



Southern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

February 2012

THE SOUTHERN REGION REVIEW provides current information regarding environmental and energy-related actions and events throughout Federal EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The events reported may be relevant to U.S. Army and other Military Services' activities and operations. The Review is designed to alert environmental decision makers, planners, and program managers of developments potentially relevant to overall responsibilities.

The Southern Review is a monthly electronic publication. To receive this publication, please email a request to rebecca.d.shanks.ctr@mail.mil. Please include a contact name and email address in the body of the message.



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Ms. Hammack Visits Southeast

PENTAGON OFFICIAL PRAISES REDSTONE ARSENAL'S CAPABILITY (JANUARY 4, 2012, [REDSTONE ROCKET](#))

Katherine Hammack, Assistant Secretary of the Army for Installations, Energy and Environment, spent December 13-16, 2011 at Redstone Arsenal for what she described as a "learning visit" to meet with Arsenal and community officials; and to tour the Prototype Integration Facility, Hazardous Devices School, Redstone Gateway, new Army Materiel Command headquarters, Raytheon construction site and an environmental remediation site as well as Huntsville's Solid Waste Disposal Authority waste-to-steam plant and the recently opened Veterans Memorial.

ENVIRONMENTAL SECRETARY TOUTS POST EFFICIENCY (JANUARY 12, 2012, [THE BAYONET](#))

Ms. Hammack put her stamp of approval on Fort Benning's management of the \$3.5 billion in construction and restoration that went into building the Maneuver Center of Excellence while making her first post visit in early January.

Katherine Hammack, a founding member of the U.S. Green Building Council, serves as the primary adviser to the Army secretary and chief of staff on all matters related to installation policy and energy security and management. Hammack spent Wednesday and Thursday touring the installation, receiving updates on Fort Benning's various projects and strides toward energy efficiencies.

Compared to other installations, Fort Benning has been a longtime stalwart in curtailing energy use, Hammack said Thursday as she wrapped up her stop with a walk through the National Infantry Museum.

"The energy used per square foot here is among the lowest in the Army, which tells me they've been doing a good job for a long time," she said, adding some lighting retrofits on post were started back in the 1970s and 1980s. "I was impressed with the focus on energy that has been here for a long time."

Region 4

For more information on any state issues in Region 4, please contact [Marshall Williams](#), Army Regional Environmental Coordinator, 404-460-3136.



2012 LEGISLATIVE SESSION: FEBRUARY 2, 2012 THROUGH MAY 25, 2012

UNDERWATER CULTURAL RESOURCES ACT (HB 54, SB 81) This action amends the definition of cultural resources to specify articles associated with shipwrecks, artifacts defined, recovery of abandoned artifacts not cultural resources in certain locations authorized.

ALABAMA PUBLIC INTEREST ENERGY AND FUEL RESEARCH AND DEVELOPMENT GRANTS PROGRAM (SB 72) This action establishes funding for energy and fuel projects, the Advisory Commission on Public Interest Energy and Fuel Research and Development Grants, established, Public Interest Energy and Fuel Research and Development Grants Fund, established, Agriculture and Industries Department Center for Alternative Fuels to administer, appropriation.

FINAL RULES

AIR CONFORMITY-NAAQS, CAIR, NOX, SO2 (335-3-1-.14, 335-3-1-.16, 335-3-8-.05 THROUGH -.18, 335-3-8-.20 THROUGH -.27, 335-3-8-.29 THROUGH -.33) The Alabama Department of Environmental Management (ADEM) has amended Division 3 of the ADEM Code relating to the above programs to be consistent with Federal Rules. Notices were published, hearings were held, comments were received, and amended rules were filed on December 12, 2011. The rules became effective January 16, 2012.

[Certified Rules NOx and SO2](#), [Certified Rules CAIR and NOx Programs](#)

Contact: Chris Howard, (334) 271-7878

UNDERGROUND STORAGE TANKS (335-6-15-.02, .04, .05, .06, .07, .09, .10, .12, .13, .15, .17, .20, .34, .45, .46, .47, .48) ADEM has adopted revisions to rules and regulations that pertain to owners and operators of USTs. Updated regulations add the requirement for individuals to complete training to become certified prior to performing UST system installation, closure and repair, as well as address other necessary updates. Notice of Proposed Rulemaking issued on September 18, 2011, and a [Notice of Intended Action](#) was published in Register September 30, 2011. A Hearing was scheduled for, and comments were due by November 4, 2011. The [Certified Amended Rules](#) were filed December 12, 2011, and published December 30, 2011. The rules became effective January 16, 2012.

[Public Notice](#), [Proposed Revisions to Division 6](#)

Contact: Sonja Massey, phone: (334) 271-7832

PROPOSED RULES

PESTICIDE GENERAL PERMIT ADEM has completed the process for developing its Pesticide General Permit, effective on October 31, 2011. The permit is designed to protect water quality from potential impacts associated with discharges from application of biological and chemical pesticides. On January 19, 2009, the US Sixth Circuit Court of Appeals ruled that Clean Water Act (CWA) permits were required for application of pesticides in, over, or near waters of the US. Due to this ruling, NPDES permits will be required for such pesticide applications. The ADEM Pesticide General Permit is being issued to address this need. Requirements for compliance under the new permit are potentially applicable to a wide-range of entities including individual homeowners, municipalities, foresters, farmers and private industries utilizing biological and chemical pesticides for activities such as mosquito control, animal pest control, weed/algae control, and forestry canopy or other area-wide pest control that occur in water, at water's edge, or over water. Those entities that are required by the Pesticide General Permit to submit a Notice of Intent (NOI) for permit coverage were not required to submit it until January 31, 2012. The permit became effective October 31, 2011, and a Press Release was published November 9, 2011.

[Permit and Forms](#)

Contact: Scott Hughes, (334) 271-7955

CLASS V AND VI INJECTION WELLS ([CLASS V] 335-6-8-.01, -.02, -.05, -.07, -.08, -.10, -.12, -.28, -.29 - .30; [CLASS VI] -,13 - .27) ADEM revised the Division 6 Code to include requirements for Class VI injection wells for geologic sequestration of carbon dioxide. Additions and amendments are consistent with Federal regulations for Class VI wells. A public hearing was held July 11, 2011. Amendments to Class V wells include new definitions relating to the regulation of CO2 injection for the purpose of geologic sequestration and to distinguish existing terminology from the new definitions, and to revise existing definitions to be consistent with federal language. The Class V rules support newly promulgated Class VI rules. Rule changes were proposed on May 31, 2011, and a public hearing was held July 11, 2011. The rule was adopted September 6, 2011. It became effective September 26, 2011. Final Rule has not yet been published in the Alabama Administrative Monthly.

[Proposed Rules](#)

Contact: Sonja Massey (334) 271-7832

AIR CONFORMITY: NSPS, NESHAPS, HAPs (335-3-5-.06, .07, .08, .11, .12, .13, .14, 335-6-6-.02, -.05, 335-3 APPENDIX C, 335-3-11-.01, -.06, 335-3-10-.01, -.02) ADEM has proposed amendments to rules to incorporate by reference EPA changes to the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS). This incorporation allows EPA to delegate administrative enforcement of these regulations to ADEM. Notices of Intended Actions ([NSPS](#), [NESHAPS](#)) were published December 30, 2011. Hearings are scheduled for February 3 and 8, 2012, and comments are due February 3 and 10, 2012. Contact: Chris Howard, Phone: (334) 271-7878

HAZARDOUS WASTE REGULATIONS (335-14) ADEM proposed amendments to Division 14, the state's hazardous waste program. RCRA §3006(b) requires that authorized State Programs be "equivalent" to the Federal program and continue to maintain equivalency as the Federal program changes. To retain state primacy in the hazardous waste program, ADEM must update its Administrative Code to reflect changes in federal requirements for regulation of hazardous waste. ADEM is proposing that the Environmental Management Commission adopt regulations reflecting changes made to EPA's regulations from July 1, 2010 through June 30, 2011. Changes include adoption of the Federal rule to remove saccharin and its salts from the list of hazardous constituents and the Federal technical corrections and clarifications rule. Regulatory language was added to clarify certain regulations in the existing rules: a statement on use of drip pads by Small Quantity Generators was added; language to clarify existing requirements for management of used oil filters and rinsing of containers that held acute hazardous waste. A rule was added to revise current lamp crushing standards, and clarifying language was added regarding varying implications of a generator's annual notification. ADEM is proposing to correct a number of typographical and citation errors in the existing regulations. Notice of Proposed Rulemaking was issued September 25, 2011. A public hearing was held, and comments were due November 5, 2011.

[Public Notice](#), [Proposed Rule](#)

Contact: [Hearing Officer](#)

SOLID WASTE AND MUNICIPAL SOLID WASTE (335-13, -14) ADEM proposes to amend its Administrative Code by creating Chapter 14 within the Solid Waste Program, pursuant to amendments to the Solid Wastes and Recyclable Materials Management Act enacted in 2008. ADEM proposes to establish technical and operational requirements for facilities engaged in solid waste composting. Among the proposed requirements for subject facilities would be to obtain permits from ADEM and implement certain control measures necessary to prevent migration of solid waste into the environment. The Notice of Public Hearing was published on October 23, 2011. A Public Hearing is scheduled and comments were due December 7, 2011.

[Public Notice](#), [Proposed Rule](#)

Contact: Molly Tatum, (334) 394-4360

COASTAL AREA MANAGEMENT PROGRAM REVISIONS (335-8-1-.09; 335-8-1-.10) ADEM has proposed revisions to the Division 8 Code for consistency with Federal regulations. This will be accomplished by making a Routine Program Change (RPC) and Regulation revisions. On December 19, 2010, ADEM provided Notice of RPC of the Alabama Coastal Area Management Program (ACAMP) to NOAA's Office of Ocean and Coastal Management (OCRM). ADEM gave notice on that on April 14, 2011, OCRM concurred with ADEM that their revision of Division 8 Regulations constituted an RPC. Federal consistency applies to approved changes upon publication of the November 20, 2011 Public Notice. NOAA has approved a majority of the changes within the ADEM Division 8 Regulations as enforceable policies of the ACAMP. However, NOAA has not approved the Federal consistency timeframes because they are not entirely consistent with the CZMA regulations. OCRM has determined that its decision not to approve the Federal consistency timeframes does not impact Alabama's authority to conduct Federal consistency reviews; however, because the Federal consistency language discrepancy is confusing, ADEM Division 8 Regulations should be modified to be consistent with the existing Federal

statutory and regulatory timeframes. Thus, ADEM proposes to modify ADEM Code R. 335-8-1-.09 and 335-8-1-.10 regulations to be consistent with the existing Federal statutory and regulatory timeframes. A public hearing was held January 14, 2012, and comments were due January 6, 2012. The rulemaking expires April 5, 2012.

[Notice of Public Hearing](#), [Proposed Rules](#)

Contact: Molly Tatum, (334) 394-4360

NSPS/NESHAPs (335-3-10-.01, 335-3-10-.02, 335-3-11-.01, 335-3-11-.06, 335-3-14-.04, APPENDIX C)

ADEM has proposed amendments to incorporate by reference changes to EPA's New Source Performance Standards (NSPS), and National Emissions Standards for Hazardous Air Pollutants (NESHAPs). Additional changes to Chapter 14 of Division 3 Code are being proposed to include federal definitions and requirements for replacement units at major sources located in areas designated as attainment or unclassifiable under the Clean Air Act (CAA). Chapter 335-3-14 is considered part of the federally-enforceable SIP, and revisions to it are proposed for incorporation into the Alabama SIP. A [Notice of Public Hearing](#) was issued December 25, 2011. A hearing is scheduled for February 8, 2012. Comments are due by February 10, 2012. Contact: Molly Tatum, (334) 394-4360



2012 LEGISLATIVE SESSION: JANUARY 1, 2012 THROUGH MARCH 9, 2012

ENVIRONMENTAL PERMITS (HB 373, SB 602) This action provides for an entity created by special act, local ordinance, or interlocal agreement of county or municipality to receive certain reduced or waived permit processing fees for projects that serve a public purpose; requires the Florida Department of Environmental Protection (FLDEP) to initiate rule-making to adopt general permits for stormwater management systems serving airport activities; authorizes municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects; provides requirements for establishment of such permits by water management districts in consultation with FLDEP; and provides that certain urban redevelopment projects qualify for a noticed general permit.

