



Southern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

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The *Southern Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the eight states in Federal Region 4, the *Southern Review* gives early notice of legislative and regulatory activities relevant to DOD interests. The *Southern Review* also helps installations meet ISO 14001 environmental management system requirements.

To read back issues of the *Southern Review* or other Army Regional Environmental and Energy Office *Reviews*, or to receive a monthly copy of this electronic publication, please [send an email request](#).

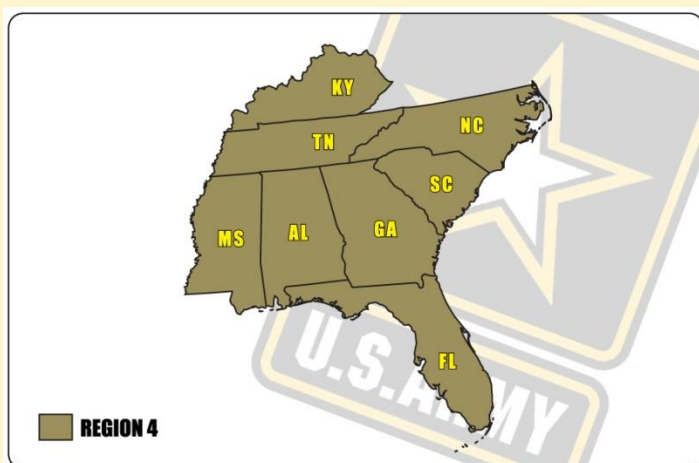


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NEW HAZARDOUS WASTE RULES

In November, the U.S. Environmental Protection Agency (EPA) finalized the [Hazardous Waste Generator Improvements Rule](#), a major re-write of the rules governing management and disposal of hazardous waste. The final rule incorporates more than 60 revisions and new provisions; reorganizes and streamlines the regulations; and incorporates numerous clarifications.

The final rule defines generator status as how much hazardous waste a facility generates per calendar month using size categories, and sets different rules for each. The rules are organized so that requirements for each generator status are located together.

Among the changes are new rules for episodic generation, allowing very small and small generators to maintain their existing regulatory category when they generate additional amounts of hazardous wastes as a result of an episodic event, provided they comply with specific conditions. Other changes allow very small generators to consolidate their waste at a large generator under control of the same person, such as a supporting installation; and increased flexibility for large generators to accumulate ignitable or reactive waste near the property boundary.

EPA also clarified in the rule how cleanup residue from spills of acute hazardous waste count toward a facility's overall generator status, and requirements for managing waste in satellite accumulation areas.

In general, hazardous waste regulations are administered by the states. EPA intends to work closely with states and implementing agencies to train stakeholders and give them an opportunity to revise forms, guidance and other materials.

Where EPA administers the hazardous waste program, the rules are effective 30 MAY 17.

Region 4

For more information or to comment on any state issue in Region 4, please contact [Dave Blalock](#), REEO-S Regional Counsel, (404) 545-5655.



2017 LEGISLATIVE SESSION: 7 FEB 17 THROUGH 22 MAY 17

Alabama has a one-year session. The Legislature convenes in regular annual sessions on the first Tuesday following the first Monday in February, except in the first year of the four-year term, when the session will begin on the first Tuesday in March, and in the last year of a four-year term, when the session will begin on the second Tuesday in January. The length of the regular session is limited to 30 meeting days within a period of 105 calendar days.

EMERGENCY RULES

EMERALD ASH BORER QUARANTINE. The Alabama Department of Agriculture and Industries (ADAI) has adopted an [emergency rule](#) to establish a quarantine to prevent the spread of the Emerald Ash Borer (*Agrilus planipennis*), a federally regulated invasive species. ADAI determined that the insect, which is established in several other states, has been found in Alabama, and it can be highly destructive to Alabama's ash trees (*Fraxinus* species) and ash nursery stock. ADAI established the quarantine to limit the human-assisted spread of the Emerald Ash Borer within the state. The regulated area includes designated parts of the state that may become infested or may otherwise be deemed to present a hazard of spread of the Emerald Ash Borer, and currently include Calhoun, Cherokee, and Cleburne counties. ADAI [published](#) the emergency rule on 30 NOV 16, and the rule is effective 8 NOV 16; the emergency rule will expire on 8 MAR 16.



2017 LEGISLATIVE SESSION: 7 MAR 17 THROUGH 5 MAY 17

The Florida Legislature regular session begins on the first Tuesday after the first Monday in March and continue for 60 consecutive days, which may be extended by a three-fifths vote of each house. Special sessions may be called by the governor or convened by joint proclamation of the president of the Senate and the speaker of the House of Representatives. Special sessions may not exceed 20 days, unless extended by a three-fifths vote of each house. Florida has a one-year session, and the Legislature typically holds committee meetings in January and February.

PROPOSED RULES

PUBLIC NOTICE OF POLLUTION. Florida Department of Environmental Protection (FLDEP) proposes changes to a proposed new rule in [Chapter 62-4, Florida Administrative Code](#) (F.A.C.), which requires owners and operators of any installation to provide notice within 24 hours to FLDEP, local government officials, and the public whenever there is an incident or discovery of a "reportable release" at an installation. "Reportable releases" may pose an immediate danger to public health, safety and welfare and mean the release of any substance to the outdoor air, land, or waters of the state at an

installation (within the meaning of section [403.031\(4\), F.S.](#)) that is not authorized by law and which is discovered by the owner or operator of the installation, or the owner or operator's employee, agent or contractor, after the effective date of the proposed rule. Furthermore, a reportable release is defined as

- Reportable to the State Watch Office (also known as the State Warning Point) under FLDEP requirements such as those contained in rules, permits, orders, and variances;
- Reportable to FLDEP or its contracted county under subsections [62-761.450\(3\)](#) and [62-762.451\(3\)](#), F.A.C.;
- Reportable to FLDEP under paragraph [62-528.307\(1\)\(x\)](#), F.A.C.;
- A hazardous substance (within the meaning of section [376.301\(21\)](#), F.S.) at or above the quantity established in Table 302.4 of [40 CFR 302.4](#), 1 JUL 16, which is incorporated by reference, for such substance; or
- An extremely hazardous substance (within the meaning of [40 CFR 355.61](#)) at or above the quantity established in [Appendices A and B of 40 CFR 355](#), 1 JUL 16, which are incorporated by reference, for such substance.

The changes to the proposed rule also include specific criteria on what to report in the event of a "reportable release." FLDEP published a [notice of change](#) on 15 NOV 16.

ABOVEGROUND STORAGE TANK SYSTEMS. FLDEP proposes to revise aboveground storage tank systems rules in [Chapter 62-762, F.A.C.](#), to streamline and clarify regulatory language from multiple revisions over the past 24 years. Rules have been reorganized by topic to help stakeholders quickly find and understand rule requirements. FLDEP conducted a workshop on 28 MAR 16 to discuss the proposed amendments, and it published a [notice of change](#) on 15 NOV 16.

