and add consistency. Some of the changes DNREC made are currently in effect at the federal level. The final rule will go into effect on 21 Dec 11.



DISTRICT OF COLUMBIA

NEW FEES FOR WASTE DISPOSAL

The District of Columbia Department of Public Works issued a [final rule](#) adopting amendments to Chapter 7 (Solid Waste Control) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR), by amending the fees for the disposal of solid waste at the District's waste-handling facilities. The emergency version of this rule was adopted on 7 Sep 11, and became effective on 25 Sep 11. Construction and demolition debris disposal has increased to \$71 per ton, and solid waste disposal to \$ 50 per ton.

PROPOSED APPROVAL OF REGIONAL HAZE STATE IMPLEMENTATION PLAN

USEPA issued a proposed rule approving a revision to the District of Columbia State Implementation Plan (SIP) submitted by the District Department of the Environment (DDOE) that addresses regional haze for the first implementation period [[76 FR 70929](#), 16 Nov 11]. This revision addresses the requirements of the Clean Air Act (CAA) and USEPA's rules that require states to prevent any future, and remedy any existing, anthropogenic impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the "regional haze program"). USEPA is also proposing to approve this revision as meeting the infrastructure requirements relating to visibility protection for the 1997 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) and the 1997 and 2006 fine particulate matter (PM2.5) NAAQS. The comment period closed on 16 Dec 11.



MARYLAND

FINAL APPROVAL OF INFRASTRUCTURE STATE IMPLEMENTATION PLAN

USEPA issued a final rule approving State Implementation Plan (SIP) submittals from the State of Maryland pursuant to the Clean Air Act (CAA) [[76 FR 72624](#), 25 Nov 11]. Maryland has made submittals addressing the infrastructure requirements (i.e., basic program elements) for the 1997 8-hour ozone and fine particulate matter (PM2.5) national ambient air quality standards (NAAQS) and the 2006 PM2.5 NAAQS. This rulemaking approves portions of those submittals. This final rule becomes effective on 27 Dec 11.



PENNSYLVANIA

GENERAL PERMIT FOR THE APPLICATION OF PESTICIDES

The Pennsylvania Department of Environmental Protection (DEP) issued a [notice](#) on the availability of National Pollutant Discharge Elimination System general permit for point source discharges to waters of the Commonwealth from the application of pesticides also referred to as (PAG-15). This General Permit provides coverage under the Clean Water Act. It refers to operators who discharge to waters of the Commonwealth from the application of biological pesticides, or chemical pesticides, that leaves a residue, when the pesticide application is for one of the following pesticide use patterns: (1) mosquito and other flying insect pest control; (2) weed and algae pest control; (3) animal pest control; and (4) forest canopy pest control. Federal and State agencies and pest control districts must apply for coverage under the permit regardless of the anticipated annual treatment area. The General Permit became effective on 29 Oct 11.

NEW PERMITTING GUIDANCE FOR TOTAL DISSOLVED SOLIDS

The Pennsylvania DEP issued [technical guidance documents](#) relating to its NPDES program available to the public. The document entitled, "Policy and Procedure for National Pollution Discharge Elimination System (NPDES) Permitting of Discharges of Total Dissolved Solids (TDS)," provides guidance for NPDES permit writers to implement new treatment requirements for discharges of TDS from NPDES point sources of treated wastewater through NPDES permit conditions and actions. The policies and procedures outlined in this guidance document are intended to supplement existing requirements.



VIRGINIA

AMENDMENTS TO WATERWORKS REGULATIONS

The Virginia Department of Health issued a [final rule](#) adopting amendments to waterworks regulations. The amendments provide for periodic sanitary surveys of groundwater source waterworks that require the evaluation of eight critical elements. Additionally, the rule addresses the identification of significant deficiencies, source water monitoring to test for the presence of E. coli, required corrective actions for any waterworks with a significant deficiency or source water E. coli contamination, and compliance monitoring to ensure that treatment technology installed to treat drinking water achieves at least 99.99% inactivation or removal of viruses. The final rule went into effect on 7 Dec 11.

PROPOSED ABOVEGROUND STORAGE TANK AND FACILITY REGULATION

The Virginia Water Control Board issued a [proposed rule](#) amending 9VAC25-91, Facility and Aboveground Storage Tank Regulation. The regulation include registration requirements for facilities and individual petroleum aboveground storage tanks located within the Commonwealth, standards and procedures to prevent pollution from new and existing aboveground storage tanks, and requirements for the development of facility oil discharge contingency plans for facilities with an aggregate capacity of 25,000 gallons or greater of oil. This rulemaking will bring the applicable portions of the regulation into conformity with related laws, federal regulations, and current industry standards. In addition, the rule will include revisions that address performance standards for certain aboveground storage tanks that are required by Chapter 884 of the 2011 Acts of Assembly. The comment period closes on 23 Jan 12.