MUNICIPAL WATER AND SEWER UTILITIES (HB 411) This action prohibits certain municipalities from imposing on consumers, certain surcharges outside their boundaries for provision of water or sewer utility services.

COMMUNITY REDEVELOPMENT (HB 447, SB 148) This measure expands definition of the term "blighted area" to include land previously used as military facility.

ENVIRONMENTAL REGULATION (HB 503) This action creates, amends and revises numerous provisions relating to: local government comprehensive plans and plan amendments; programmatic general permits and regional general permits; permits for projects relating to stormwater management systems, coastal construction, dredge and fill activities, inter-modal logistics centers, and commercial and industrial development; ambient air quality and water quality standards; and solid waste disposal.

GROWTH ENTERPRISE DEVELOPMENT (HB 515) This action requires the Florida Department of Economic Opportunity (FLDEO) to establish a one-stop permitting system in cooperation with certain participating agencies. It also authorizes local governments to establish growth enterprise development programs that provide for master development approval for development or expansion of certain sites owned and operated by growth enterprises.

RECLAIMED WATER (HB 639, SB 1086) This measure provides that reclaimed water is eligible for alternative water supply funding; authorizes specified contract provisions for development of reclaimed water as alternative water supply; prohibits exclusion of reclaimed water use in regional water supply planning; prohibits water management districts from requiring permits for use of reclaimed water and from requiring or restricting services provided by reuse utilities.

CUSTOMER-OWNED RENEWABLE GENERATION (HB 661, SB 696) This action allows a customer of public utility, municipal electric utility, or rural electric cooperative who installs customer-owned renewable generation to sell renewable energy to a tenant of customer-owned property and to separately bill that tenant.

SOLID WASTE MANAGEMENT FACILITIES (HB 663, SB 738) This measure specifies permit term for facilities designed with leachate control systems meeting FLDEP requirements; specifies permit term for facilities that do not have leachate control systems meeting FLDEP requirements under certain conditions; and requires permit fee caps to be prorated.

BEACH MANAGEMENT (HB 691, SB 758) This action specifies that adequacy of design and construction for projects is

supported by certain evidence; authorizes FLDEP to issue permits for incidental take authorization; requires FLDEP to adopt and amend rules involving excavation and placement of sediment, guidelines and permit streamlining; provides permit life for certain joint coastal permits; requires FLDEP to maintain certain project information on its website and notify the Governor and Legislature of certain changes; and provides permit exemption for specified exploratory activities.

THERMAL EFFICIENCY STANDARDS (HB 747, HB 987, SB 1032) This measure requires FLDEP and water management districts to grant general permits for construction, alteration and maintenance of certain surface water management systems; authorizes construction of certain surface water management systems to proceed without further action by FLDEP or water management district; provides standards for thermal-efficient roofs and requirements for minimum solar reflectance; defines thermal-efficient hardscapes; and provides default reflectance values for certain paving materials.

ELECTRIC ENERGY PRODUCTION (HB 779, SB 1106) This action revises definition of the term "public utility" to exclude certain renewable solar energy production facilities for purposes of specified provisions; revises definition of the term "net metering" for purposes of provisions relating to renewable energy.

DEVELOPMENTS OF REGIONAL IMPACT (HB 979, SB 1180) This measure requires that comprehensive plan amendments proposing certain development follow state coordinated review process; limits scope of certain recommendations and comments by reviewing agencies regarding proposed development; revises review criteria for regional planning agency reports; provides that specified changes to development orders are not substantial deviations; provides exemption from development-of-regional-impact review for certain proposed development; and revises conditions under which local government is required to rescind development-of-regional-impact development orders.

DOMESTIC WASTEWATER DISCHARGE THROUGH OCEAN OUTFALLS (HB 989, SB 724) This measure postpones dates by which domestic wastewater facilities must meet more stringent treatment and management requirements; provides that utilities sharing a common ocean outfall are individually responsible for meeting reuse requirements, and are authorized to enter into binding agreements to share or transfer responsibility for meeting such requirements; revises provisions authorizing backup discharge of domestic wastewater through ocean outfalls; and requires FLDEP, South Florida Water Management District, and affected utilities to consider certain information for purposes of adjusting reuse requirements.

ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (HB 999) This measure defines "bedroom"; provides for any permit issued and approved by the Florida Department of Health (FLDOH) for installation, modification, or repair of a system to transfer with title of property; provides circumstances in which a system is not considered abandoned; provides for validity of a system permit if rules change before final approval of constructed system; provides that system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; deletes provisions requiring a system evaluation and assessment program; authorizes counties and municipalities to adopt a system evaluation and assessment program; provides criteria, procedures and requirements for a system evaluation and assessment program; defines "system failure"; and lowers fees imposed for certain permits.

WATER QUALITY CREDIT TRADING (HB 1107) This action declares state policy with regard to water quality credit trading; provides for South Florida Water Management District to coordinate with FLDEP to establish public-private partnerships for development of water quality enhancement projects and water quality credit trading pilot programs in the Caloosahatchee Basin, St. Lucie Basin, and Lake Okeechobee Basin. It also requires FLDEP to amend specified rules.

PALM BEACH COUNTY ENVIRONMENTAL CONTROL ACT (HB 1131) This measure removes the requirement for the Environmental Control Officer to be a county employee; increases certain civil fines and penalties; and defines term "repeat violation" for such fine and penalty purposes.

SOLAR ENERGY SYSTEM REBATES (HB 1283, SB 1864) This measure authorizes the Florida Department of Agriculture and Consumer Services (DOACS) to pay certain rebate amounts pursuant to Solar Energy System Incentives Program.

WATER AND WASTEWATER UTILITIES (HB 1379) This action creates the Study Committee on Investor-Owned Water and Wastewater Utility Systems; provides for certain assistance and funding; and provides for committee report, recommendations and future termination.

"SUSTAINABLE COMMUNITY DEMONSTRATION ACT" (HB 1391, SB 1878) This measure establishes the Sustainable Community Demonstration Project; requires FLDEP to certify certain projects; authorizes certified projects to seek cost recovery; and authorizes the Public Service Commission (PSC) to approve cost recovery for certain renewable energy generating facilities and certain transmission, distribution, and metering systems.

AGRICULTURAL LANDS (HB 1415, SB 1652) This action adds criteria under which amendments to local government land use plans are presumed not to be urban sprawl, and revises definition of "agricultural enclave" for purposes of the Community Planning Act.

ENERGY (HB 1427) This measure requires the PSC to ensure utility rate structures are designed to meet certain goals; provides requirements for such rate structure determinations; revises provisions authorizing the PSC to establish financial rewards and penalties relating to such goals; requires impact studies for proposed power plants; requires electric utilities to collect monthly systems charge from residential, commercial and industrial customers; provides for deposit of collected funds into the Sustainable and Renewable Energy Policy Trust Fund; creates a direct-support organization for the Office of Energy; and requires that a purchase contract offered to producers of renewable energy contain payment provisions for energy and capacity based upon public the utility's equivalent cost-recovery rate for certain clean energy projects.

SUSTAINABLE AND RENEWABLE ENERGY POLICY TRUST FUND/OFFICE OF ENERGY (HB 1429) This measure creates Sustainable and Renewable Energy Policy Trust Fund within Office of Energy.

IDENTIFICATION OF HIGH CONCERN AND PRIORITY CHEMICALS (HB 1433) This action creates the "Toxic Free Kids Act"; requires FLDOH to generate list of chemicals of high concern; authorizes FLDOH to designate certain chemicals of high concern as priority chemicals; and authorizes the state to cooperate with other states in interstate chemicals clearing-house regarding chemicals in consumer products.

MAJOR SOURCE AIR POLLUTION FEES (HB 1449, SB 1574) This measure authorizes a major source of air pollution to directly remit fees required under federal Clean Air Act to the approved local air pollution control program.

LOCAL GOVERNMENT ENERGY ZONES (HB 1463, SB 640) This measure authorizes local governments to create energy zones by ordinance; allows producers of renewable energy to produce and sell energy within boundaries of energy zones; requires utilities to offer interruptible rates to producers and customers of renewable energy; authorizes retail sales by any producer of renewable energy within energy zones; redefines term "public utility" to exempt producers and sellers of renewable energy from economic regulation by PSC.

FLORIDA INFRASTRUCTURE FUND PARTNERSHIP (HB 1491) This action provides for management of partnership by Florida Opportunity Fund; authorizes fund to lend moneys to partnership; requires partnership to raise funds from investment partners; prohibits investments with certain companies; creates Florida Infrastructure Investment Trust; provides for trust's issuance of certificates to investment partners; specifies that certificates guarantee availability of tax credits; authorizes trust to charge fees; limits amount of tax credits that may be claimed or applied against state taxes in any year; provides for transferability of certificates and tax credits.

FLORIDA CLIMATE PROTECTION ACT (HB 4001, SB 648) This measure repeals provisions for cap and trade regulatory program to reduce greenhouse gas emissions from electric utilities.

ENVIRONMENTAL RESOURCE PERMITTING (HB 7003, SB 1354) This measure requires FLDEP, in coordination with water management districts, to develop statewide resource permitting rules for activities relating to management and storage of surface waters; provides presumption of compliance for certain stormwater management systems; provides exemptions for specified stormwater management systems and permitted activities.

NULLIFICATION AND REPEAL OF ADMINISTRATIVE RULES (HB 7029, SB 1470) This action nullifies specific rules adopted by Northwest Florida Water Management District WMD, Suwannee River Water Management District, St. Johns River Water Management District, Southwest Florida Water Management District, South Florida Water Management District, former Department of Commerce, former Department of Health and Rehabilitative Services, Health Program Office, former Advisory Council on Intergovernmental Relations, or former Department of Labor and Employment Security.

CONSUMPTIVE USE PERMITS FOR DEVELOPMENT OF ALTERNATIVE WATER SUPPLIES (HB 7045) This measure specifies conditions for issuance of permits; provides for issuance, extension and review of permits approved after certain date.

ESTABLISHING NUMERIC NUTRIENT CRITERIA (HB 7051, SB 2060) This action requires FLDEP to publish certain notice; requires ratification of certain subsequent rules or amendments; directs FLDEP to submit specified rules to US EPA for review under the federal CWA.

MILITARY INSTALLATIONS (HB 7075) This measure authorizes the Florida Defense Support Task Force to recommend to Legislature, specified changes in military installations and local governments under the Community Planning Act; clarifies and revises procedures related to exchange of information between military installations and local governments under such act; revises legislative intent with respect to proposed closure or reuse of military bases; creates the Military Base Protection Program within DEO; establishes the Florida Defense Reinvestment Grant Program; eliminates the Defense-Related Business Adjustment Program, the Florida Defense Planning Grant Program, the Florida Defense Implementation Grant Program, the Florida Military Installation Reuse Planning and Marketing Grant Program, and the Retention of Military Installations Program; transfers functions and responsibilities of Florida Council on Military Base and Mission Support to Florida Defense Support Task Force; and repeals Florida Council on Military Base and Mission Support.

FLORIDA DEFENSE SUPPORT TASK FORCE (SB 2076; SB 7188) This measure transfers functions of the Florida Council on Military Base and Mission Support to the Florida Defense Support Task Force; repealing provisions relating to the Florida Council on Military Base and Mission Support.

GROWTH MANAGEMENT (HB 7081) This action revises and provides provisions relating to growth management, local government comprehensive planning, comprehensive plans, state land planning agencies, local planning agencies, concurrency, interlocal agreements, public facilities reports, etc.

ENERGY (HM 1431) This measure urges Congress to stop an increase to the federal loan guarantee program for new nuclear reactors and rescind remaining funds; eliminate funding for mixed oxide plutonium fuel plants; support energy efficiency and renewable sources of energy and fund nuclear waste immobilization; increase funding for environmental cleanup programs, and direct US Department of Energy (DOE) to comply with all cleanup agreements and legacy management requirements.