UNDERGROUND STORAGE TANK SYSTEMS. FLDEP proposes to amend [Chapter 62-761, F.A.C.](#), to streamline and clarify regulatory language from multiple revisions over the past 24 years. Rules have been reorganized by topic to help stakeholders quickly find and understand rule requirements. The proposed rule is consistent with 40 CFR Parts 280 and 281, the revised federal [Underground Storage Tank Regulations](#) published in the Federal Register on 15 JUL 15. FLDEP published a [notice of change](#) on 15 NOV 16.

WATER MANAGEMENT LANDS ACQUISITION PROCEDURES. Suwannee River Water Management District proposes to amend rules contained in [Chapter 40B-9, F.A.C.](#), for the purpose of removing unnecessary language and adding clarifying language. The effect will be more streamlined rules that are more understandable by the regulated public. The district published a [notice of proposed rule](#) on 14 NOV 16 and a [notice of public meeting](#) (on 13 DEC 16) on 29 NOV 16.

MINIMUM FLOWS GUIDANCE AND MINIMUM LEVELS FOR LAKES. The Southwest Florida Water Management District has invited public comment on review of their work to expand the East Central Florida Transient Groundwater Model in support of the 2020 Regional Water Supply Plan for the Central Florida Water Initiative (CFWI) area, including the southern portion of Lake and all of Orange, Osceola, Polk and Seminole counties. The district published a [notice of public meetings](#) on 18 NOV 16.

WATER RESERVATION AREAS. South Florida Water Management District proposes to address rule language determined invalid by an administrative law judge. During rulemaking to reserve water for the Caloosahatchee River (C-43) West Basin Storage Reservoir Project (C-43 Reservoir), the district included language stating, "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest." The inclusion of this language was challenged in DOAH Case No. 14-1329RP, and the administrative law judge determined the language was invalid, stating that "[e]xisting legal uses are presumed not contrary to the public interest unless and until the District determines otherwise." Based on this legal determination, the language, "all presently existing legal uses of water shall be protected so long as such use is not contrary to the public interest," will be deleted in the text for the following water reservations: (1) Picayune Strand; (2) Fakahatchee Estuary; (3) North Fork of the St. Lucie River; and (4) Nearshore Central Biscayne Bay. The district published a [notice of development of rulemaking](#) on 23 NOV 16.

NORTHERN EVERGLADES AND ESTUARIES PROTECTION PROGRAM. South Florida Water Management District proposes to amend [Chapter 40E-61, F.A.C.](#), and adopt new rules for items in its regulatory plan resulting from new laws. In 2016, the Florida Legislature amended [Section 373.4595](#), Florida Statutes (F.S.), the Northern Everglades and Estuaries Protection Program (NEEPP), directing the district and FLDEP to provide a water quality monitoring program for nonpoint source dischargers not implementing best management practices in the Northern Everglades Watersheds, as required by [Section 403.067, F.S.](#) The existing rules govern specified basins that are integral to operation, maintenance, and protection of district water resources. The district published a [notice of rule development](#) on 1 NOV 16.

OUTSTANDING FLORIDA SPRINGS. FLDEP proposes to adopt uniform rules for issuing permits to prevent groundwater withdrawals harmful to water resources and a uniform definition of the term “harmful to the water resources” for Outstanding Florida Springs. The rule is likely to affect [consumptive use permitting](#) in the Northwest Florida, Suwannee River, St. Johns River, and Southwest Florida Water Management Districts. “Outstanding Florida Spring” includes all historic first magnitude springs, including their associated spring runs, and the following additional springs, including their associated spring runs: De Leon Springs, Peacock Springs, Poe Springs, Rock Springs, Wekiwa Springs, and Gemini Springs. The term does not include submarine springs or river rises. FLDEP published a [notice of development of proposed rules](#) on 1 NOV 16.



2017 LEGISLATIVE SESSION: 9 JAN 17 THROUGH 24 MAR 17

The Georgia General Assembly meets in regular session on the second Monday in January for no longer than 40 legislative (rather than calendar) days each year. The governor may call the General Assembly into special session, and committees may meet even when the Legislature is not in session. Georgia has a two-year session (2017-2018) with 2017 bills carrying over for consideration in 2018. Adjournment dates are estimated and updated based on legislative activity.

FINAL RULES

ENHANCED INSPECTION AND MAINTENANCE. The Georgia Department of Natural Resources, Environmental Protection Division (GAEPD), amended Georgia’s Rules for Enhanced Inspection and Maintenance, [Chapter 391-3-20](#). The director of GAEPD certifies that the revisions to rule 391-3-20-.01, 391-3-20-.04, 391-3-20-.05, and 391-3-20-.09 are required to exercise authority approved and/or delegated by the EPA to implement Section 182 of the federal Clean Air Act. GAEPD published the final rule on 2 NOV 16, and the rules are effective 22 NOV 16.



2017 LEGISLATIVE SESSION: 3 JAN 17 THROUGH 30 MAR 17

Kentucky has a one-year session. Adjournment dates are estimated and updated based on legislative activity. The Legislature convenes in regular session on the first Tuesday in January for 60 days in even-numbered years and for 30 days in odd-numbered years. It convenes in special sessions at the call of the governor.

PROPOSED RULES

HAZARDOUS AIR POLLUTANTS. The Kentucky Department for Environmental Protection (KYDEP) proposes the following administrative regulations:

- [401 KAR 63:002](#). 40 C.F.R. Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAP). This administrative regulation establishes NESHAP for the commonwealth of Kentucky by referencing the federal NESHAP codified in 40 C.F.R. 63.1 through 63.56, 63.70 through 63.81, and 63.100 through 63.12005. Delegation of implementation and enforcement authority for the federal NESHAP program from the EPA to the commonwealth of Kentucky is provided under 42 U.S.C. 7412(l).
- [401 KAR 63:060](#). List of hazardous air pollutants, petitions process, lesser quantity designations, and source category list. This administrative regulation provides the list of hazardous air pollutants pursuant to 42 U.S.C. 7412(b) as amended in 40 C.F.R. Part 63, Subpart C and the list of source categories and subcategories.

KYDEP published a [notice](#) of public hearing on the proposed new administrative regulation on 14 NOV 16. The public hearing will be held on 22 DEC 16.

NEW SOURCE PERFORMANCE STANDARDS. KYDEP proposes to amend administrative regulations ([401 KAR 60:005](#)) to establish the standards of performance for new stationary sources by referencing the federal Standards of Performance for New Stationary Sources codified in 40 C.F.R. Part 60. Delegation of implementation and enforcement authority for the federal New Source Performance Standards (NSPS) program from the EPA to the commonwealth of Kentucky is provided by 42 U.S.C. 7411(c)(1). KYDEP published a [notice](#) of public hearing on the proposed new administrative regulation on 14 NOV 16. The public hearing will be held on 22 DEC 16.

TITLE V AIR EMISSION FEES. KYDEP Division for Air Quality invites public comment on establishing the Title V air emissions fee necessary to cover all reasonable costs of administering the permit program, pursuant to [401 KAR 50:038](#), air emissions fee, by which the division has the authority to collect Title V air emissions fees necessary to fund the state air permit program. KYDEP published the notice on 1 NOV 16 and will conduct a public hearing on 2 DEC 16.