REGULATIONS FOR ENFORCEMENT OF THE NOXIOUS WEED LAW

The Virginia Board of Agriculture and Consumer Services issued a [proposed rule](#) that would promulgate 2VAC5-317, Regulations for Enforcement of the Noxious Weed Law. The purpose of the proposed action is to establish a list of plants deemed by the Board to be noxious weeds, prohibit the movement of noxious weeds or articles capable of transporting noxious weeds into or within the Commonwealth, and provide guidelines for the eradication of noxious weeds. The comment period closed 21 Dec 11.



WEST VIRGINIA

USEPA UPDATES AUTHORITY FOR ENFORCEMENT OF NEW SOURCE PERFORMANCE STANDARDS

USEPA issued a notice letter of delegation of authority to the State of West Virginia on 29 Aug 11, to implement and enforce additional or revised National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards [[76 FR 69268](#), 8 Nov 11].



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 GROUND WATER QUALITY STANDARDS

The Illinois Pollution Control Board issued a [proposed rule](#) updating the groundwater quality rules (35 Ill. Adm. Code 620). The changes proposed for first notice add groundwater quality standards for chemical constituents detected in Illinois groundwater having toxicity values established by the USEPA or groundwater remediation objectives under the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742). In all, 39 chemical constituents are added to Part 620. Additionally, the Class I groundwater quality standard for arsenic is revised from 0.05 milligrams per liter (mg/L) to 0.01 mg/L to reflect the new federal Maximum Contaminant Level for arsenic in drinking water. The comment period closes on 29 Dec 11.

APPROVAL OF IMPLEMENTATION PLANS FOR VOLATILE ORGANIC EMISSIONS CONTROL

The Illinois Environmental Protection Agency (IEPA) submitted several volatile organic compound (VOC) rules for approval into its State Implementation Plan (SIP). USEPA subsequently issued a proposed rule approving the changes to the SIP for VOC Emission Control Measures for Chicago and Metro-East St. Louis Ozone Nonattainment Areas [[76 FR 74014](#), 30 Nov 11]. These rules satisfy the Clean Air Act's (the Act) requirement that States revise their SIPs to include reasonably available control technology (RACT) for sources of VOC emissions in moderate ozone nonattainment areas. These rules were approved as they are consistent with the Control Technique Guideline (CTG) documents issued by USEPA in 2006, 2007, and 2008 and satisfy the RACT requirements of the Act. The comment period closes on 30 Dec 11.



INDIANA

CHANGES TO THE LIST OF ENDANGERED REPTILES AND AMPHIBIANS

The Indiana Natural Resources Commission issued a [final rule](#) adopting amendments to remove the four-toed salamander and add the plains leopard frog and mole salamander to the list of endangered species of reptiles and amphibians. The final rule went into effect on 27 Nov 11.

PROPOSED CHANGES TO DRINKING WATER, GROUND WATER, AND DISINFECTION STANDARDS

The Indiana Water Pollution Control Board issued a [proposed rule](#) amending the drinking water standards at 327 IAC 8-2, ground water standards at 327 IAC 8-2.3, and disinfectants and disinfection rules at 327 IAC 8-2.5. In the draft rule language, Indiana Department of Environmental Management is updating its rule per changes made by the USEPA to the National Primary Drinking Water Regulations. USEPA promulgated the Stage 2 Disinfection and Disinfection Byproducts Rule on 4 Jan 06. A requirement for ground water systems serving 500-9,999 people was unintentionally excluded from the final federal rule. As a result, the rule allowed for less routine compliance monitoring than intended for this category of public water systems. A second comment period closed on 2 Dec 11 and a hearing is scheduled for 8 Feb 12.

READOPTION OF PESTICIDE REGULATIONS

The Indiana Pesticide Review Board issued a notice of intent to [readopt rules](#) relating to pesticides which were scheduled to expire. The readopted rules becomes effective on 18 Dec 11.

PROPOSED UPDATES TO WATER QUALITY STANDARDS FOR CHLORIDE AND SULFATE

The Indiana Department of Environmental Management (IDEM) issued a [proposed rule](#) to update water quality standards for chloride and sulfate. Current standards were adopted in the late 1980's based on USEPA developed standards and are now outdated. IDEM is proposing to utilize USEPA approved water quality criteria for chloride adopted by the Indiana Department of Natural Resources in 2010. The sulfate standard in 327 IAC 2-1-6 will also be amended as sulfate criteria are expressed as a function of chloride concentration. The current comment period closes on 16 Dec 11 and a hearing is scheduled for 8 Feb 12.