ENVIRONMENTAL REGULATION (SB 716) This action prohibits a county from requiring an applicant to obtain a permit or approval from any state or federal agency as a condition of processing a development permit under certain conditions; provides exceptions to criteria required for system facilities designated under the Strategic Intermodal System; exempts underground injection control wells from certain rules; specifies a permit term for a solid waste management facility that does not have a leachate control system meeting the requirements FLDEP under certain conditions; provides for issuance of general permits for the construction, alteration, and maintenance of certain surface water management systems under certain circumstances, etc.

ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (SB 820) This measure provides that for any permit issued and approved by the FLDOH for the installation, modification, or repair of an onsite sewage treatment and disposal system to transfer with the title of the property; provides that a system modification, replacement, or upgrade is not required unless a bedroom is added to a single-family home; requires that FLDEP notify those counties or municipalities of use of certain state and federal program funds and to provide guidance and technical assistance upon request, etc.

CONTAMINATION NOTIFICATION (SB 866) This action revises contamination notification provisions; requires that individuals responsible for site rehabilitation provide notice of certain information related to contamination and site rehabilitation to specified entities; revises provisions relating to the content of such notice; requires FLDEP to provide notice of contamination to specified entities and certain property owners; revises FLDEP's contamination notification requirements for public schools; requires that the local government and FLDEP recover notification costs from responsible parties.

ENERGY CONSERVATION (SB 1074) This measure authorizes a municipality to collect special assessments to pay additional costs to purchase renewable energy for the municipality; provides for a portion of the proceeds of the local government infrastructure surtax to be used for financial assistance to homeowners who make energy [efficiency](#) improvements or install renewable energy devices; defines the terms "renewable energy devices," "energy efficiency improvement", etc.

PERMITS FOR ALTERNATIVE WATER SUPPLIES (SB 1178) This action specifies conditions of permit issuance; requires that certain permits approved for development of alternative water supplies by certain entities be granted for at least 30 years; excludes from application of the act, a permit for nonbrackish groundwater or no alternative water supplies; provides an option for the duration of an alternative water supply permit to a county, special district, regional water supply authority, multijurisdictional water supply entity, or publicly or privately owned utility.

FRESHWATER RIVERS AND LAKES (SB 1240) This measure exempts from permit requirements, certain projects that provide for removal of detritus from certain freshwater rivers or lakes if a governmental agency sponsors or participates in the project; prohibits FLDEP from charging a fee for detritus material that is removed; authorized the use of sovereignty

submerged lands for the purposes authorized by the act.

WATER AND WASTEWATER UTILITIES (SB 1244) This action prohibits the PSC from approving tiered rates based upon customer consumption; limits the amount certain utilities may recover as rate case expense to 50% of the total amount; limits the application of standards to water and wastewater utilities with \$1 million or more in annual operating revenues.

TRADING OF WATER QUALITY CREDITS (SB 1250) This measure provides that state policy is to encourage a water quality credit trading program through public-private partnerships; expands an existing water quality credit trading pilot program in the Lower St. Johns River Basin to include the Caloosahatchee, St. Lucie, and Lake Okeechobee Basins; requires that the water management district coordinate with FLDEP to establish public-private partnerships for the development of water quality enhancement projects and trading programs in the designated basins.

STATE LANDS (SB 1554) This action provides that certain individuals and corporations submit requests to the Board of Trustees of the Internal Improvement Trust Fund to exchange state-owned land for conservation easements over privately held land; provides criteria for consideration of such requests; and encourages certain operations on such lands.

ENERGY (SB 2094; SB 7202) This action adds factors for the PSC to consider when reviewing 10-year site plans submitted to the PSC by electric utilities; provides a sales tax exemption for materials used in distribution of biodiesel, ethanol and other renewable fuels; exempts from regulation, the sale of electricity to the public for the purpose of electric vehicle charging stations; includes algae and blue-green algae in provisions on permitting related to nonnative plants.

FINAL RULES

CONSUMPTIVE USE PERMITS (FAC 40C-2.101, .331, .381, .501, .900) The St. Johns River WMD is proposing rules that would streamline permit modifications by expanding the types of modifications to consumptive use permits (CUPs) that can be requested by letter (rather by filling out and submitting a complete CUP application form); clarify procedures and criteria for all CUP modifications, including letter modifications and renewals; revise and update permit limiting conditions, and allow a permit limiting condition to be waived or modified when the condition is inapplicable to the activity authorized by the CUP; repeal outdated general permit conditions (by type of use) and outdated special conditions; reduce the number of water use types from 23 down to seven, define water use types, make changes to parts of the CUP Handbook incorporated by reference in Rule 40C-2.900, F.A.C. and the CUP application form, and other forms incorporated by reference in Rule 40C-2.900, F.A.C., to conform to new water use type categories; revise and update the CUP application form and update rule references to this form; adopt Water Use Record (EN-50) and Water Use Reporting Verification (EN-51) forms incorporated by reference in Rule 40C-2.900, F.A.C.; adopt Annual Statement of Continuing Use form incorporated by reference in Rule 40C-2.900, F.A.C. as part of rulemaking to streamline and reduce water use reporting requirements for small water users (described below); define "domestic use," consistent with the statutory definition in Section 373.019(6), F.S.; streamline, clarify and update the District's rule on compliance reports for 20-year CUPs to conform the rule to recent statutory amendment in Section 373.236(4), F.S., that compliance reports cannot be required more than once every 10 years; clarify requirements for supplemental irrigation models and expand types of supplemental irrigations models allowed; clarify rules that apply to permit transfers; clarify monitoring requirements regarding water withdrawal quantities for CUPs initially issued prior to July 23, 1991, and clarify such monitoring for CUPs initially issued on or after July 23, 1991; reduce water use reporting requirements for small users (with permitted CUP allocations not exceeding 100,000 gallons per day on an annual average) who will be allowed to submit an "Annual Statement of Continuing Use" rather than semi-annually submitting EN-50 forms; and clarify that individual and standard general CUP applicants must submit a water conservation plan in their permit application. The [Notice of Proposed Rule](#) published August 19, 2011, and Notice of Development of Rulemaking was published August 20, 2011. Workshops were held September 16-17, 2011. A Notice of Meeting/Workshop Hearing was published October 21, 2011; Hearing was held November 8, 2011; Notice of change was published December 22, 2011; and a Notice of Rule Filing was published on January 27, 2012. Rules became effective on February 2, 2012. Contact: [Wendy Gaylord](#), (386)326-3026

PROPOSED RULES

STANDARDS FOR ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (FAC, CHAPTER 64E-6) The FL Department of Health (FLDOH) proposed amendments to standards for onsite sewage treatment and disposal systems. The rulemaking develops rules to implement provisions of Chapter 10-205, Laws of Florida (SB 550), which requires FLDOH to administer an onsite sewage treatment and disposal system evaluation and assessment program. Proposed rules address: application for a System Construction Permit; location and installation of onsite sewage treatment and disposal systems; site evaluation criteria; system size determinations; alternative systems; septage and food establishment sludge; portable restrooms and portable or stationary holding tanks; abandonment of systems standards for construction, operation and

maintenance of aerobic treatment units; construction materials and standards for treatment receptacles; construction standards for drain field systems; permitting and construction of repairs; additive use; Department of Agriculture Soil Textural Classification System; system location, design and maintenance criteria; cesspit and undocumented system replacement and interim system use; coordinated permitting; requirements for registration; master septic tank contractors; issuance of registration certificates and renewal; standards of practice and disciplinary guidelines; certification of partnerships and corporation; applications for innovative system permits and reclassification and system construction permits, location, installation, monitoring and Fees. FLDOH held a public workshop June 4, 2010 to discuss permitting and approval standards of onsite sewage treatment systems that provide treatment other than a septic tank, such as performance based treatment systems, aerobic treatment units and innovative systems. The Technical Review and Advisory Panel met July 15 and September 23, 2010. Public workshops were held October 12, 14, 18 and 21, 10, 2010. A public meeting was held in December 2010. DOH scheduled public meetings through December 2011.

[Notice of Public Workshop](#), [Notice of Rule Development](#)

Contact: Gerald Briggs, (850) 245-4250

SURFACE WATER QUALITY STANDARDS (FAC 62-302.200, .300, .400, .500, .520, .530, .540, .700, .800) FLDEP held two workshops to explore options with the public on Florida nutrient standards and other relevant provisions of water quality standards. The workshops were used to discuss concepts and gain public input on ideas for a State rule. Information gained will be used as part of the traditional State process of collaborative rulemaking. Note that FLDEP previously opened up Chapter 62-302, F.A.C., for establishment of nutrient standards, and then suspended that rulemaking. Workshops were held June 14-16, 2011, and October 4, 2011.

[Notice of Hearing/Public Workshop](#)

Contact: [Eric Shaw](#), 850-245-8429

RISK BASED CORRECTIVE ACTION (FAC 62-777) FLDEP has responded to a Petition to Initiate Rulemaking filed by Associated Industries of Florida pursuant to Section 120.54(7), F.S. FLDEP is initiating this rulemaking to commence the necessary dialogue among interested stakeholders to discuss proposed amendments to rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites in Florida. Subject areas to be addressed include FLDEP's RBCA guidance documents, in particular the "Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C. (February 2005)." Additional subjects to be addressed include the site assessment process, fate and transport modeling and statistical methods, the risk assessment process including criteria for allowing use of the probabilistic risk assessment, and criteria for achieving the "No Further Action" status at contaminated sites (with or without controls). [Notice of Development](#) was published October 28, 2011. Contact: [Brian Dougherty](#), 850-245-7503

ISSUANCE OF GENERAL PERMITS (FAC 40D-40.302) The Southwest Florida Water Management District (SFWMD) has proposed rules to clarify the threshold for general environmental resource permits when proposed activities occur in, on or over wetlands and other surface waters. Under current rule language, general permit activity in, on or over wetlands and other surface waters must be limited to one acre or less. Excluded from the calculation of this one-acre limit are upland-cut ditches and wholly-owned isolated wetlands or other surface waters less than one-half acre in size, and for which mitigation is not required. Under Section 3.2.2.2 of the District's Environmental Resource Permitting Information Manual Part B, Basis of Review, alterations to wholly-owned ponds constructed entirely in uplands and less than one-acre in size do not require mitigation to offset adverse impacts to fish and wildlife. The proposed amendment would exclude from the general permit threshold of one-acre of activities in wetlands or other surface waters, activities in wholly-owned ponds up to one-acre in size constructed entirely in uplands, and for which mitigation is not required. The effect would reduce unnecessary regulatory burdens and achieve streamlining benefits for the regulated public when proposed activities involve wetlands and other surface waters. The [Notice of Development of Rulemaking](#) was published November 10, 2011 and the Notice of Proposed Rule was published November 18, 2011. Contact: Barbara Martinez, (352) 796-7211, ext 4660

HEAVY-DUTY VEHICLE IDLING REDUCTION (62-285.420) FLDEP has proposed the repeal of rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary. Market incentives for diesel fuel cost savings renders the anti-idling requirements of Rule 62-285.420, F.A.C., unnecessary. A [Notice of Proposed Rule](#) was published November 10, 2011, and a Hearing was held December 8, 2011. Contact: [Patricia E. Comer](#), (850) 245-2288

SOLID WASTE FACILITY PERMITTING (FAC 62-701.200, .210, .220, .300, .315, .320, .330, .400, .500, .510, .530, .600, .620, .630, .710, .730, .803, .900) FLDEP has proposed amendments to Chapter 62-701, F.A.C., which contains regulations for a wide variety of solid waste facilities including landfills, construction and demolition debris disposal facilities and waste processing facilities. The chapter is being amended to clarify that storm water and surface water management are not regulated under solid waste permits. Prohibitions on disposal of yard trash and waste tires are

being updated to reflect statutory language. Permit fees for several types of facilities are being eliminated, and a new permit fee for certain general permits is identified. The kinds of documents that must be submitted with certifications of construction completion are clarified. The innovative use of recycled materials in lieu of soil for cover requirements is being specifically authorized. Requirements for routine leachate sampling are being eliminated. Financial assurance requirements for gas recovery facilities are being eliminated. Landfill closure procedures are being clarified. Additional flexibility in monitoring requirements for closed landfills is being added. The current provisions for deferral of financial assurance for disposal units that have not yet accepted waste are being replaced with the requirement that financial assurance is not necessary until 60 days prior to acceptance of waste. To conform to recent statutory changes, the general permit for land clearing debris disposal facilities will now apply to yard trash disposal facilities. Requirements for waste processing facilities are being reorganized and simplified. Indoor waste processing facilities will be allowed to apply for permit renewals under a general permit instead of an individual permit. Small container-to-container transfer stations will be exempt from permitting requirements under certain conditions, including a notification to FLDEP. These changes will have the effect of reducing permitting requirements for many facilities, and will not impose any additional permitting requirements on any facilities. [Notice of Rulemaking Development](#) was published August 13, 2010, and a [Notice of Proposed Rule](#) was published January 20, 2012. Comments are due by February 10, 2012, and a hearing is scheduled for February 16, 2012. Contact: [Richard Tedder](#), (850) 245-8735



2012 LEGISLATIVE SESSION: JANUARY 1, 2012 THROUGH APRIL 13, 2012

DEPOSIT ON BEVERAGE CONTAINERS ([HB 51](#)) This measure encourages collection and recycling of such containers; provides for payment of deposits and refunds; provides for mandatory acceptance by dealers; provides labeling requirements for beverage containers; provides for deposit and disposition of refunds; provides for registration and reports; and provides for redemption centers.