2017 LEGISLATIVE SESSION: 3 JAN 17 THROUGH 2 APR 17

The Mississippi State Legislature convenes in regular session on the Tuesday following the first Monday in January of each year, and the length of regular sessions is limited to 90 calendar days, except for once every four years when the regular session can last up to 125 calendar days. The Legislature may extend its sessions for 30 days by a two-thirds vote of both legislative houses, and the governor may call the Legislature into an extraordinary session. Mississippi has a one-year session. Adjournment dates are estimated and updated based on legislative activity.

PROPOSED RULES

TITLE V PERMIT FEE FOR SEPTEMBER FY18. Mississippi Commission on Environmental Quality (MSCEQ) invites public comment on the proposed Title V Permit fee for 1 SEP 17 through 31 AUG 18. Miss. Code Ann. Sec. 49-17-30 provides that under Title V of the Federal Clean Air Act, the owner and/or operator of any stationary source of regulated air pollutants shall pay MSCEQ an annual permit fee. MSCEQ is charged by law to establish the permit fee in an amount sufficient to cover the cost of the Title V Permit Program. The commission published the [notice of public hearing](#) on 16 NOV 16, and the deadline for comments is 21 DEC 16.

FINAL RULES

STATE AIR POLLUTION CONTROL REGULATIONS AND REVISION TO THE STATE IMPLEMENTATION PLAN (SIP) FOR THE CONTROL OF AIR POLLUTION. MSCEQ adopted amendments to state air pollution control regulations and a revision to the SIP for the control of air pollution. The state regulations affected by the proposed amendments are [Mississippi Administrative Code, Title 11, Part 2, Chapter 1](#), "Air Emission Regulations for the Prevention, Abatement, and Control

of Air Contaminants." The proposed regulation amendments and SIP revision will be applicable statewide. MSCEQ published the [notice of final rulemaking](#) on 10 NOV 16.



2017 LEGISLATIVE SESSION: 11 JAN 17 THROUGH 1 JULY 17

North Carolina has a two-year session (2017-2018) with 2017 bills carrying over for consideration in 2018. The regular session begins on the second Wednesday in January. Extra sessions may be convened by joint proclamation. Adjournment dates are estimated and updated based on legislative activity.

PROPOSED RULES

CATAWBA RIVER RECLASSIFICATION. The North Carolina Department of Environmental Quality (NCDEQ) invites public comment on a [proposed water supply reclassification](#) of the Catawba River, including Lake James. McDowell County has requested that a Catawba River segment, including Lake James, in McDowell and Burke counties (Catawba River Basin) be reclassified for a water supply. These waters are proposed to be reclassified to the Class Water Supply-IV (WS-IV) classification, including the Critical Area (CA) and Protected Area (PA) designations. This reclassification is needed to construct a new water supply intake in Lake James that McDowell County intends to use. NCDEQ published a [notice of public hearing](#) on 7 NOV 16. The public hearing is scheduled for 5 JAN 17.

UNDERGROUND STORAGE TANK (UST) REGULATIONS. NCDEQ proposes new rules and amendments to incorporate changes to the federal UST regulations ([40 CFR Part 280](#)) to retain its state program approval. NCDEQ published the [proposed rule](#) on 1 NOV 16.



2017 LEGISLATIVE SESSION: 10 JAN 17 THROUGH 1 JUN 17

South Carolina has a two-year session (2017-2018), with 2017 bills carrying over for consideration in 2018. The legislative session begins on the second Tuesday of January of each year and has no limitation as to the length of the session, however, it must adjourn sine die no later than the first Thursday in June except when extended by two-thirds vote of both houses. Adjournment dates are estimated and updated based on legislative activity.

PROPOSED RULES

OCCUPATIONAL SAFETY AND HEALTH STANDARDS. The South Carolina Department of Labor, Licensing, and Regulation (SC DLLR) announced a public hearing at which interested persons will be given the opportunity to appear and present views on the occupational safety and health standards being considered for adoption. The hearing is to determine if the director of the SC DLLR will promulgate, revoke, or modify rules and regulations pursuant to [Section 41-15-210](#), SC Code of Laws, 1976. SC DLLR issued the [notice of public hearing](#) on 25 NOV 16, and the public hearing will be held on 4 JAN 17.

PREVENTION OF SIGNIFICANT DETERIORATION. The South Carolina Department of Health and Environmental Control (SCDHEC) issued a notice of general public interest on [SC Regulation 61-62.5, Standard No. 7](#), Prevention of Significant Deterioration (PSD), which limits the activities a facility may be able to start prior to receiving an issued PSD Construction Permit. "Begin actual construction" is defined in SC Regulation 61-62.5, Standard No. 7 as meaning, in general, initiation

of physical on-site construction activities on an emissions unit that are of a permanent nature. SC DHEC issued a [notice of general public interest](#) on 25 NOV 17.



2017 LEGISLATIVE SESSION: 10 JAN 17 THROUGH 14 APR 17

Tennessee has a two-year session (2017-2018) with bills carrying over for consideration in 2018. The Legislature is limited to 90 legislative (rather than calendar) days per two-year term, plus up to 15 days for organizational purposes at the start of each term. The governor may call "extraordinary sessions," limited to the topic or topics outlined in the call, and limited to another 20 days, and two-thirds of each house may initiate such a call. Adjournment dates are estimated and updated based on legislative activity.

FINAL RULES

BOARD OF PHARMACY REGULATIONS. The Tennessee Board of Pharmacy adopted amendments to various sections, including: 1140-01, Introductory Rules; 1140-02, Professional Conduct and Responsibilities; 1140-03, Standards to Practice; 1140-04, Instructional and Alternate or Alternative Infusion Pharmacy Practice Sites; 1140-05, Continuing Education; 1140-07, Sterile Product Preparation in Pharmacy Practice; 1140-08, Civil Penalties; 1140-09, Manufacturers, Outsourcing Facilities, Oxygen Suppliers, and Wholesalers/Distributors; 1140-11, Controlled Substance Monitoring Database; 1140-13, Telepharmacy. The board filed [a rulemaking hearing rule](#) on 22 NOV 16.

Department of Defense Activity

SERDP FUNDING OPPORTUNITY. DOD's Strategic Environmental Research and Development Program (SERDP) is seeking to fund environmental research and development proposals. SERDP is DOD's environmental science and technology program, investing across a broad spectrum of basic and applied research and advanced development. Proposals responding to focused statements of need (SONs) in the following areas are requested:

- Environmental Restoration — Research and technologies for the characterization, risk assessment, remediation, and management of contaminants in soil, sediments, and water.
- Munitions Response — Technologies for the detection, classification, and remediation of military munitions on U.S. lands and waters.
- Resource Conservation and Climate Change — Research that advances DOD's management of its natural and cultural resources and improves understanding of climate change impacts.
- Weapons Systems and Platforms — Research and technologies to reduce, control, and understand the sources of waste and emissions in the manufacturing, maintenance, and use of weapons systems and platforms.

Proposals responding to the fiscal year (FY) 2018 SONs will be selected through a competitive process. Separate solicitations are available to federal and non-federal proposers. The SONs and detailed instructions are available on the [SERDP website](#). All core solicitation pre-proposals are due to SERDP 5 JAN 17, by 2:00 p.m. eastern time.