WITHDRAWAL OF A RULE TO REDESIGNATE ATTAINMENT FOR FINE PARTICULATE MATTER

USEPA withdrew a direct final rule due to the receipt of adverse comments [[76 FR 70361](#), 14 Nov 11]. In the final rule USEPA had approved Indiana's request to redesignate the Indianapolis, Indiana nonattainment area (Hamilton, Hendricks, Johnson, Marion, and Morgan Counties) to attainment for the 1997 annual National Ambient Air Quality Standard for fine particulate matter (PM_{2.5}). In the direct final rule, USEPA stated that if adverse comments were received by 27 Oct 11, the rule would be withdrawn and not take effect. USEPA will address the adverse comments in a subsequent final action. The direct final rule published at [[76 FR 59512](#)] on 27 Sep 11, is withdrawn as of 14 Nov 11.



MICHIGAN

HOUSE BILL 4042 PERMIT DENIAL AND PROCESSING

On 28 Nov 11, Michigan House Bill [HB 4042](#) also referred to as, "Natural Resources and Environmental Protection Act" was approved by Governor Snyder. The law would amend Part 13 (Permits for discharges, land use, fees, and penalties) of the Natural Resources and Environmental Protection Act. Part 13 regulates the processing of applications for many permits issued under the Act. This amendment would require a department, when denying a permit, to provide applicants with the scientific information used as the basis for the denial. Additionally, the amendment addresses permit processing deadlines. The departments that issue permits under this Act include the Department of Environmental Quality, the Department of Natural Resources, and the Department of Agricultural and Rural Development.

HOUSE BILL 4043 PERMIT ENFORCEMENT

On 28 Nov 11, Michigan House Bill [HB 4043](#) was approved by Governor Snyder. The law amends section 1307 of 1994 Public Act 451 (MCL 324.1307) by adding Section 1511. The law amends Part 15 (Enforcement) of the Natural Resources and Environmental Protection Act to require a department, before initiating a civil enforcement action against a person holding a permit, to give the person an opportunity for a meeting with the department.

SENATE BILL 275 ON WETLAND PERMITS

On 29 Nov 11, Michigan Senate Bill [SB 275](#) passed the Senate after having passed the House. The bill amends 1994 Public Act 451, entitled, "Natural Resources and Environmental Protection Act," by amending sections 1303, 1305, and 1311 (MCL 324.1303, 324.1305, and 324.1311) concerning wetlands environmental protection, permits, and consequences of missed deadlines for review of certain environmental permits.



MINNESOTA

ENVIRONMENTAL ASSESSMENT WORKSHEET CATEGORY FOR GREENHOUSE GAS EMISSIONS

The Minnesota Environmental Quality Board issued a [final rule](#) establishing a specific greenhouse gas emissions threshold number which is applied to greenhouse gas emissions to the mandatory Environmental Assessment Worksheet category for air pollutants at Part 4410.4300, Subpart 15. The level proposed is a combined total of 100,000 tons per year of GHGs, expressed as carbon dioxide equivalents. The gases to which this threshold would apply are carbon dioxide; methane; nitrous oxide; hydrofluorocarbons; perfluorocarbons; and sulfur hexafluoride. The final rule went into effect on 21 Nov 11.



UPDATES TO WELL STANDARDS

The Ohio Environmental Protection Agency issued a [five-year rule review](#) of the well standards in Section 119.032 of the Revised Code. The rule updates and revises the miscellaneous rules in the Ohio Administrative Code governing well standards, operational requirements, plan approval and backflow and cross-connection control for public water systems. The rule also includes disinfection requirements, approval of chemicals being used, minimum pressure requirements, and operational analyses. The rule requires reports to be submitted electronically via the electronic drinking water reporting system. A public hearing was held on 31 Oct 11 and final comments were due on that date. A final rule is expected in the near future.



FINAL RULE FOR AIR QUALITY STANDARD

The Wisconsin Department of Natural Resources issued a [final rule](#) that adopts and revises Chapters NR 404 and 484, relating to the 24-hour secondary ambient air quality standard for particulate matter affecting small business. The final rule became effective on 1 Dec 11.

FEDERAL

AIR

REVISIONS TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS

USEPA issued a proposed rule revising the definition of volatile organic compounds (VOCs) for purposes of preparing State Implementation Plans (SIPs) to attain the national ambient air quality standards (NAAQS) for ozone under CAA Title I, [[76 FR 64059](#), 17 Oct 11]. This proposed revision would add 2,3,3,3-tetrafluoropropene (also known as HFO-1234yf) and trans-1,3,3,3-tetrafluoropropene (also known as HFO-1234ze) to the list of compounds excluded from the definition of VOC. The comment period closed on 16 Nov 11.