COMPREHENSIVE STATE-WIDE WATER MANAGEMENT PLANNING ([HB 111](#)) This action changes certain provisions relating to a policy statement for comprehensive state-wide water management planning, guiding principles, and requirements of plans; regulates interbasin and intrabasin transfers of water; provides an effective date; repeals conflicting laws; and provides for other purposes.

AIR QUALITY ([HB 716](#)) This action provides collective emissions limitations for facilities emitting penta-chlorophenol near primary and secondary schools, and provides for conditions for permits.

COVENANTS RUNNING WITH LAND ([HB 728](#)) This action clarifies the effect of zoning laws, covenants and scenic easements for use of the public, as well as the renewal of certain covenants.

INCOME TAX CREDIT FOR CERTAIN TRUCKS AND TAXIS FUELED BY NATURAL GAS ([HB 980](#)) This measure provides for an income tax credit with respect to construction of refueling stations for natural gas vehicles.

TIRE DISPOSAL RESTRICTIONS ([HB 915](#)) This action provides that certain persons transporting scrap tires shall only be paid after delivery is complete.

BONA FIDE CONSERVATION USE PROPERTY ([HB 916](#)) This measure changes certain qualifications and restrictions regarding covenants.

PROPOSED RULES

WASTEWATER DISCHARGE INTO POTWS (391-3-6-.08, -.09) The Georgia Environmental Protection Division (GAEPD) has proposed amendments to wastewater pretreatment permits for discharge of any pollutant into a publicly owned treatment works (POTWs) and then into the waters of the state. It would amend procedures and practices followed in development and submission of POTW pretreatment programs for GAEPD review, approval or denial, as well as public notification methods. The primary purpose of the proposed amendments is to comply with federal General Pretreatment Regulations for Existing and New Sources of Pollution, which establish responsibilities of government and industry to implement National Pretreatment Standards. Other proposed amendments would correct typographical errors, numerical and alphabetical inconsistencies, and clarify language and definitions, as required by EPA. The [Proposed Rule](#) was published August 5, 2009. Changes were proposed June 23, 2010, and comments were due July 23, 2010. Additional changes were proposed September 22, 2010. A public hearing was held October 27, 2010, and comments were due November 5, 2010. The rules were modified. Public comments were due October 26, 2011, and Board review was held

for December 7, 2011.

[Public Meeting Notice](#)

Contact: [Jamila Norman](#), 404-675-1687

SPILL REPORTING (GAC 391-3-6-.05) GAEPD proposed amendments that would modify the definition of "Major Spills," revise reporting requirements for non-major spills and amend the monitoring program protocol. The [Proposed Rule](#) was published September 8, 2010, and a public hearing was held October 15, 2010. Comments were due October 29, 2010. Substantial comments were received; GAEPD is reconciling them. GAEPD will then take the rule before the Board.

[Notice of Proposed Rulemaking](#)

Contact: Marzieh Shahbaz, (404) 362-2680

SURFACE WATER WITHDRAWAL PERMITS (GAC 391-3-6-.07) The Georgia Department of Natural Resources (GADNR) proposed amendments to procedures followed when obtaining a permit to withdraw, divert or impound surface waters of the state. Amendments would set forth information required on a permit application and outline procedures for granting, denying, revoking and modifying such permits. A public hearing was held January 5, 2011, and comments were due January 10, 2011.

[Notice of Proposed Rulemaking, Synopsis of Proposed Amendments, Proposed Amendments](#)

Contact: [Nap Caldwell](#), 404-463-4348

NON-STORMWATER GENERAL PERMITS (GAC 391-3-6-.15) GADNR has proposed amendments that would provide the GADNR Director discretion to allow coverage under a non-storm water general permit without submittal of a Notice of Intent (NOI), where requiring such notice would be inappropriate and federal regulations do not require such notice. The proposed rule would also address general and individual permit requirements, coverage area of a general permit, authorization to discharge, the degree of waste treatment required, notice and public participation, prohibited discharges, modification, revocation, reissuance and termination of permits. A public hearing was held January 18, 2011, and comments were due January 31, 2011. The Board reviewed these requests August 24, 2011. No final actions have been confirmed.

[Notice of Proposed Rulemaking, Synopsis of Proposed Amendments, Proposed Rule Text](#)

Contact: [Nap Caldwell](#), 404-463-4348

STANDARDS FOR PETROLEUM PRODUCTS (GAC 40-20-1-.01, -.12) The Georgia Department of Agriculture has proposed to update Rule 40-20-1-.01 to conform to ASTM International standard specifications, EPA regulations and practice. The gasoline sulfur specifications in Rule 40-20-1-0.01(a)(1) are revised to 95 ppm, which is also the downstream gasoline sulfur specification in EPA regulation found at 40 CFR 80.210. Lead specifications in Rule 40-20-1-.01(a)(4) and minimum octane ratings for leaded gasoline in Rule 40-20-2-.01(a)(7)(i) are deleted as they are no longer necessary because there leaded gasoline is no longer available for general consumption. The minimum temperature specification for 50% distillation of non-oxygenated Class D-4 gasoline in Rule 40-20-1-.01(a)(5)(i) is changed to 77°C/170° F to conform to specifications in the ASTM D4814 standard. Gasoline from origin to retail not blended with ethanol may meet a minimum 50% evaporated distillation temperature of 66°F for volatility class D-4 only. Gasoline meeting these limits is not suitable for blending with ethanol. Rule 40-20-2-.01(b)(2) is amended to require denatured ethanol used for gasoline blending meet the most recent version of specifications specified in ASTM D4806 standard. A reference to reformulated gasoline ("RFG") in Rule 40-20-2-.01(b)(5) is removed. EPA regulations no longer require minimum oxygen content for RFG. Kinematic viscosity specifications for Fuel Oils in Rule 40-20-2-.01(d)(1)(iv), (d)(2)(iv), (d)(3)(ii), and (d)(4)(ii) are changed to comply with specifications in ASTM D396, the Standard Specifications for Fuel Oils. A public hearing has not been scheduled. The deadline for public comment was May 27, 2011.

[Notice of proposed rulemaking](#)

[Proposed rules: 40-20-1-01, 40-20-1-12](#)

Contact: Rich Lewis, 404-656-3605

INDUSTRIAL STORMWATER DISCHARGES (GAR050000) The 2006 NPDES General Permit No. GAR000000 for Storm Water Discharges Associated with Industrial Activity expired 07/31/11. GAEPD is revising the existing permit for re-issuance in August 2011. The 2006 NPDES General Permit No. GAR000000 (being replaced by GAR050000) continues in force and effect until the new general permit is issued. Any permittee who submitted a properly-completed Notice of Intent (NOI), Version 2006 or Version 2010, to obtain coverage under the current permit prior to the expiration date will automatically remain covered until the new permit is issued. Existing permittees will have up to 30 days after the effective date of the new permit to submit an NOI (Version 2011 only) to obtain coverage under the new permit. A public meeting was held and comments were due August 1, 2011.

[Public Notice](#)

Contact: Frances Carpenter, 404-675-1605

ANTIDegradation Policy (391-3-6-.03) This rule is being amended to revise the State's antidegradation policy to better describe what requirements must be met before the State allows the discharge of pollutants into Tier 2 (high quality) waters. In addition, a Tier 2.5 designation is being added to protect Significant Natural Resource Waters. Finally, the requirements for Tier 3 waters (Outstanding National Resource Waters or ONRW) are being modified to allow for temporary or short-term changes in water quality, to update the attributes of waters considered for ONRW designation, to clarify that waters designated as ONRW will be included in the Rules, and to reword and renumber the requirements regarding new and expanding point source discharges upstream of and tributary to an ONRW. Public hearings were held October 18-20. Comments were due October 27, 2011, and a meeting was held December 7, 2011.

[Proposed Amendments](#)

[Draft Guidelines for Wastewater Discharge Antidegradation Analysis](#)

Contact: Jane Hendricks, (404) 362-2680

AIR NAAQS (391-3-1-Misc) GAEPD proposed amendments to Georgia's Rules for Air Quality Control, Chapter 391-3-1. The Director of GAEPD certifies that the revision of these rules are required to exercise authority approved and/or delegated by EPA to implement Sections 182(b)(2)(A) of the CAA. A Hearing was held December 6, 2011, and comments were due December 13, 2011. A meeting is scheduled for January 25, 2012.

[Notice of Public Hearing and Proposed Amendments](#)

Contact: Director, Air Protection Branch, 404-363-7000

HAZARDOUS WASTE MANAGEMENT (391-3-11) NCDENR has proposed amendments relating to hazardous waste management. Proposed regulations are being amended to: clarify notification requirements, specifically for hazardous waste transfer facilities and used oil facilities, and documentation and record keeping requirements for hazardous waste accumulation areas, and clarify that used oil containers and tanks must be kept closed except when adding or removing waste; clarify compliance monitoring provisions and correct typographical errors and omissions; amend the F019 listing to exempt wastewater treatment sludge from phosphating processes; establish an alternative set of generator requirements applicable to eligible academic entities; reflect the new name for USEPA Office of Resource Conservation and Recovery; terminate regulations known as the National Environmental Performance Track Program; establish an alternative set of generator requirements applicable to eligible academic entities that are flexible and protective; remove saccharin and its salts from the lists of hazardous constituents and commercial chemical products; allow authorized manifest form printers greater flexibility in complying with Federal printing specifications; implement recent changes to agreements concerning transboundary movement of hazardous waste among OECD countries; and finalize amendments to NESHAPs and Final Standards for HAPs for hazardous waste combustors; provide an alternative standard to use the best demonstrated available technologies for treating carbamate wastes prior to land disposal. The [Notice of Public Hearing](#) and [Proposed Amendments](#) were published November 15, 2011. A Hearing was held December 15, 2011, and comments were due December 19, 2011. Contact: Mark Smith, Chief, Land Protection Branch, 404-463-8509



LEGISLATIVE SESSION: JANUARY 1, 2012 THROUGH APRIL 9, 2012

ALTERNATIVE FUEL AND RENEWABLE ENERGY (HB 103) This measure amends KRS 48.705 to annually remove one percent of the balance in the budget reserve trust fund to be divided equally between the Kentucky alternative fuel and renewable energy fund, the rural development fund, and the water quality account of the infrastructure revolving fund, to be used for research and development; creates a new section of KRS 152.00-710 to 152.00-725 to establish the alternative fuel research trust fund; and establishes the water quality account.

ENERGY (HB 167) This action encourages greater energy efficiency and conservation, and the use of renewable resources in order to promote energy independence and security; stabilizes long-term energy prices and encourage economic growth; creates high-quality jobs, training, business and investment opportunities in the Kentucky energy sector; sets specific obligations to achieve specified increases in applications of various renewable energy forms; provides for PSC denial of issuance of certificates for public convenience and necessity for new or expanded conventional generating capacity for utilities that fail to fulfill obligations to diversify energy sources and increase efficient use of energy.

NET METERING (HB 187) This measure expands eligibility requirements for net metering.