SERDP will also fund environmental research and development through the SERDP Exploratory Development (SEED) solicitation. The SEED solicitation is designed to provide a limited amount of funding (not to exceed \$200,000) for short

duration projects to investigate innovative approaches that entail high technical risk or require supporting data to provide proof of concept. This year, SERDP is requesting SEED proposals for the munitions response program area.

EXPLOSIVES SAFETY MANAGEMENT. The Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics issued Department of Defense Instruction (DODI) [6055.09E, Explosives Safety Management](#) (ESM). Effective 18 NOV 16, the DODI establishes policy and assigns responsibilities for the DOD ESM Program and for the DOD Explosives Safety Board. It replaces DODI 6055.9E, issued 19 AUG 05.

REPI PROGRAM. The Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics issued DODI [4715.24, The Readiness and Environmental Protection Integration \(REPI\) Program and Encroachment Management](#). Effective 9 NOV 16, the DODI establishes policy, assigns responsibilities, and provides procedures for executing the REPI program in coordination with other encroachment management tools and programs to protect military installations, ranges, and their associated facilities, range infrastructure, and airspace from incompatible development and other encroachment threats. The DODI also establishes and provides responsibilities for the REPI Inter-Service Working Group (ISWG) to coordinate and integrate REPI program tools and strategies.

GAO REPORT: ENCROACHMENT. The Government Accountability Office (GAO) reviewed DOD efforts to prevent and mitigate encroachment at training ranges and issued a report ([GAO-17-86](#)). The report assessed:

- How DOD considers encroachment when making decisions related to stationing units;
- The extent to which DOD has policies, procedures, and approaches to identify and mitigate incompatible land use; and
- The extent to which DOD's guidance and actions to collaborate with external entities are consistent with key considerations for implementing interagency collaborative mechanisms.

GAO's analysis of DOD's Joint Land Use Study Program (JLUS) Guidance Manual found that it was consistent with the eight key considerations GAO had identified for effectively implementing collaborative mechanisms with external entities. Furthermore, GAO's analysis of completed JLUS reports found the actions taken to complete the studies were also consistent with the key considerations. GAO did not make any recommendations in the report.

DOD UTILITY INFRASTRUCTURE EVALUATION. GAO released a report reviewing the reliability of DOD-owned utility systems ([GAO-17-27](#)). For FYs 2009-2015, GAO identified 4,393 instances of utility disruptions caused by equipment failure that, according to GAO, caused a range of financial and operational impacts. Because information about utility disruptions can be used by installations to identify repairs and to prioritize funding for those repairs, GAO also evaluated whether information on utility disruptions is available at the installation level. GAO found that information about utility disruptions is not consistently available and that guidance about reporting utility disruptions varies between the services.

In addition, GAO found that DOD's implementation of the Sustainment Management System (SMS), a software tool to conduct standardized condition assessments and make investment decisions, may not yield data that is comparable between the services because they are able to customize settings.

To improve utility system information, GAO is recommending that the Army, Air Force, and Marine Corps take steps or provide guidance to consistently collect disruption information, and that while the SMS utilities module is under development, DOD take steps to ensure that the services apply condition standards consistently. DOD concurred with the recommendations to collect disruption data and partially concurred with the other recommendation.

DOD ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM. DOD issued a final rule that establishes policy, assigns responsibilities, and provides procedures to be used by DOD personnel for the operation and management of the DOD Environmental Laboratory Accreditation Program (ELAP) ([81 FR 80996](#)). The DOD ELAP provides a unified DOD program through which commercial environmental laboratories can demonstrate competency and document conformance to the international quality systems standards as they are implemented by DOD. Prior DOD laboratory assessment programs

were specific to each DOD component and limited to available resources, resulting in fewer opportunities for laboratories to participate on DOD contracts. The ELAP is a voluntary program open to qualified laboratories. The final rule, effective 19 DEC 16, establishes a program to allow qualified laboratories to receive third-party accreditation and become eligible to provide environmental sampling and testing services for DOD.

FAR: PUBLIC DISCLOSURE OF GHG EMISSIONS. DOD, General Services Administration (GSA), and National Aeronautics and Space Administration issued a final rule amending the Federal Acquisition Regulation (FAR) to enable the federal government to better understand the greenhouse gas (GHG) management practices of its industry partners ([81 FR 83092](#)). Offerors seeking to do business with the federal government that are registered in the System for Award Management database and received \$7.5 million or more in contract awards during the prior federal FY are required to represent whether they publicly disclose their GHG emissions and their GHG emission reduction goals. Representation is voluntary for offerors that received less than \$7.5 million during the prior fiscal year. The information obtained from these representations will assist agencies in developing strategies to engage with offerors to reduce supply chain emissions, as directed in the Executive Order 13693, Planning for Federal Sustainability in the Next Decade. The final rule amending the FAR is effective 19 DEC 16.

DOD FACT SHEET: PROTECTING AMERICA'S ENVIRONMENT TODAY. The Office of the Deputy Assistant Secretary of Defense (Environment, Safety and Occupational Health) released a [fact sheet](#) highlighting recent DOD investments and accomplishments with respect to sustaining and protecting the environment through its environmental programs.

ENERGY GRANTS FOR FEDERAL FACILITIES. Under the FY 2017 Assisting Federal Facilities with Energy Conservation Technologies (AFFECT) Funding Opportunity Announcement, the U.S. Department of Energy's (DOE) Federal Energy Management Program (FEMP) will provide grants to federal agencies for projects in three topic areas: combined heat and power, renewable energy, and energy efficiency deep retrofits. Applicants will be asked to show how the proposed project results are conducive to broader adoption at other federal facilities, impacting the direction, strategy, and thinking of the agency to engage in similar efforts. The anticipated total funding level for AFFECT 2017 is \$3.0 million, subject to appropriations, with anticipated funding per award to be between approximately \$100,000 and \$1.0 million. Letters of intent (LOI) are due by 22 DEC 16, and full applications are due by 30 JAN 17. Applicants must submit a LOI to be eligible to submit a full application. To apply to AFFECT 2017, applicants must register with and submit application materials through the [EERE Exchange](#). For more information, click [here](#).

Federal Activity

AIR

PREVENTION OF SIGNIFICANT DETERIORATION. EPA amended the federal Prevention of Significant Deterioration (PSD) regulations by removing a date restriction from the permit rescission provision ([81 FR 78043](#)). Other than removing the date restriction, the final rule does not alter the criteria under which a new source review (NSR) permit may be rescinded. The final rule clarifies that a rescission of a permit is not automatic and corrects an outdated cross-reference to another part of the PSD regulations. The agency also added a corresponding permit rescission provision in the federal regulations that apply to major sources in nonattainment areas of Indian country. The final rule was effective 7 DEC 16.

REFRIGERANT MANAGEMENT. EPA updated and extended requirements associated with the management of ozone depleting substances in air conditioning and refrigeration equipment containing more than 50 pounds of refrigerant ([81 FR 82272](#)). The final rule extends the requirements to certain non-ozone depleting substitute refrigerants, such as hydrofluorocarbons; strengthens leak repair requirements; adds recordkeeping requirements for the disposal of appliances containing between five and 50 pounds of refrigerant; revises the technical certification program; and makes housekeeping corrections to improve readability. The final rule is effective 1 JAN 17.