MANDATORY REPORTING OF GREENHOUSE GASES

USEPA issued a final rule (under its existing Clean Air Act authority, Section 114) amending specific provisions in the Mandatory Reporting of Greenhouse Gases Rule to correct certain technical and editorial errors that have been identified since promulgation and to clarify certain provisions [[76 FR 73886](#), 29 Nov 11]. These final changes include additional information to clarify compliance obligations, correct data reporting elements so they more closely conform to the information used to perform calculations, and make other corrections and amendments. In addition, these final amendments allow a limited, one-time six-month extension of the 2012 reporting deadline for facilities and suppliers that contain one or more source categories for which data collection began in 2011. The final rule amendments are effective on 29 Dec 11.

FINAL RULE ON AIR QUALITY DESIGNATIONS FOR LEAD STANDARDS

USEPA issued a final rule establishing air quality designations for most areas in the United States for the 2008 lead (Pb) National Ambient Air Quality Standards (NAAQS) [[76 FR 72097](#), 22 Nov 11]. In a previous action established on 16 Nov 10, the USEPA designated as "nonattainment" 16 areas as violating the 2008 Pb NAAQS based on data from the pre-2010 monitoring network. For all other areas, USEPA deferred action so that data from newly deployed monitors could be considered in making appropriate designation decisions. In this action, USEPA is designating all remaining areas of the United States, including Indian country. The Clean Air Act (CAA) requires areas designated nonattainment by this rule to undertake certain planning and pollution control activities to attain the standards as quickly as reasonably possible. The final rule is effective 31 Dec 11.

CLIMATE CHANGE

CLIMATE ASSESSMENT TOOLS

USEPA released a [draft document](#) titled, “Basins and Water Erosion Prediction Project Climate Assessment Tools (CAT): Case Study Guide to Potential Applications,” and opened a 30-day comment period. The tools facilitate application of existing simulation models for conducting scenario-based assessments of potential climate change impacts on water. The comment period closes on 19 Dec 11. USEPA is also arranging for an external scientific peer review of the draft document.

ENERGY

ENERGY CONSERVATION STANDARDS FOR FLUORESCENT LAMP BALLASTS

DOE issued a final rule amending the energy conservation standards for fluorescent lamp ballasts [[76 FR 70548](#)]. The standards are based on ballast luminous efficiency, the ratio of total lamp arc power to ballast input power as defined. The new standards represent further improvement over the current standards as set by the Energy Policy and Conservation Act (EPCA) 2005 for fluorescent lamp ballasts. This final rule becomes effective on 13 Jan 12.

PROPOSED RULE FOR VEHICLES MODEL YEARS 2017-2025 FUEL ECONOMY STANDARDS

The National Highway Traffic Administration (NHTSA), and USEPA, on behalf of the Department of Transportation, have issued a [Notice of Proposed Rulemaking](#) for improving Fuel Economy and reducing Greenhouse Gas emissions for model year 2017-2025 light-duty vehicles. The proposal calls for efficiency improvements equivalent to doubling average auto fuel efficiency to 54.5 miles per gallon by 2025. Thirteen major automakers, have signed on in support of the proposed standards. The comment period closes on 30 Jan 12.

RCRA

PROPOSED REGULATORY REVISIONS ON UNDERGROUND STORAGE TANKS

USEPA issued a [proposed rule](#) revising the underground storage tank (UST) regulations at 40 CFR Part 280 and 281. These changes update the 1988 UST regulations. Proposed revisions include adding secondary containment requirements for new and replaced tanks and piping, adding operator training requirements for UST system owners and operators, and adding periodic operation and maintenance requirements for UST systems. In addition, new release prevention and detection technologies would be added, new codes of practice, new requirements for demonstrating compatibility when alternative fuels or blends are stored, and the state program approval requirements to incorporate these new changes would be added. The comment period closes on 16 Feb 12. Subscribers of the Northern Region Review are provided this information for their situational awareness.

Professional Delevopment

For a full listing of Professional Development opportunities please visit the REEO-N website at:
www.asaie.army.mil/Public/ESOH/.REEO/Northern/proDevelopment.html.

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Delaware: DNREC / General Assembly	New York: DEC / Assembly / Senate
District of Columbia: DOE / City Council	Ohio: EPA / General Assembly
Illinois: EPA / General Assembly	Pennsylvania: DEP / General Assembly
Indiana: DEM / General Assembly	Puerto Rico: DNER / Government
Maine: DEP / State Legislature	Rhode Island: DEM / General Assembly
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Michigan: DEQ / State Legislature	Virginia: DEQ / General Assembly
Minnesota: PCA / State Legislature	West Virginia: DEP / State Legislature
New Hampshire: DES / General Court	Wisconsin: DNR / State Legislature

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