CLEAN AND ALTERNATIVE TRANSPORTATION FUELS (HB 245) This action defines "clean transportation fuel," "conversion," and other terms associated with retrofitting vehicles to operate on compressed or liquefied natural gas; includes natural gas in the definition of "alternative transportation fuels" and includes Kentucky's public and private col-

leges in the state strategy relating to those fuels; includes local government entities in the definition of "eligible company" for the alternative fuel and renewable energy program; and establishes income tax credits for persons who convert vehicles to burn natural gas or buy new vehicles that do so.

PROMOTION OF ALTERNATIVE ENERGY (HB 246) This measure expands the types of alternative and renewable energy that qualify for incentives; expands the types of alternative fuels, renewable energy, energy storage, and component manufacturing facilities that qualify for incentives; and exempts sales of some geothermal drilling supplies and tools from sales and use tax.

PROPOSED RULES

BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING (807 KAR 5:100, 5:110) The Kentucky Energy and Environment Cabinet (KEEC) has proposed amendments to rules concerning Board proceedings and permit application requirements. Amendment establishes procedures related to applications, filings, notice requirements, hearings and confidential material under the jurisdiction of the Kentucky State Board on Electric Generation and Transmission Siting; adds language regarding carbon dioxide pipelines; establishes the initial filing fee for an application with the Siting Board for a construction certificate for a carbon dioxide transmission pipeline. Rules were proposed June 4, 2011, and a public hearing was held July 25, 2011. Comments were due July 31, 2011. Following revisions based on comments received, a public hearing was held October 24, 2011. Revisions await legislative approval.

[Proposed Rules: KAR 5:100; KAR 5:110, Board on Electric Generation and Transmission Siting](#)

Contact: Quang Nguyen, (502) 564-3940

FOREST BIOMASS FOR ENERGY The Kentucky Division of Forestry has released [recommendations for harvesting forest biomass](#) as an alternative energy source. Recommendations for the protection of water quality, wildlife habitat, native species and site productivity are addressed in detail, and are aligned with key issues in the Kentucky Forest Action Plan and the State's energy plan. The News Release was published November 14, 2011. Contact: Division of Forestry, (502) 564-4496

NATIONAL CONSERVATION EASEMENT DATABASE RELEASED KEEC has announced the release of the National Conservation Easement Database (NCED), a collaborative effort among five leading conservation organizations. The database represents the most complete easement dataset for the US, providing information on more than 80,000 easements that equate to 17.8 million acres. The [News Release](#) was published December 19, 2011. Contact: [Kentucky State Nature Preserves Commission](#), (502) 573-2886



LEGISLATIVE SESSION: JANUARY 3, 2012 THROUGH MAY 5, 2012

GREEN STANDARDS (HB 93) This measure provides credit to contractors for homes constructed in accordance with certain Green standards; provides an income tax credit to state licensed contractors for construction of single-family homes constructed in accordance with and certified by the national green building certification program, and have received a national green building certificate.

FINAL RULES

CO2 DEFERRAL AND SIP REVISION (APSC-S-5, 6) The Mississippi Department of Environmental Quality (MSDEQ) has amended the State's "Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act", APC-S-6. MSDEQ also adopted revisions and amendments to its State Implementation Plan (SIP) to incorporate, by reference, updated relevant portions of federal regulations as promulgated in 40 CFR Parts 51.166 and 52.21 in order to make the state PSD of Air Quality permitting program consistent with the federal requirements. Amendments incorporate federal provisions relating to implementing the 3-year Deferral for CO2 Emissions from Bioenergy and Other Biogenic Sources under the PSD and Title V Programs Rule as promulgated by EPA July 20, 2011, and to incorporate the Reasonable Possibility in Recordkeeping Rule promulgated by EPA December 21, 2007. Amendment also incorporates the Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM2.5); Final Rule to Repeal Grandfather Provision. Amendments were published November 4, 2011; Hearing was held December 6, 2011; and the Final Rule was filed December 14, 2011. It became effective January 13, 2012.

APC-S-5 [Proposed Amendments](#), APC-S-5 [Final Rule Text](#), APC-S-6 [Final Rule Text](#)

Contact: Ted Lampton, Phone: (601) 961-5523, Email: Ted.Lampton@deq.state.ms.us

PROPOSED RULES

CONSERVATION AND ENERGY EFFICIENCY PROGRAMS (RULE 29) The Mississippi Public Service Commission (MSPSC) proposed new Public Utilities Rules of Practice and Procedure Rule 29 to implement energy efficiency programs and standards in Mississippi. The rule applies to electric and natural gas service providers subject to the jurisdiction of MSPSC. It is intended to encourage early implementation of energy efficiency programs, and to provide experience on which Mississippi's service providers and the MSPSC can build long-term energy efficiency programs. The [proposed rule](#) was submitted August 4, 2011. Public comments were due September 16, 2011. A public hearing will be set by subsequent order of the MSPSC.

Contact: [Brian Ray](#), (601) 961-5434

SURFACE WATER AND GROUNDWATER USE AND PROTECTION (LW-2: 51-3-13, 51-3-31, AND 49-17-703) MSDEQ's Commission on Environmental Quality has proposed amendments to "Surface Water and Groundwater Use and Protection Regulations." Amendments to LW-2 would reduce public water infrastructure costs in the public. The Permit Board would have the authority to reject an application for proposed water withdrawal from a publicly owned utility (or require its modification) under circumstances where consolidation between publicly owned utilities would be less costly to the public than the proposed water withdrawal within the areas of the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone; and will require permitting of groundwater replacement wells within the areas of the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone, pursuant to Miss. Code Amt. Sections 51-3-13, 51-3-31, and 49-17-703. The Commission would have the authority to require consolidation of water supply in circumstances where consolidation by and between publicly owned utilities would reduce costs to the public pursuant the same sections and code. The [Notice of Proposed Rulemaking](#) (underlined at page 23) was published October 1, 2011, and comments were due October 24, 2011. A Public Hearing was held October 25, 2011. Contact: [Jamie Crawford](#), (601) 961-5201



LEGISLATIVE SESSION: MAY 1, 2012 THROUGH JUNE 29, 2012

SEDIMENTATION POLLUTION CONTROL ACT EXEMPTION (SB 491) This act specifies that the agricultural use exemption from sedimentation pollution control act permitting requirements continues to apply when the land is transferred into a wetlands restoration program or other water quality, water resources, or wildlife habitat enhancement program.

ENERGY JOBS ACT (SB 709). This action increases energy production in North Carolina to develop a secure, stable and predictable energy supply to facilitate economic growth, job creation and expansion of business and industry opportunities; assigns future revenue from energy exploration, development and production of energy resources in order to protect and preserve the state's natural resources, cultural heritage and quality of life.

OFFSHORE WIND JOBS AND ECONOMIC DEVELOPMENT (SB 747) This measure encourages development of the state's offshore wind energy resources and attracts jobs and economic development.

FINAL RULES

ADVANCED WASTEWATER PRETREATMENT SYSTEM (15A NCAC 18A .1970) The North Carolina Department of Environment and Natural Resources (NCDENR) has adopted rules relating to advanced wastewater pretreatment systems. A wastewater system with a design flow of up to 3000 gallons per day approved pursuant to 15A NCAC 18A .1957(c) or .1969 that includes an advanced pretreatment component shall be specifically designed to meet one of the effluent quality standards specified in Table VII prior to dispersal of the effluent to the soil and shall comply with the requirements of this Rule. The [Proposed Rule](#) was published May 2, 2011. The Final rule became effective October 1, 2011. The [Approved Rule](#) was published November 1, 2011. Contact: Steven Berkowitz, (919)715-3271

PROPOSED RULES

PSD REQUIREMENTS FOR GHGs (15A NCAC 02D .0544) NCDENR has [proposed an amendment](#) to update the PSD for GHGs Rule in order to reflect the three year Federal deferral from consideration of CO2 emissions from combustion of biomass. The deferral was promulgated July 20, 2011 (76 FR 43490). The Environmental Management Commission (EMC) is requested to approve one or more public hearings to consider these temporary rules. So the existing rule is no more restrictive than the Federal rule in accordance with G.S. 150B-19.3, NC Division of Air Quality (DAQ) needs to amend the State rule to incorporate the EPA deferral period for biogenic CO2 emissions. Also under G.S. 150B 19.1(a) (2), an agency shall seek to reduce the burden upon those persons or entities who must comply with the rule being

adopted. Deferring biogenic CO2 emissions will reduce the regulatory burden on affected facilities by eliminating biogenic CO2 emissions when determining whether a stationary source meets the PSD and Title V applicability thresholds, including those for the application of Best Available Control Technology (BACT). A Temporary Rule is being presented to the Board to ensure that stationary sources would not have to complete a BACT analysis for biogenic CO2, and possibly be required to install equipment to control emissions during the three year deferral period and during the permanent rulemaking process. EPA's future rulemaking is uncertain until EPA completes review of the scientific and technical issues related to accounting for biogenic CO2 emissions. A public hearing was held September 28, 2011, and public comments were due October 14, 2011. A second hearing is scheduled for March 14, 2012, and comments are due April 2, 2012.

[Notice of Public Hearing](#)

Contact: [Joelle Burlison](#), 919-733-1474

UNDERGROUND INJECTION CONTROL WELLS (15A NCAC 02C – VARIOUS) NCDENR has proposed amendments to comply with changes to applicable federal regulations, make organizational improvements, and to make editorial changes or corrections. Organizational changes would provide that all administrative requirements are located in a single rule, and so that unique requirements for different types of injection wells are located in a specific rule dedicated to each type of injection well. Amendment would primarily enable each allowable injection well type to have permitting, construction, monitoring and reporting requirements located in a unique rule dedicated to each type of allowable injection well. Other amendments are to be reserved for future codification in order to simplify the rulemaking process for emerging issues. Amendments contain language of existing rules that will be relocated to new rules to provide a smooth organizational structure. Rules proposed for repeal consist of regulatory language that is being relocated to the content of the rules proposed for amendment, which will enable an organizational structure where each allowable injection well-type has permitting, construction, monitoring and reporting requirements located in a unique rule dedicated to that well type. The Notice of Proposed Rules was published October 17, 2011. Hearings were scheduled for November 20, and December 1, December 13-14, 2011. Comments are due January 13, 2012.

[Proposed Rules](#)

Contact: Thomas Slusser, 919-715-6164

OPEN BURNING (15A NCAC 02D .1900) NCDENR has proposed amendments in response to the General Assembly's Session Law 2011-394, House Bill 119, which makes changes to rules that govern open burning without a permit and air curtain burners. [Draft Rule Amendments](#) were published October 18, 2011. Contact: [Joelle Burlison](#), 919-733-1474

ALBEMARLE-PAMLICO NATIONAL ESTUARY PROGRAM DRAFT MANAGEMENT PLAN – INPUT REQUESTED The Albemarle-Pamlico National Estuary Program (APNEP) is seeking feedback from partners and the public on its draft Comprehensive Conservation and Management Plan to protect and restore the Albemarle-Pamlico estuarine system. The plan provides an overarching vision and direction to advance ecosystem management and protection for the Albemarle-Pamlico estuary during the next 10 years. APNEP is a federally funded program that supports ecosystem-based management of the Albemarle-Pamlico estuary and its watershed, an area that spans parts of North Carolina and Virginia. APNEP's mission is to identify, protect and restore the significant resources of the Albemarle-Pamlico estuarine system. The program pursues its mission by working closely with residents, scientists, universities, businesses, non-profit organizations and all levels of government. It is supported by NCDENR, EPA and the Virginia Department of Conservation and Recreation. To facilitate public input and dialogue, APNEP will conduct public meetings in eastern North Carolina and southeastern Virginia in November and December (see below). The objectives of the meetings are to present an overview of the draft plan and the process to develop it, and provide members of the public with an opportunity to ask clarifying questions about the draft strategic action plan and offer comments and suggestions. The meetings will include a presentation and a public comment session, hosted in an open house format where participants will have informal opportunities to engage with APNEP staff on specific topics. Please note, these are not regulatory hearings, and advertisement of these meetings in the North Carolina Register is for notification purposes only. The [Notice](#) was published on November 15, 2011. Meetings were held November 21, 22, 29, 30, and December 6-7, 2011. Comments were due January 17, 2012. Contact: Albemarle-Pamlico National Estuary Program, c/o [Jim Hawhee](#), (919) 707-8632



LEGISLATIVE SESSION: JANUARY 10, 2012 THROUGH JUNE 7, 2012

INTERNATIONAL ENERGY CONSERVATION CODE OF 2009 (HB 4639, SB 1110) This bill adopts the 2009 edition of the international energy conservation code as the energy standard.