2015 OZONE NAAQS: NONATTAINMENT CLASSIFICATIONS AND SIP REQUIREMENTS. EPA is proposing nonattainment area classification thresholds and implementation requirements for the strengthened 2015 ozone national ambient air quality standards (NAAQS) ([81 FR 81276](#)). The proposal addresses the timing of attainment dates for each nonattainment area classification and a range of nonattainment area SIP requirements for the 2015 ozone NAAQS. The proposed SIP requirements pertain to attainment demonstrations, reasonable further progress and associated milestone demonstrations, reasonably available control technology, reasonably available control measures, major nonattainment new source review, emission inventories, SIP submission timing, and compliance with SIP emission control measures. The proposed rule also addresses revocation of the 2008 ozone NAAQS, anti-backsliding requirements when the 2008 ozone NAAQS are revoked, and reconsideration of the ozone NAAQS interprecursor trading provisions. Comments are due 17 JAN 17.

CONTINUOUS EMISSION MONITORING SYSTEMS AT STATIONARY SOURCES. EPA issued a direct final rule revising a procedure in the NSPS ([81 FR 83160](#)). The procedure provides the ongoing quality assurance/quality control procedures for assessing the acceptability of particulate matter continuous emissions monitoring systems. The revisions are intended to ensure that stationary sources that reduced their emissions since completing correlation testing will no longer be penalized because their lower emissions fall outside their initial response range. The agency also corrected errors and made housekeeping revisions. The direct final rule is effective 21 FEB 17, unless the agency receives adverse comment by 21 DEC 16.

AMBIENT AIR MONITORING: ONE NEW EQUIVALENT METHOD. EPA designated one new equivalent method for measuring concentrations of nitrogen dioxide (NO₂) in ambient air ([81 FR 85561](#)). The designation of this equivalent method is intended to assist the states in establishing and operating their air quality surveillance systems under Title 40 CFR Part 58.

CROSS-STATE AIR POLLUTION RULE. EPA provided notice of emission allocations to certain units under the new unit set-aside (NUSA) provisions of the Cross-State Air Pollution Rule (CSAPR) federal implementation plans ([81 FR 80593](#)). The agency completed final calculations for the second round of NUSA allowance allocations for the 2016 compliance year of the CSAPR nitrogen oxide (NO_x) Ozone Season Trading Program. EPA also posted spreadsheets showing the second-round 2016 NUSA allocations of CSAPR NO_x ozone season allowances to new units and allocations to existing units of the remaining CSAPR NO_x ozone season allowances not previously allocated to new units. EPA recorded the allocated CSAPR NO_x ozone season allowances in sources' allowance management system accounts by 15 NOV 16.

CLIMATE CHANGE

GHG EMISSION PERMITTING UNDER TITLE V. EPA extended the public comment period for its proposed revisions to PSD and Title V permitting regulations applicable to GHG emissions ([81 FR 81711](#)). The revisions involve changes to definitions in the PSD and Title V regulations, revisions to the PSD provisions on GHG Plantwide Applicability Limitations, and revisions to ensure that neither the PSD nor Title V rules require a source to obtain a permit solely because the source emits or has the potential to emit GHGs above the applicable thresholds. The public comment period was extended to 16 DEC 16.

2014 STATE CO₂ EMISSIONS DATA. The Energy Information Administration [released](#) estimated state carbon dioxide (CO₂) emissions data for 2014. The state CO₂ data include a summary table with total energy-related CO₂ by state beginning in 1990, a table with emissions by fuel in 2014, and a table with emissions by sector in 2014. There are additional tables by fuels and sectors for all states across time. Detailed tables for individual states provide emissions by fuel and sector for data beginning in 1980.

MID-CENTURY CLIMATE STRATEGY. The White House released a new goal to rapidly reduce GHG emissions by midcentury. The [United States Mid-Century Strategy for Deep Decarbonization](#), referred to as the Mid-Century Strategy (MCS), charts a path to achieve economy-wide net GHG emissions reductions of 80 percent or more below 2005 levels

by 2050, in accordance with the Paris Agreement and prior climate change commitments. According to the MCS, achieving deep economy-wide net GHG emissions reductions will require three major categories of action:

- Transitioning to a low-carbon energy system by cutting energy waste and deploying clean electricity and low carbon fuels in the transportation, building, and industrial sectors;
- Sequestering carbon by bolstering the amount of carbon stored and sequestered in U.S. lands and deploying CO₂ removal technologies such as bioenergy with carbon capture and storage (BECCS); and
- Reducing non-CO₂ emissions, such as methane, nitrous oxide, and fluorinated gas emissions.

CULTURAL RESOURCES

POLICY STATEMENT ON HISTORIC PRESERVATION AND COMMUNITY REVITALIZATION. The Advisory Council on Historic Preservation issued a policy statement on historic preservation and community revitalization ([81 FR 80669](#)). The policy supports a [2014 report](#) that recommended actions for communities undergoing population loss, economic decline, and associated blight. The policy statement is intended to ensure that preservation is considered as a tool that will assist federal, state, and local governments to plan and implement revitalization projects and programs in a manner that will consider the reuse and rehabilitation of historic properties.

ENERGY

HYDROPOWER IN UNDEVELOPED STREAM REACHES. The DOE's Water Power Technologies Office issued a request for information regarding challenges and opportunities associated with hydropower development in undeveloped stream-reaches ([81 FR 78795](#)). The office is also seeking input on the focus and structure of a potential funding opportunity to support research and development of advanced and/or non-traditional transformative hydropower technologies and project designs capable of avoiding or minimizing environmental and social effects of new hydropower development in undeveloped stream-reaches of the United States. Responses are due 16 DEC 16.

ELECTRIC STORAGE PARTICIPATION IN MARKETS. The Federal Energy Regulatory Commission released the text of a [proposed rule](#) that could greatly expand the role of energy storage in wholesale markets. The proposed rule would require each electric Regional Transmission Organization and each Independent System Operator to revise its tariff to remove barriers to the participation of electric storage resources and distributed energy resource aggregations in the capacity, energy, and ancillary service markets operated by these organizations. The proposed rule also directs grid operators to adjust their rules so that distributed energy resource aggregators can compete in wholesale markets. To read a press release about the proposed rule, click [here](#). A news article about the proposed rule is available [here](#).

ELECTRIC VEHICLE INFRASTRUCTURE. In November, the Obama Administration [announced](#) a suite of actions intended to accelerate the deployment of electric vehicles (EVs) and charging infrastructure. In accordance with requirements in the [FAST Act](#), the U.S. Department of Transportation's (DOT) designated 48 national electric vehicle [charging corridors](#) covering nearing 25,000 miles across 35 states. In addition, 28 states, utilities, vehicle manufactures, and change organizations committed to accelerate EV deployment on the corridors. The corridors will serve as a basis for a national network of EV charging infrastructure to enable coast to coast zero emission mobility on the nation's highways. Drivers can expect charging stations within every 50 miles.

As part of this effort, DOE plans to publish two studies to support broad EV charging infrastructure deployment, including along DOT's alternative fuel corridors. The first is a national EV infrastructure analysis that identifies the optimal number of charging stations for different EV market penetration scenarios. The second will provide best practices for EV fast charging installation, including system and siting specifications, power availability, and capital and maintenance cost considerations.