EXEMPTIONS AND LIMITATIONS ON POLLUTANTS (HB 4654, SB 1126) This measure prohibits discharge of pollutants

into the environment and remedies for violations; provides exemptions and limitations on exemptions; specifies that no private cause of action is created by or exists under the pollution control act; amends section 48-1-130 relating relates to final orders of the South Carolina Department of Environmental Health and Conservation (SCDHEC) discontinuing discharge of pollutants; deletes provisions relating to required procedures preceding issuance of a final order; and provides that an order is subject to review pursuant to the administrative procedures act.

NATIONAL OCEAN COUNCIL ([HCR 4703](#)) This concurrent resolution opposes and refuses to recognize or enforce the coastal and marine spatial plans created in South Carolina pursuant to the authority of the National Ocean Council.

SAVANNAH RIVER ([HJR 4627](#), [SJR 1115](#)) This joint resolution suspends SCDHEC's authority for all decisions subsequent to 2007 pertaining to navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues of the South Carolina portion of the Savannah River. The authority of the Savannah River Maritime Commission supercedes and replaces that of SCDHEC with regard to actions concerning the South Carolina portion of the River by enactment of act 56 of 2007, effective May 1, 2007.

SAVANNAH RIVER DREDGING ([SCR 1095](#)) This concurrent resolution relates to the SCDHEC Board's vote to approve the Army Corps of Engineers' (USCOE) application to dredge the Savannah River. It resolves that the Board acted without independent consideration and analysis and neglected its duty to protect the environment in South Carolina; and calls upon the Board to reconsider the matter and overturn its application approval.

DISAPPROVAL OF SCDHEC FEE REGULATIONS ([SJR 1098](#)) This joint resolution disapproves regulations that adjust the Safe Drinking Water Act (SDWA) fee structure to ensure adequate funds are available to cover costs associated with new federal drinking water regulations; continues to provide monitoring and compliance services for recently promulgated federal drinking water regulations.

PROPOSED RULES

AIR PERMITTING GUIDANCE SCDHEC has published two [guidance memos](#) to be used by Bureau of Air Quality (BAQ) staff to determine when like-for-like replacement of equipment and control device(s) will be allowed without a construction permit. One memo is to be used for PSD major sources and the other for PSD non-major sources. SCDHEC grants permission to proceed with minor alterations or additions without issuance of a permit when the SCDHEC determines the alteration or addition will not increase quantity or alter the character of the source's emissions. A facility may request an exemption from the requirement to obtain a construction permit for modifications to existing equipment, including the reconstruction, relocation, and replacement of existing equipment. A Notice was published November 25, 2011. Contact: SCDHEC (803), 898-3432

AIR EXEMPT SOURCES SCDHEC has published a list of sources for which it has determined that construction permits shall not be required. SCDHEC is placing the exempt sources listed in Section II(B)(2) and other sources determined will not interfere with attainment or maintenance of any State or Federal standard, on a list of sources to be exempted without further review. This list of exempt sources will be maintained by SCDHEC and periodically published in the South Carolina State Register. Notice of [General Public Interest](#) was published November 25, 2011. Contact: SCDHEC, (803) 898-3432

SURFACE WATER WITHDRAWAL, PERMITTING, USE AND REPORTING (R. 61-119, 121-10, 121-12) This rulemaking implements new rules to rename sections of the Surface Water Withdrawal, Permitting, Use and Reporting Act, amends rules to incorporate fees authorized by this Act, and repeals regulations which would become obsolete upon promulgation of the new regulation. The first Notice of Drafting was published August 27, 2010; second May 27, 2011; deadline for comments was June 27, 2011. Revisions were made based on comments received, and the rule was reissued for public comment August 26, 2011. Comments were due September 26, 2011. The public hearing scheduled for October 13, 2011 was postponed until December 8, 2011.

[Proposed Rule](#)

Contact: Charles Gorman (803) 898-3112

AIR POLLUTION CONTROL (61-62.60; 61-62.61; 61-62.63; 61-62.5) SCDHEC has proposed amendments to air pollution control regulations and standards and the SC Air Quality SIP: amend Regulations 61-62.60, .61 and .63, to incorporate by reference federal amendments published from January 1, 2010 through December 31, 2010; amend Regulation 61-62.63, to incorporate a 2008 amendment to 40 CFR Part 63 based on a final rule entitled National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (73 FR 35939; June 25, 2008); reformat the AAQS Table and revise Regulation 61-62.5, Standard 2, to incorporate deletion of an annual stan-

dard for PM10 that EPA revoked in 2006; and amend Regulation, 61-62.5, Standard 7, to incorporate maximum allowable increases in ambient pollutant concentrations ("increments") required by PSD for PM 2.5 (75 FR 64864, October 20, 2010). The final rule adds two EPA screening tools PM2.5. The tools are not federally mandated and may be incorporated in a future action. SCDHEC may propose other changes to Regulation 61-62, to include corrections for internal consistency, clarification, reference, punctuation, codification, formatting and spelling. Proposed amendments in this Notice will not be more stringent than current federal requirements, thus do not require legislative review. [Notice of Drafting](#) was published October 28, 2011, and comments were due November 28, 2011. Contact: [Mallori McAllister](#)

NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES (SCR100000) SCDHEC is seeking input on this [proposed permit](#) and invites interested people to a public hearing and/or to provide written comments. A Public Hearing was held November 14, 2011, and comments were due November 28, 2011. [Notice of Proposed Permit, Fact Sheets and Rationale, Notice of Intent/Certification Forms](#)
Contact: Freedom of Information Office, 2600 Bull Street, Columbia, SC 29201, (803)-898-3882

CLASSIFIED WATERS (R.61-68; R.61-69) SCDHEC has proposed amendments to R.61-68 to strengthen and improve the existing regulation and make appropriate revisions of the State's water quality standards in accordance with the Federal Clean Water Act (CWA), as required by Section 303(c)(2)(B) stating that South Carolina's water quality standards be reviewed and revised, where necessary, to comply with Federal regulatory revisions and recommendations. SCDHEC proposes revisions to replace fecal coliform as a bacterial indicator for recreational uses in freshwaters of the State. Revisions would replace specific language regarding how the bacterial indicator species will be used for implementation activities of SCDHEC in all waters of the State and revisions associated with corrections or clarifications for language in the current regulation. SCDHEC proposes to amend R.61-69 for consistency with proposed language changes in R.61-68, to correct errors, and make other changes necessary to improve overall quality of the regulation. The first Notice of Drafting was published April 22, 2011, and the second was published July 22, 2011. A Notice of Proposed Regulations was published October 28, 2011. Comments were due November 20, 2011, and a Public Hearing is scheduled for January 8, 2012.
[Proposed Rule Information](#)
Contact: [Gina Kirkland](#), (803) 898-4330



2012 LEGISLATIVE SESSION: JANUARY 10, 2012 THROUGH MAY 24, 2012

WATER POLLUTION (HB 2349, SB 2211) This measure requires the commissioner of the Tennessee Department of Environment and Conservation (TDEC) to impose certain conditions to provide mitigation of impact when issuing a permit for an activity that will cause alteration of aquatic resources in waters.

TAX EXEMPTION AND CREDITS (HB 2735, SB 2354) This action exempts from sales tax, the purchase of solar panels for legitimate business or commercial purposes.

TAX EXEMPTION AND CREDITS (HB 2918, SB 3335) This measure provides a sales and use tax refund for persons or entities installing a geothermal heat system in a residence or business.

PETROLEUM USTs (HB 3014, SB 3184) This measure requires TDEC to regulate petroleum USTs only to the extent required by federal law.

RECYCLING (HB 3029, SB 2753) This action enacts the "Solid Waste Planning Act of 2012," which requires consideration of economic activities concerning recycling when promulgating rules and regulations concerning solid waste and landfills; makes certain other changes and additions to present law concerning recycling.

WATER POLLUTION (HB 3076, SB 3187) This measure authorizes municipal separate storm sewer systems that become qualified local programs pursuant to TDEC approval to administer their own NPDES storm water construction permitting programs and the review thereof.

WATER POLLUTION (HB 3077, SB 3186) This action authorizes phase I and phase II designated municipal separate storm sewer systems to administer their own NPDES storm water construction permitting programs and the review thereof.

GAS, PETROLEUM PRODUCTS, VOLATILE OILS (HB 3203, SB 3126) This measure directs the state oil and gas board to

adopt regulations and governing standards for groundwater protection.

TDEC REPORTING REQUIREMENTS (HB 3248, SB 3078) This action expands TDEC reporting requirements on the hazardous waste regulatory program.

SOLID WASTE DISPOSAL (HB 3292, SB 3351) This measure requires that aluminum dross be disposed of in Class I landfills; prohibits increasing classification of existing landfills located within municipal boundaries to Class I; and requires local approval of increases in classification in counties and municipalities.

SOLAR TAX EXEMPTION AND CREDITS (HB 3395, SB 2917) This action authorizes a 20% tax credit for a qualified purchaser of solar panels and related solar energy technology to be installed in a residence or business; allows the credit to be applied against sales and use taxes and franchise and excise taxes.

GREEN ENERGY PRODUCTION PROPERTY (HB 3520, SB 3296) This measure revises provisions governing the valuation and ad valorem assessment of green energy production property

VARIANCES FOR CERTAIN OPEN BURNINGS (HB 3765, SB 3549) This action authorizes the air pollution control board to issue the TDEC Commissioner authority to grant variances for certain open burnings and emissions testing requirements.

WATER USAGE FEES (HJR 617) This joint resolution expresses opposition to USCOE water usage fees.

FINAL RULES

UST PROGRAM (TAC 1200-1-15.1-.16) TDEC has adopted rulemaking relating to the Underground Storage Tank Program. Rulemaking repeals rules regarding the UST Program; program scope, definitions and proprietary information; UST system: installation and operation; notification, reporting and record keeping; release detection; release reporting, investigation and confirmation; petroleum release response, remediation and risk management; out-of-service UST systems and closure; financial responsibility; petroleum underground storage tank fund; fee collection; appeals; indicia of ownership; voluntary registry; record retention by the Division; petroleum product delivery; and certified operator program in Chapters 1200-1-15-.1 thru .16 (moves them to new Chapters 0400-18-1-.1 thru .16). A [Notice of Rulemaking Hearing](#) was filed June 27, 2011. A Hearing was held and comments due, August 25, 2011. Rulemaking Hearing Rules were filed December 8, 2011. The rule becomes effective March 7, 2012.

[Notice of Proposed Rulemaking](#), [Text](#)

Contact: Rhonda Key, 615-532-0972

ADMINISTRATIVE PROCEDURES (1200-01--22; 0400-10-01--) TDEC has proposed changes to Chapter 1200-01-10 to reflect the reorganization of TDEC rules in order to be more logical and user friendly. Various additions and modifications will incorporate changes to the numbering designation of rules from 1200-01-10 to 0400-10-01, and correct typographical errors throughout all Chapters. The Notice of Rulemaking Hearing was filed June 7, 2011. A hearing was held on August 5, 2011, and [Rulemaking Hearing Rule](#) was filed November 15, 2011. The rule becomes effective February 13, 2012. Contact: [David Moran](#), (615) 532-0875.

LEAD-BASED PAINT ABATEMENT (1200-1-18-.1-.6, 0400-13-1.1-.6) TDEC has proposed amendments that would provide procedures and requirements for accreditation of lead-based paint activities and renovation training programs; outline procedures and requirements for certification of individuals and firms engaged in lead-based paint activities; and provide work practice standards for performing such activities. Amendments would repeal unnecessary provisions, and stipulate that all lead-based paint activities be performed by certified individuals and firms. OGC completed its review the week of March 29, 2010. The rule was sent to the Attorney General for review and to ensure that legislative authorities are in existence and cited properly. The rule remains at the Attorney General's Office. It is anticipated that the rule will be filed with the Secretary of State in 2011. Once filed, the rule becomes effective 90 days later.

[Notice of Proposed Rulemaking](#)

Contact: [Adrienne White](#), 615-532-0885

PROPOSE RULES

STATE SOLID WASTE REDUCTION GOALS (TAC 1200-1-7-.1, -.9, -.10) TDEC has [proposed amendments](#) to address state waste reduction goals: reduce annually, the amount of solid waste going to Class I, Class III, and Class IV landfills. The rule addresses a private sector survey that would establish a baseline index for waste reduction and recycling activities, as well as monitor change. The current waste disposal reduction goal would be deleted in its entirety. Amendments

would add definitions for calculated generation, municipal solid waste, E-scrap, local government, material derived fuels and waste to energy facility/combustor. The rule did not go before the Solid Waste Disposal Control Board at the December 7, 2010 meeting. There will be meetings with stakeholders in 2011 to help to shape draft language. It will likely be several months before the new rule language is drafted. Contact: [Greg Luke](#), 615-532-0874

WASTE MANAGEMENT PROGRAM (TAC 0400 VARIOUS AND 1200-1-VARIOUS) TDEC is proposing to repeal rules regarding solid waste management in various sections of Chapter 1200-0, and move them throughout various sections of new Chapter 0400-12. The effort would establish a voluntary alternate set of flexible and protective generator requirements applicable to laboratories owned by eligible academic entities, and address the specific nature of hazardous waste generation and accumulation in these laboratories. The rule would adopt Federal changes to agreements concerning transboundary movement of hazardous waste among countries belonging to the Organization for Economic Cooperation and Development (OECD). The rule was proposed June 10, 2011, a public hearing was held August 5, 2011, and the comment deadline was August 11, 2011. A public hearing was held, and public comments were due September 14, 2011.

[Notice of Rulemaking Hearing](#)

Contact: [Mr. David Moran](#), 615-532-0875

CORRECTIVE ACTION ORDER The TDEC Division of Solid Waste Management (DSWM) proposes to issue an order to DoD, Army, owner of the former Volunteer Army Ammunition Plant (VOAAP) EPA ID Number: TN6 21 002 0933, located in Chattanooga, Hamilton County, Tennessee. The order will include conditions for continuing corrective action of solid waste management units (SWMUs) and areas of concern (AOCs). These conditions apply to the entire site. Currently, all corrective action oversight at VOAAP is being conducted by the EPA and the DSWM in accordance with an EPA-issued Administrative Order under Section 3008(h) of RCRA. On April 11, 2007, DSWM notified the Army that VOAAP was included on the 2020 GPRC Cleanup Baseline. As a result, DSWM and EPA have the responsibility of ensuring that corrective action be completed at VOAAP or, alternatively, a protective final remedy will be in place (i.e., remedy construction complete) by the end of 2020. Since Tennessee is authorized to implement corrective action, all parties have agreed to consolidate all ongoing corrective action under an enforceable document with DSWM as the lead agency. The order identifies known SWMUs and AOCs for the entire VOAAP site. DOD is required to investigate any releases of hazardous waste or hazardous constituents pursuant to this agreed order and to take appropriate corrective action for any such releases. In addition to corrective action, under the conditions of this agreed order, DoD is also required to notify of imminent hazards; and as applicable, comply with the requirements developed under land disposal restrictions and organic air emission standards. DSWM proposes to issue the order under the authority of the Tennessee Hazardous Waste Management Act of 1977, Tennessee Code Annotated, Section 68-212-101 et seq., and Tennessee Rule Chapter 1200-01-11, Hazardous Waste Management. A draft order has been prepared and is available for public review and comment. A Fact Sheet summarizing corrective action activities to date has also been prepared and is available for public review. The order is pending action by TDEC.

[Notice of Intent](#)

Contact: Roger Donovan, 423-757-5310

UST PROGRAM OPERATOR TRAINING (0400-18-01-.01, 0400-18-01-.16) TDEC has proposed amendments to petroleum UST regulations to clarify requirements for operator training. To correct an oversight, operator training regulations need to cover operation of USTs that are currently deferred in subparagraph (2)(b) of Rule 0400-18-01-.01. The International Code Council has notified TDEC that it will no longer offer the Tennessee UST System Operator Examination, and that it has made changes to the National version of that exam; therefore, subparagraph (2)(a) of Rule 0400-18-01-.16 was amended. The regulated community requested that TDEC define the term "unmanned facilities" to clarify which requirements apply to manned and unmanned facilities. Regulations were also amended to make it easier for the regulated community to confirm training for designated class C operators. Requested clarifications are contained in these proposed amendments. The [Notice of Rulemaking Hearing](#) was published January 23, 2012. A Hearing is scheduled for, and comments are due March 13, 2012. Contact: [Rhonda Key](#), (615) 532-0989

Department of Defense Activity

NATIONAL DEFENSE AUTHORIZATION (JANUARY 4, 2012) The National Defense Authorization Act for FY 2012 has been enacted as [Public Law 112-81](#). The Act contains some specific energy and environmental provisions including: Designation of senior official responsible for operational energy plans. The secretary of a military department may develop and implement an Integrated Natural Resources Management Plan (INRMP) for a State-owned National Guard installation. Such program shall be carried out in coordination with the chief executive offices of the State in which the installation is

located. Discharge restrictions of wastes at sea generated by ships of the armed forces, including details of allowable discharges that will apply when MARPOL requirements cannot be met by military vessels. Clarification of DoD responsibilities for developing alternative fuels will be provided. The DoD Energy Performance Master Plan shall address application of energy-efficient or energy reduction technologies or processes in logistics support contracts for contingency operations. Requiring a health assessment report on each open-air burn pit at a location where at least 100 personnel have been employed for 90 consecutive days or more. The Secretary of Defense is to submit an annual report on defense environmental programs, including a simplified Restoration Program Report and information on the Military Munitions Restoration Program (MMRP). The Navy is to cooperate with the Agency for Toxic Substances and Disease Registry on investigation of historic water contamination at Marine Corps Base Camp Lejeune.

Federal Activity

AIR

RICE NESHAPS (JANUARY 4, 2012, [77 FR 282](#)) EPA will amend the Stationary Reciprocating Internal Combustion Engine (RICE) National Emissions Standards for Hazardous Air Pollutants (NESHAP) provision to increase the number of hours emergency engines may operate when responding as a result of an emergency demand response program when grid failure and a blackout are imminent (75 FR 75937). In as settlement with power providers, EPA has agreed to allow emergency engines up to at least 60 hours of operation annually (instead of 15 as currently allowed). Comments are due February 3, 2012. For further information: [Michael Horowitz](#), EPA, Air and Radiation Law Office, Washington, DC; (202) 564-5583.

COMBUSTION PORTAL (JANUARY 11, 2012) This EPA-funded website provides federal and state compliance information and sustainability content for various combustion processes (boilers, incinerators, reciprocating internal combustion engines [RICE], and wood heating appliances) that are impacted by federal and state regulations. The site includes calculators to estimate emissions from boilers fired by propane, butane, natural gas and oil. For more information, or to pass along suggestions, please contact: [Bill Chenevert](#), Administrative Director, (734) 995-7989.

2010 GREENHOUSE GAS (GHG) EMISSIONS DATA (JANUARY 11, 2012) For the first time, comprehensive GHG data reported directly from large facilities and suppliers across the country are now easily accessible to the public through [EPA's GHG Reporting Program](#). The [2010 GHG data](#) includes public information from facilities in nine industry groups that directly emit large quantities of GHGs, as well as suppliers of certain fossil fuels.

LEAD (FEBRUARY 2, 2012, [77 FR 5247](#)) EPA released a document titled, "[Second External Review Draft Integrated Science Assessment for Lead](#)" (EPA/600/R-10/075B), which is part of the review of the national ambient air quality standards (NAAQS) for lead (Pb). Without making a policy recommendation regarding NAAQS regulatory levels, the document expands upon findings of the 2006 Pb AQCD that concludes there is a strong body of evidence substantiating the health effects of Pb and its effects on some ecological endpoints. The report includes causality determinations regarding the health and ecological effects of lead. [Table 2-10](#) provides a summary and a comparison to findings of the 2006 review of evidence from epidemiologic, animal toxicological and ecological studies on the range of health and ecological effects associated with exposure to Pb. Comments are due April 2, 2012. For further information: [Dr. Ellen Kirrane](#), EPA's Office of Research and Development, (919) 541-1340.

CLIMATE CHANGE

CLIMATE ADAPTATION STRATEGY (JANUARY 19, 2012, [77 FR 2996](#)) In 2010, Congress directed the Council on Environmental Quality and DOI to prepare a national government-wide strategy for addressing climate change impacts on fish, wildlife and plants. In partnership with state, tribal, and federal agency partners, the Obama Administration released the first draft [National Fish, Wildlife and Plants Climate Adaptation Strategy](#). The strategy will help decision makers and resource managers prepare for and help reduce the impacts of climate change on species, ecosystems, and the people and economies that depend on them. Comments are due March 5, 2012. For further information: Mark Shaffer, FWS, Office of the Science Advisor, (703) 358-2603, wildlifeadaptationstrategy@fws.gov, [Strategy Web site](#).

ENERGY

RENEWABLE FUELS (JANUARY 5, 2011, [77 FR 700](#)) EPA has evaluated and qualified some additional renewable biofuels under the Renewable Fuel Standards Program, based on lifecycle greenhouse gas emissions for specific feedstocks and

production pathways of these fuels. This direct final rule describes EPA's evaluation of biofuels produced from camelina oil, energy cane, giant reed and napiergrass. It also includes an evaluation of renewable gasoline and renewable gasoline blendstocks, as well as biodiesel from esterification (of various feedstocks), and clarifies EPA's definition of renewable diesel. The rule identifies feedstocks, production pathways and end products and the GHG reduction standards (e.g., advanced biofuels, cellulosic biofuels, etc.) under which these combinations qualify. For further information: [Vincent Camobreco](#), EPA Office of Transportation and Air Quality, Washington, DC, (202) 564-9043.

[BUILDING ENERGY SOFTWARE TOOLS \(JANUARY 23, 2012\)](#) This collection of building energy software tools, sponsored by DOE, was developed to help researchers, designers, architects, engineers, builders, code officials, and others involved in the building life-cycle to evaluate and rank potential energy-efficiency technologies and renewable energy strategies in new or existing buildings.

NATURAL RESOURCES

[NATIONAL POLICY FOR DISTINGUISHING SERIOUS FROM NON-SERIOUS INJURIES OF MARINE MAMMALS \(JANUARY 23, 2012, 77 FR 3233\)](#) National Marine Fisheries Service (NMFS) has developed a final national [policy for distinguishing serious from non-serious injuries of marine mammals](#). The policy is comprised of a Policy Directive and associated Procedural Directive. The Directives provide technical guidance for analyzing marine mammal injury reports (e.g., observer, disentanglement, and stranding program reports) and incorporating the results into marine mammal stock assessment reports and marine mammal conservation management regimes (e.g., Marine Mammal Protection Act List of Fisheries, take reduction plans, ship speed regulations). A serious injury is defined as an injury that is more likely than not to result in mortality. The procedures provide guidance for NMFS evaluation of all reported injury events with the exception of noise-related injuries. For further information: Chief, NMFS Division of Marine Mammal and Sea Turtle Conservation, Office of Protected Resources, Silver Spring, MD, (301) 427-8402.

WATER

[POLYCHLORINATED BIPHENYL \(PCB\) TOTAL MAXIMUM DAILY LOAD \(TMDL\) HANDBOOK \(DECEMBER 2011\)](#) The [handbook](#) provides EPA regions, states, and other stakeholders with updated information for addressing Clean Water Act (CWA) section 303(d) waters impaired by PCBs. Additionally it identifies various approaches to developing PCB TMDLs and provides examples of TMDLs from around the country, complete with online references.