Building on its policy to reduce GHG emissions from federal fleets by 30 percent by 2020, the administration is also partnering with 24 state and local governments to electrify vehicle fleets. The new commitments will account for more

than 2,500 new electric vehicles in 2017, and pave a path for a sustained level of purchases into the future. The combined purchasing commitment is anticipated to lower purchase costs by increasing manufacturing demand certainty, promote electric vehicle innovation and adoption, and expand the national EV infrastructure.

RENEWABLE FUEL STANDARDS. EPA is proposing to amend its Renewable Fuel Standard (RFS) to facilitate the production and use of renewable fuels in the transportation sector ([81 FR 80828](#)). The agency is proposing to generally allow the use of bio-intermediates in renewable fuel production, thereby facilitating the increased production of renewable fuels, including cellulosic and other advanced biofuels. EPA is proposing to define fuel blends containing 16 to 83 volume percent ethanol as ethanol flex fuel and to no longer treat fuel blends containing 16 to 50 volume percent ethanol as gasoline. The agency is also proposing to add new registration, recordkeeping, and reporting requirements for facilities using carbon capture and storage if the technology is approved. Comments are due 17 JAN 17.

GAO REPORTS ON THE RENEWABLE FUEL STANDARD. The RFS program calls for greater use of fuel made from waste fats and oils or crop residues, referred to as advanced biofuels, in the transportation fuel supply through 2022. GAO released two reports on whether the RFS program can meet program targets. The first report ([GAO-17-94](#)) found that the program is unlikely to meet its targets for reducing GHG emissions and expanding the U.S. renewable fuels sector. According to GAO, advanced biofuels are not being produced at the necessary levels, and they likely will not be by 2022. Less than five percent of the three billion gallon advanced biofuel RFS target was produced in 2015, and additional investments for commercialization seem unlikely. In the second report ([GAO-17-108](#)), GAO found that the reasons the RFS program is unlikely to meet its targets include the high cost of creating advanced biofuels, the timing and cost to bring new technologies to commercial-scale production, and regulatory uncertainty.

NATURAL RESOURCES

COASTAL ZONE MANAGEMENT PROGRAM. The National Oceanic and Atmospheric Administration (NOAA) is proposing to streamline requirements for states amending their approved coastal zone management program ([81 FR 78514](#)). The amendments are intended to provide a more efficient process for states and NOAA to make changes to state management programs, remove unnecessary requirements in the current regulations, establish program change documentation to which all states would adhere, continue to ensure that public has an opportunity to comment on proposed change to state coastal zone management programs, and comply with the requirements of the Coastal Zone Management Act. Comments are due 9 JAN 17.

SUSTAINABILITY

SFTOOL UPDATE. GSA [expanded](#) its Sustainable Facilities Tool (SFTool) with a new feature that streamlines sustainable product procurement for vendors and buyers. SFTool now allows searching brands and products that align with federal sustainability requirements. Users can view sets of compliant products by brand and model, sort products by energy and water performance, and gather documentation to streamline procurement.

THREATENED AND ENDANGERED SPECIES

COMPENSATORY MITIGATION POLICY. The U.S. Fish and Wildlife Service (FWS) revised its compensatory mitigation policy, which has guided service recommendations on mitigating the adverse impacts of land and water developments on fish, wildlife, plants, and their habitats since 1981 ([81 FR 83440](#)). The revised policy provides a framework for applying a landscape-scale approach to achieve, through application of the mitigation hierarchy, a net gain in conservation outcomes, or at a minimum, no net loss of resources and their values, services, and functions resulting from proposed actions. The primary intent of the policy is to apply mitigation in a strategic manner that ensures an effective linkage with conservation strategies at appropriate landscape scales. The final policy was effective 21 NOV 16. For more information, visit [regulations.gov](#), Docket Number FWS-HQ-ES-2015-0126, or FWS [compensatory mitigation website](#).

CHUCKY MADTOM. FWS released the draft recovery plan for the [chucky madtom](#) (*Noturus crypticus*), a fish found in Tennessee. Comments are due 3 JAN 17.

LAUREL DACE. FWS released the final recovery plan for the endangered [laurel dace](#), a small fish native to the Tennessee River Basin ([81 FR 79515](#)).

TOXICS

SIGNIFICANT NEW USE RULES. EPA issued a direct final rule adopting significant new use rules under the Toxic Substances Control Act (TSCA) for 57 chemical substances that were the subject of pre-manufacture notices ([81 FR 81250](#)). Thirty-four of the chemical substances are subject to TSCA section 5(e) consent orders issued by EPA. The rulemaking requires persons who intend to manufacture (defined by statute to include import) or process any of these 57 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The final rule is effective 17 JAN 17. If EPA receives adverse comment on any of the chemicals on this list by 17 DEC 16, then EPA will withdraw the relevant sections of the direct final rule.

TSCA CHEMICAL REVIEW. EPA [announced](#) the first 10 chemicals it will evaluate for potential risks to human health and the environment under the TSCA as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Under TSCA, EPA is required to evaluate existing chemicals to determine whether they “present an unreasonable risk of injury to health or the environment.” The agency will start the risk evaluation process for the first 10 chemicals and within six months release a scoping document for each chemical which includes the hazard(s), exposure(s), conditions of use, and the potentially exposed or susceptible subpopulation(s) the agency plans to consider for the evaluation. TSCA requires these chemical risk evaluations be completed within three years. If EPA determines that a chemical presents an unreasonable risk, EPA must mitigate the risk(s) within two years. The first 10 chemicals to be evaluated are:

- 1,4-Dioxane
- 1-Bromopropane
- Asbestos
- Carbon Tetrachloride
- Cyclic Aliphatic Bromide Cluster
- Methylene Chloride
- N-methylpyrrolidone
- Pigment Violet 29
- Tetrachloroethylene, also known as perchloroethylene
- Trichloroethylene

FOURTEENTH REPORT ON CARCINOGENS. The National Institutes of Health released the 14th Report on Carcinogens, a congressionally mandated document that identifies and discusses agents, substances, mixtures, or exposure that may pose a hazard to human health because of their carcinogenicity ([81 FR 76621](#)). The report revises the listing for trichloroethylene by listing it as a known human carcinogen. The report also adds cobalt and cobalt compounds as reasonably anticipated to be human carcinogens.

ELECTRONIC SUBMISSIONS TO THE NRC. The U.S. Nuclear Regulatory Commission (NRC) released an updated guidance document providing direction for the electronic transmission and submittal of documents ([81 FR 76634](#)). Comments were due 5 DEC 16.

TRI REPORTING

ADDITION OF NONYLPHENOL ETHOXYLATES CATEGORY. EPA is proposing to add nonylphenol ethoxylates (NPEs) category to the Toxic Release Inventory (TRI) list of reportable chemicals ([81 FR 80624](#)). The agency is proposing to add the chemical category to the list due to its toxicity. Specifically, EPA believes that longer chain NPEs can break down to short-chain NPEs and nonylphenol, both of which are highly toxic to aquatic organisms. NPEs are nonionic surfactants widely used in adhesives, wetting agents, emulsifiers, stabilizers, dispersants, defoamers, cleaners, paints, and coatings. Comments are due 17 JAN 17.