[DRAFT NATIONAL OCEAN POLICY DRAFT IMPLEMENTATION PLAN \(JANUARY 18, 2012, 77 FR 2514\)](#) This draft plan describes more than 50 actions the Federal Government will take to improve the health of the ocean, coasts and Great Lakes. The [National Ocean Council \(NOC\)](#) is requesting public comments, and is specifically asking: 1. does the draft Implementation Plan reflect actions needed to address the nine priorities for the ocean, coasts and Great lakes; 2. what is the most effective way to measure outcomes and detect whether a particular action in the Implementation Plan has achieved its intended outcome; and 3. would a report card format be useful? Comments are due February 27, 2012. For further information: National Ocean Council, Washington, DC; [submit questions](#).

[NATIONAL WATER PROGRAM CLIMATE CHANGE STRATEGY \(JANUARY 30, 2012\)](#) The [National Water Program Strategy: Response to Climate Change, 2010-2011 National and Regional Highlights of Progress](#) is the third and final progress report covers the 2008 National Water Program Climate Change Strategy. The report highlights 2010 and 2011 program accomplishments, and touches upon EPA activities and efforts undertaken across EPA Headquarters, Regions, and the Large Aquatic Ecosystem Programs to address climate change impacts on water programs.

Professional Development

VARIOUS DATES AND TIMES ONLINE: [NPDES TRAINING COURSES AND WORKSHOPS](#). Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program; designed for permit writers, dischargers, USEPA officials and other interested parties.

VARIOUS DATES AND TIMES ONLINE: [INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#). ITRC is a state-led coalition working together with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division (TIFSD), ITRC delivers training courses via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approxi-

mately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

VARIOUS DATES AND TIMES: [EPA RCRA TRAINING](#). RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations and implementation.

ANYTIME ONLINE: [EPA WATERSHED ACADEMY](#). The website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in time to complete, from 1/2 hour to 2 hours.

ANYTIME ONLINE: [EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY](#). Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make your program more successful. The format for the calls will be a formal presentation followed by a question and answer session and discussion time.

ANYTIME ONLINE: [EPA REDUCES RUNOFF VIDEO](#). Online video highlights green building techniques (rain gardens, green roofs, etc.) to help manage storm water runoff.

ANYTIME ONLINE: [DEFENSE ACQUISITION UNIVERSITY \(DAU\)](#). DAU developed on-line resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations. The on-line resources provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other documents, link to related learning and knowledge content, ask a professor a question, contribute knowledge objects (such as lessons learned, best practices, templates, or samples), or collaborate with peers on work issues.

ANYTIME ONLINE: [DOILEARN](#). DOI Learn houses natural resource courses and training offered by all organizations within the Department of Interior, to include the National Park System, Fish and Wildlife Service, Bureau of Land Management, etc.

ANYTIME ONLINE: [GOLEARN](#). GoLearn provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

ANYTIME ONLINE: [ARMY PODCAST SERVICE](#). 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.

ANYTIME ONLINE: [TRAINING FOR FEDERAL GHG INVENTORIES](#). A component of FedCenter's broader "Greenhouse Gas Inventory Reporting" site is available. The FEMP-developed training offers three types of training that can help in understanding the processes needed to develop an agency's GHG inventory under EO 13514 section 9. These trainings include online interactive courses, archived webinar videos and PowerPoint files from training courses.

FEBRUARY 15-16, GAINESVILLE, FL: [UNIVERSITY OF FLORIDA WATER INSTITUTE SYMPOSIUM](#). This symposium will bring together scientists, engineers, academics, non-governmental organizations, policy makers, water managers, industry and utility representatives, lawyers, students, and the public to explore emerging issues related to nutrient sources, dynamics, management, and policy from multiple perspectives.

FEBRUARY 22-24, FORT LAUDERDALE, FL: [ASSOCIATION OF THE US ARMY WINTER SYMPOSIUM](#). AUSA's Institute of Land Warfare presents, "The Army's Campaign of Learning: Creating a Competitive Advantage through Adaptive Leaders and Versatile Units." Presentations, panels and guest speakers will highlight the Army's efforts to leverage technology and enable learning through emerging training and ongoing work on the human dimension. The intent of this effort is to focus industry on what capabilities will better enable and develop adaptive Soldiers and leaders to confront the challenges in a more competitive security environment.

FEBRUARY 27-29, WASHINGTON, DC: [ENERGY INNOVATION SUMMIT](#). The summit is designed to unite key players from all sectors of the nation's energy innovation community to share ideas for developing and deploying the next generation of clean energy technologies. The event is co-hosted by U.S. Department of Energy's Advanced Research Projects Agency - Energy and Clean Technology and Sustainable Industries Organization.

FEBRUARY 29-MARCH 1, FORT LAUDERDALE, FL: [CLIMATE LEADERSHIP CONFERENCE](#). The conference will bring together leaders from business, government and academic institutions, and the non-profit community interested in exchanging ideas and information on how to address climate change while simultaneously running their operations more competitively and sustainably.

MARCH 5-8, CHARLESTON, SC: [DEMAND FORECASTING SCHOOL 2012](#). Forecasting plays a critical role in planning and ratemaking for public utilities and has become particularly challenging. This intensive and interactive course is open to the public and private sectors and is designed to build and expand forecasting skills that can be put to practical use in the context of this difficult and dynamic environment. This program is designed to be responsive to policy mandates and infrastructure investments associated with the Energy Independence and Security Act and the American Recovery and Reinvestment Act (ARRA). The program is designed for members of the federal and state regulatory policy community, including regulatory agency staff, consumer advocates, utility personnel (public and private), analysts, consultants, and others interested in learning about forecasting from qualified experts.

MARCH 6-8, FALLS CHURCH, VA: [7TH ANNUAL MILITARY ENERGY ALTERNATIVES](#). The program will focus on how DoD is implementing renewable technology to achieve energy efficiency and security at the operational level. With many different technologies reaching maturity and advancing in the testing phases, sufficient content will include the efficacy and applicability of these technologies for the following military functions: tactical power, installation energy, and alternative fuels.

MARCH 8-9, CHARLOTTE, NC: [2012 SOUTHEASTERN COASTAL WIND CONFERENCE](#). The conference highlights Southeastern assets for wind energy deployment within the region. The conference is a collaborative effort involving more than 40 regional stakeholders from Virginia, North Carolina, South Carolina, and Georgia. Topics will include the region's supply chain, resource, and market strengths to educate decision makers about costs, benefits, and policy options for wind energy. Offshore and coastal onshore wind energy will be discussed at this conference with a concentration on offshore wind energy and economic development opportunities.

MARCH 8-9, CHARLESTON, SC: [GRID SCHOOL 2012](#). The program is designed to improve regulatory capacity for grid-related policy development and decision-making at all government levels in support of innovation, efficiency and environmental goals. Grid School is open to the public and private sectors, including economic and environmental regulators. The program provides an intensive, interdisciplinary and interactive educational and professional networking experience. Grid This program is designed to be responsive to policy mandates and infrastructure investments associated with the Energy Independence and Security Act and ARRA.

MARCH 11-14, PHILADELPHIA, PA: [27TH INTERNATIONAL CONFERENCE ON SOLID WASTE TECHNOLOGY AND MANAGEMENT](#). Topics addressed at the conference include all aspects of solid waste technology and management such as, but not limited to: landfills, scrap tires, waste collection, medical waste, composting and biological treatment, use of waste materials in construction, and carbon emissions reduction.

MARCH 20-23, NEW ORLEANS, LA: [ENVIRONMENTAL AWARENESS BOOTCAMP](#). The course covers in detail, numerous environmental air, water and waste regulations that may impact facilities.

MARCH 26-29. SAN DIEGO, CA: [2012 DoD ENVIRONMENTAL MONITORING AND DATA QUALITY WORKSHOP](#). The workshop includes technical training sessions, technical presentations, a plenary session featuring distinguished speakers, a Q and A forum, component meetings, poster session/meet and greets, an update on the DoD ELAP, and networking opportunities with members of the environmental community. It is open to interested environmental professionals involved with DoD sites or projects including representatives from the DoD services, other federal agencies, state, local, and tribal governments, academia, and the private sector.

MARCH 27-29, ORLANDO, FL: [2012 ENERGY EFFICIENCY \(EE\) GLOBAL FORUM](#). Delegates from all sectors of the energy industry, working in government, business and NGOs, hailing from 39 countries, and representing the leaders and decision-makers of today attend this high-level event. It the most concentrated gathering of influential energy efficiency professionals worldwide.

MARCH 28-30, ORLANDO, FL: [14TH ANNUAL INTERNATIONAL ABOVEGROUND STORAGE TANK CONFERENCE AND TRADE SHOW](#). Governmental agency experts help analyze storage tank situations. Learn about FLDEP enforcement and clean-up issues.

APRIL 3-5, WASHINGTON, DC: [6TH ANNUAL STATE OF ENVIRONMENTAL JUSTICE IN AMERICA CONFERENCE](#). The 2012

Conference and will endeavor to feature activities, including: Meet the Agencies, Small Town/Rural Community Business Forum, Minority Alternative and Renewable Energy Forum and new activities aimed at Historically Black Colleges and Universities and Other Minority Serving Institutions.

APRIL 11-12, WASHINGTON, DC: [2012 NATIONAL TRAINING CONFERENCE ON THE TOXICS RELEASE INVENTORY \(TRI\) AND ENVIRONMENTAL CONDITIONS IN COMMUNITIES](#). The theme of the conference is "Understanding the Past and Promoting a Sustainable Future." This year's conference will focus on pollution prevention (P2) and using Toxics Release Inventory data to promote sustainability. It will also include sessions on environmental data and conditions and trends in ecological and human health.

APRIL 18-20, NASHVILLE, TN: [CLEAN AIR \(CAA\) COMPLIANCE WORKSHOP](#). Understanding the CAA, permit process, planning process, etc., can be a cumbersome and confusing task. Understanding the basic concepts of the CAA Regulatory program and how they fit into every-day operations is the first step to compliance. This 2.5 day course will cover the CAA regulatory program from A-Z; providing a comprehensive overview of each regulation, permit, plan, etc., to provide better understanding of how to keep facilities in compliance.

APRIL 18-20, NASHVILLE, TN: [SPILL PREVENTION, CONTROL, AND COUNTERMEASURE \(SPCC\) AND STORMWATER COMPLIANCE WORKSHOP](#). This 2.5 day comprehensive SPCC and Storm Water Management course is designed for those indirectly or directly responsible for SPCC and storm water permitting and planning at their facility. The course is great for those new to the field and veterans who need a refresher.

MAY 21-23, BOSTON, MA: [GLOBAL CONFERENCE ON OCEANS, CLIMATE, AND SECURITY](#). The purposes of the conference include: 1. raising the awareness level of the threat of climate change to our oceans and the consequent threat to our human and national security; 2. identifying and prioritizing the knowledge gaps in science and technology which inhibit understanding, response and adaptation to future threats; 3. and generating comprehensive human security policy and governance recommendations reflecting the climate, ocean, and security continuum.

JUNE 3-6, ATLANTA, GA: [WINDPOWER 2012 CONFERENCE AND EXHIBITION](#). The conference is recognized as one of the world's premier wind energy trade shows, bringing together attendees and exhibitors from every aspect of the industry. Windpower 2012 combines education, exhibition and networking creating a venue for business development.

JUNE 26-28, LOUISVILLE, KY: [FEDFLEET AND MORE 2012](#). The conference agenda is structured to give attendees many opportunities to receive essential fleet and aviation training and to network with one another.

Staff Directory

Main Office Number	404-524-5061
Region 4 Director/DoD REC	404-460-3131
Region 4 Deputy Director	404-460-3125
Region 4 Counsel	404-460-3132
Region 4 REC	404-460-3136
Project Manager	404-460-3134
Regulatory Affairs Specialist	404-460-3135
Administrative Assistant	404-460-3130

How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Southern Region Review of Legislative and Regulatory Actions* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices monitor state legislative and regulatory actions on your Behalf. If a proposed state action has: (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) a disproportionate effect on the Army or DoD, we coordinate with the potentially affected installations, commands, and/or other military Services to further assess the potential impact. If action is needed on a proposed measure, we work with Army or Service regulatory experts to communicate DA/DoD position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD/Army package and formally submitted to the state.

Want to comment on a rule or bill in the *Review*?

Please contact your Regional Environmental Coordinator listed in below in the Staff Directory.

For further information on the Army's REEOS, visit: <http://www.asaie.army.mil/Public/ESOH/REEO/>.