ADDITION OF HEXABROMOCYCLODODECANE (HBCD) CATEGORY. EPA added a hexabromocyclododecane (HBCD) category to the TRI list of reportable chemicals ([81 FR 85440](#)). EPA added the chemical category to the list because it determined that HBCD can be reasonably anticipated to cause developmental and reproductive effects in humans and is highly toxic to aquatic and terrestrial organisms. In addition, EPA determined that HBCD should be classified as a persistent, bioaccumulative, and toxic chemical and assigned a 100-pound reporting threshold. HBCD is a brominated flame retardant commonly used in expanded and extruded polystyrene foam insulation boards and in textiles. The final rule was effective 30 NOV 16.

WASTE

CATEGORICAL NON-WASTE FUELS: OTHER TREATED RAILROAD TIES. EPA is proposing to add the category of "other treated railroad ties" to the list of non-hazardous secondary materials ([81 FR 75781](#)). In general, the Non-Hazardous Secondary Materials Rule establishes standards and procedures for identifying whether non-hazardous secondary materials are solid wastes when used as fuels or ingredients in combustion units. In 2013, EPA listed certain non-hazardous secondary materials as "categorical non-waste fuels" provided certain conditions are met. In February 2016, EPA added three materials, including creosote treated railroad ties, to the list of categorical non-waste fuels. This action proposes to add other treated railroad ties, which are processed creosote-borate, copper naphthenate and copper naphthenate-borate treated railroad ties. Comments are due 3 JAN 16.

HAZARDOUS WASTE EXPORT-IMPORT. EPA adopted amendments to rules governing the import and export of hazardous wastes to and from the United States ([81 FR 85696](#)). The final rules align requirements with the current import-export requirements for shipments between members of the Organization for Economic Cooperation and Development; enable electronic submittal to EPA of all export and import-related documents (e.g., export notices, export annual reports); and enable electronic validation of consent in the Automated Export System for export shipments subject to export consent requirements. The final rule is effective 31 DEC 16.

HAZARDOUS WASTE IN THE RETAIL SECTOR. EPA held a webinar 10 NOV 16 describing its [retail strategy](#) to address agency concerns with regulating hazardous waste generated by retail sector activities and issues related to reverse distribution, common in the retail sector. A recording of the webinar is available from EPA's [archived seminars and podcasts website](#), or by clicking [here](#).

MUNICIPAL SOLID WASTE REPORT. EPA released its annual analysis of municipal solid waste (MSW) figures with its annual [Advancing Sustainable Materials Management: Fact Sheets](#). EPA found that 258 million tons of MSW were generated in 2014. More than 89 million tons, or 34.6 percent, were recycled and composted. The EPA report uses a top-down model. In 2016, the Environmental Research and Education Foundation [released](#) a bottom-up accounting that found higher rates of waste generation than EPA estimated for 2010 and 2013.

WATER

DRINKING WATER CONTAMINANT CANDIDATE LIST. EPA published a final list of contaminants that are currently not subject to proposed or promulgated national primary drinking water regulations ([81 FR 81099](#)). These contaminants are known or anticipated to occur in public water systems and may require regulation under the Safe Drinking Water Act

(SDWA). This list is the [Fourth Contaminant Candidate List](#) (CCL 4) published by EPA since the SDWA amendments of 1996. The final CCL 4 includes 97 chemicals or chemical groups and 12 microbial contaminants. Among the listed contaminants are perfluorooctanoic acid/perfluorooctane sulfonic acid (PFOA/PFOS), and hexahydro-1,3,5-trinitro-1,3,5-triazine (RDX).

PESTICIDE GENERAL PERMIT. EPA issued the final 2016 National Pollutant Discharge Elimination System Pesticide General Permit, referred to as the PGP, for all 10 EPA Regions ([81 FR 75816](#)). The PGP authorizes certain point source discharges from the application of pesticides to waters of the U.S. It is applicable for five years in all areas of the country where EPA is the permitting authority, which is Idaho, Massachusetts, New Hampshire, New Mexico, Washington D.C.; all U.S. territories except the Virgin Islands; federal facilities in Colorado, Delaware, Vermont, and Washington; all Indian country except Maine; and activities associated with oil, gas, and geothermal resources in Texas. The 2016 PGP, which replaced the 2011 PGP, is effective 31 OCT 16 to 31 OCT 21. For more information click [here](#).

PESTICIDE USE AND WATER QUALITY LAWS. In November, the [Congressional Research Service](#) (CRS) released a report about the emerging conflict over interpretation and implementation of the Federal Insecticide, Fungicide, and Rodenticide Act and the Clean Water Act (CWA). For the more than 30 years since the laws were enacted, there had been little apparent conflict between them. However, their relationship has recently been challenged in several arenas, including the federal courts and regulatory proceedings of EPA. In the report, a brief discussion of the two laws is followed by a review of the major litigation of interest. EPA's efforts to clarify its policy in this area are discussed, including a regulation issued in 2006 that was subsequently vacated by a federal court, as well as possible options for EPA and Congress to address the issues further. To read the full report, click [here](#).

NATIONWIDE PERMITS PROGRAM: ISSUES AND REGULATORY DEVELOPMENTS. In November, CRS issued a report on the U.S. Army Corps of Engineers' (USACE) nationwide permit program. Permits issued by USACE authorize various types of development projects in wetlands and other waters of the United States. The regulatory process involves two types of permits: general permits for actions by private landowners that are similar in nature and will likely have a minor effect on jurisdictional waters and wetlands, and individual permits for more significant actions. USACE uses general permits to minimize the burden of its regulatory program: general permits authorize landowners to proceed with a project without the more time-consuming need to obtain standard individual permits in advance. More than 97 percent of USACE regulatory workload is processed in the form of general permits. It has been more than 15 years since Congress examined the nationwide permit program in oversight hearings or in connection with bills to fund the Corps' regulatory program. To read the report, click [here](#).

DRINKING WATER STATE REVOLVING FUND: PROGRAM OVERVIEW AND ISSUES. In November, CRS issued a report on the Drinking Water State Revolving Fund (DWSRF). Under the program, states receive annual capitalization grants to provide financial assistance (primarily subsidized loans) to public water systems for drinking water projects and other specified activities. Between FY 1997 and 2015, Congress appropriated approximately \$20 billion, and more than 12,400 projects received assistance through the program. However, the latest EPA survey of capital improvement needs indicates that public water systems need to invest \$384.2 billion on infrastructure improvements over 20 years to ensure safe tap water. According to CRS, a 2012 study by the American Water Works Association estimates that restoring aging infrastructure and expanding water systems to keep up with population growth would require a nationwide investment of at least \$1 trillion through 2035.

CRS identified key program issues include the gap between estimated needs and funding; the growing cost of complying with SDWA standards (particularly for small communities); the ability of small or disadvantaged communities to afford DWSRF financing; and the broader need for cities to maintain, upgrade, and expand infrastructure unrelated to SDWA compliance. Several overarching policy ideas are under debate, including the appropriate federal role in providing financial assistance for local water infrastructure projects and "other funding mechanisms that could supplement or replace a program reliant on annual appropriations. To read the full report, click [here](#).

WATER QUALITY ISSUES IN THE 114TH CONGRESS: AN OVERVIEW. CRS released a report on water quality issues facing the 114th Congress. The principal law that deals with polluting activity in the nation's streams, lakes, estuaries, and coastal waters is the Federal Water Pollution Control Act (P.L. 92-500, enacted in 1972), commonly known as the Clean Water Act. It consists of two major parts: regulatory provisions that impose requirements on industries and cities to abate pollution and meet the statutory goal of zero discharge of pollutants; and provisions that authorize federal financial assistance for municipal wastewater treatment plant construction. According to CRS, much progress has been made in achieving the ambitious goals that Congress established more than 40 years ago to restore and maintain the chemical, physical, and biological integrity of the nation's waters. However, long-standing problems persist, and new problems have emerged. The report examines these issues. To read the full report, click [here](#).

Professional Development

DOD TRAINING SOURCES

US ARMY CORPS OF ENGINEERS PROSPECT TRAINING. USACE announces course availability for the FY17 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to federal, state, county, and city employees and contractors. There are different registration processes for each entity. Please refer to the [course catalog](#) and list of classes and schedule for details. Environmental courses include, but are not limited to:

- Environmental Regulations Practical Application Course (Course Control Number (CCN) 398)
- CERCLA/RCRA Process (CCN 356)
- Hazardous Waste Manifesting & DOT Certification (CCN 223)
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429)
- Radioactive Waste Transport (CCN 441)
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Environmental Remediation Technologies (CCN 395)
- Environmental Laws and Regulations (CCN 170)

NAVY AND ISEERB ENVIRONMENTAL TRAINING. The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule is available. Course topics include environmental overview and management, law planning and sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING. The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS. The Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the U.S. Army Environmental Command [website](#), which has links to training provided by DOD organizations.

FEDERAL TRAINING SOURCES

CLASSROOM TRAINING, MULTIPLE OFFERINGS, 2016 AND 2017: [New Approaches in Remediation of Contaminated Sediments](#). In this two-day class, conventional and emerging technologies for remediating contaminated sediments will

be addressed, including removal followed by treatment and disposal; in situ isolation of the sediments from the environment by covering the sediment with neutral materials (i.e., passive capping); active capping technologies, and monitored natural recovery, which involves monitoring processes that isolate, degrade, transform, and immobilize sediment contaminants under natural conditions. The course will address solutions to contaminants in both marine and freshwater sediments including the effects of remediation on the benthic environment. Emerging technologies that address contaminant toxicity, biogeochemistry, and transport mechanisms will also be highlighted. Classes are offered in December 2016 and February, April, June, August, and November 2017.

CLASSROOM TRAINING, MULTIPLE OFFERINGS, 2017. [Interagency Consultation for Endangered Species](#). Participants acquire basic information on conducting interagency consultation under Section 7 of the Endangered Species Act. Key information needs and procedures are addressed, with a focus on the information needs related to biological assessments and biological opinions. Lecture and discussion emphasize interagency exchange of information and solutions to support species conservation. Action agency biologists and consultants are welcome to attend. The classroom training is offered in February, April, June, and July, 2017.

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER. [FedCenter.gov](#) is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- Pollution prevention opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);
- Access to free, FedCenter-sponsored courses:
 - [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
 - [Environmental Management Systems](#) (FedCenter membership required);
 - [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental conferences, meetings, training, and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

- Collaboration tools for workgroups,
- Environmental reporting tools, and
- Daily newsletter and subscription services.

SUSTAINABLE ACQUISITION TRAINING RESOURCES. The interagency federal Sustainable Acquisition & Materials Management Practices Workgroup compiled a [spreadsheet](#) of sustainable acquisition training resources developed or hosted by federal agencies that are available to government employees, businesses, and non-governmental organizations.

SCHEDULED WEBINARS

SERDP AND ESTCP WEBINAR SERIES. The DOD environmental research and development funding programs [SERDP and ESTCP](#) offer webinars to promote the transfer of innovative, cost-effective and sustainable solutions developed using

SERDP and ESTCP funding. Live webinars are offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars feature two 30-minute presentations and interactive question and answer sessions on topics targeted for DOD and DOE audiences. Prior presentations are archived for viewing any time.

FEMP eTRAINING COURSES. FEMP offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy water-management and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide to host these comprehensive, FEMP-developed eTraining courses. [Promotional materials](#) are available to help federal agencies encourage the completion of FEMP's eTraining courses.

ENERGY STAR WEBCASTS. Energy Star is a EPA voluntary program that helps businesses and individuals save money and protect our climate through superior energy efficiency.

CLEAN AIR ACT GENERAL CONFORMITY TRAINING MODULES. The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. The training from EPA covers all aspects of the rule and is divided into four modules:

- The Basics, for top agency managers and the general public: [Module I](#) provides an overview of the program purpose, regulation content, program design, legal requirements, and relationship to other environmental programs.
- The Key Concepts, for program managers and others who need a working knowledge of the program: [Module II](#) provides information on determining applicability of regulations to federal actions, requirements for determining conformity, and the review process for a determination.
- All The Details, for individuals responsible for preparing the determination: [Module III](#) contains detailed information on evaluating conformity including emission calculations, requirements for associated programs and special situations.
- State and tribal requirements and responsibilities, for state, tribal, and local air quality managers: [Module IV](#) provides information on state and tribal requirements and responsibilities in evaluation of conformity for federal actions.

WATER MANAGEMENT BASICS. This FEMP course provides a concise introduction to comprehensive water management, to include key topic areas of basic water management terminology, history of federal water mandates, current Executive Order 13693 provisions, best practices associated with comprehensive water management, and proven water conservation financing mechanisms and strategies. The three-module course offers a thorough overview of water management in the federal context:

- Module One: Introduction to Federal Water Management
- Module Two: Introduction to Comprehensive Water Management
- Module Three: Financing and Launching Water Management Projects

USGS CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES. U.S. Geological Survey webinars are designed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the U.S. Video recordings with closed captioning are made available one to two weeks after each presentation.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY. Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of live and archived webinars. Building on the familiar concept of [reduce, reuse, recycle](#), sustainable materials management is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction

of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

ITRC INTERNET BASED TRAINING. The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working 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, ITRC delivers training courses to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming Internet-based training events.

ONLINE TRAINING: SCHEDULED AND ON-DEMAND EVENTS

SUSTAINABLE ACQUISITION FOR FEDERAL AGENCIES. This two-hour [course](#) provides staff involved in specifying and purchasing with a thorough introduction to compliance requirements, processes, and tools for procuring sustainable products and services. Participants will receive specific guidance in how to meet executive order and Federal Acquisition Regulation (FAR) requirements and understand how sustainable acquisition benefits their agency, community, and the environment.

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How the Regional Offices Work for You

The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations. The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services' interests are protected.

To comment on an item in the *Southern Review*, please contact the Regional Environmental Coordinator listed at the top of page two.

To be added to the *Southern Review* distribution list, email the [Regulatory Affairs Specialist](#).