



Northern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

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The *Northern Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the 22 states and territories in Federal Regions 1, 2, 3, and 5, the *Northern Review* gives early notice of legislative and regulatory activities relevant to DOD interests. The *Review* also helps installations meet ISO 14001 environmental management system requirements.

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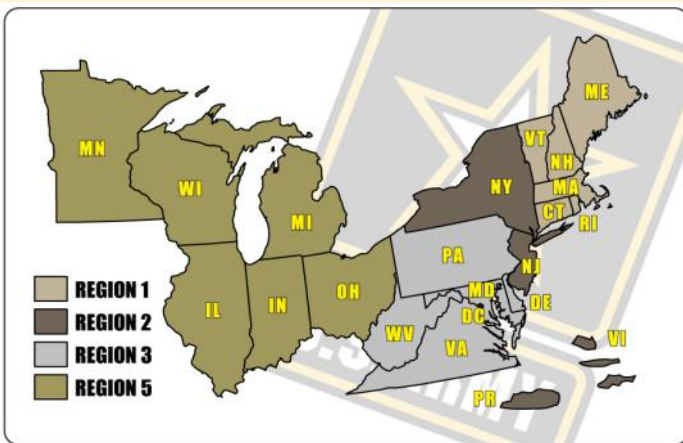


TABLE OF CONTENTS

Region 1	2
Region 2	4
Region 3	6
Region 5	10
Federal Activity	14
DOD Activity	16
Professional Development.....	16
Staff Directory	19

2016 ARMY ENVIRONMENTAL AWARDS

The Army [announced](#) the winners of the Fiscal Year 2016 Secretary of the Army Environmental Awards. "These awardees clearly demonstrate how fully engaged leadership, coupled with sound environmental practices and innovative approaches, can directly enhance Army readiness," said Mr. Eugene Collins, Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health. The winners are:

Natural Resources Conservation (large installation category): Minnesota Army National Guard, Camp Ripley, Little Falls, Minnesota

Cultural Resources Management (small installation category): Virginia Army National Guard, Camp Pendleton, Blackstone, Virginia

Sustainability (non-industrial category): Hawaii Army National Guard, Honolulu, Hawaii

Environmental Quality (overseas installation category): U.S. Army Garrison, Bavaria, Germany

Environmental Restoration (installation category): Fort Bragg, North Carolina

Cultural Resources Management (team or individual category): Alabama Army National Guard, Montgomery, Alabama

Sustainability (team or individual category): Pennsylvania Army National Guard, Fort Indiantown Gap, Pennsylvania

Environmental Excellence in Weapon System Acquisition (small program): Army Research Laboratory Wash Primer Replacement Team, Aberdeen Proving Ground, Maryland

The winners will represent the Army at the Secretary of Defense competition later in 2017.

Region 1

For more information or to comment on any state issues in Region 1, contact [Kevin Kennedy](#), Region 1 Program Coordinator, (540) 750-5159.



Connecticut

LEGISLATIVE SESSION: 4 JAN THROUGH 5 JUN (EST), SINE DIE

FINAL RULES

REISSUANCE OF FOUR GPs FOR DIVERSION OF WATER FOR CONSUMPTIVE USE. The Connecticut Department of Energy and Environmental Protection (CDEEP) has issued a [notice of the reissuance](#) of four General Permits (GPs) for the diversion of water for consumptive use. The GPs reissued, with minor modifications, are for the following categories: (1) [Authorization Required](#); (2) [Filing](#); (3) [Non-Filing](#); and (4) [Reauthorization](#). The GPs were reissued on 17 JAN 17.

PROPOSED RULES

EXEMPTION FOR CERTAIN SOLVENT-CONTAMINATED WIPES. CDEEP has [proposed](#) regulations that would conditionally exempt certain disposable and reusable wipes contaminated with solvents from regulation as hazardous waste. The proposed state regulations contain some [differences](#) from the corresponding federal regulations. The comment period closed on 6 MAR 17.

OTHER REGULATORY ACTIVITY

DRAFT 2016 INTEGRATED WATER QUALITY REPORT. CDEEP has [requested comment](#) on the [draft 2016 Integrated Water Quality Report \(IWQR\)](#). The draft IWQR was prepared to fulfill requirements of the federal Clean Water Act (CWA) under Sections 305(b) and 303(d). Once final, the document will be submitted to EPA. Comments are due by 13 MAR 17.



Maine

LEGISLATIVE SESSION: 7 DEC 16 THROUGH 27 JUN 17 (EST), SINE DIE

PROPOSED LEGISLATION

LD 422 CREATION OF MAINE WATER TRUST AND MORATORIUM ON CERTAIN GROUNDWATER USE. LD 422 imposes a two year moratorium, beginning 1 NOV 17, on new contracts or agreements by a consumer-owned water utility, municipality, state agency, or other governmental entity involving the extraction of more than 75,000 gallons of groundwater per week or more than 50,000 gallons per day. The bill also directs the Commissioner of the Maine Department of Environmental Protection to convene a workgroup to develop a statutory and regulatory framework to establish the Maine Water Trust. The trust will be tasked with ensuring a safe and plentiful drinking water supply to all state residents by regulating the use of groundwater for commercial purposes. The bill also outlines reporting requirements for the trust. The bill was referred to the Energy, Utilities, and Technology Committee.



LEGISLATIVE SESSION: 4 JAN THROUGH 30 JUN (EST), SINE DIE

PROPOSED LEGISLATION

HB 97 REGULATION OF DRONE USE BY GOVERNMENT AGENCIES AND INDIVIDUALS. HB 97 regulates the use of drones by government agencies and individuals. The bill includes the federal government within its definition of “government.” The bill also establishes criminal penalties and civil remedies for violations of the law. The bill is currently in the House Criminal Justice and Public Safety Committee.

PROPOSED RULES

HAZARDOUS WASTE LAND DISPOSAL RESTRICTION REGULATIONS. The New Hampshire Department of Environmental Services (NHDES) has [proposed](#) rules (Env-Hw 1200) to incorporate by reference federal requirements and restrictions applicable to land disposal of hazardous waste (HW), pursuant to 40 CFR 268. The proposed rules do not incorporate federal requirements for land disposal by use of underground injection wells. Underground injection of hazardous waste is prohibited in New Hampshire (Env-Hw 701.03). The comment period closed on 3 MAR 17.

HAZARDOUS WASTE RULE REQUIREMENTS FOR FACILITY OWNERS/OPERATORS AMENDMENTS. NHDES has [proposed](#) to readopt with amendment the existing rules at Env-Hw 700, *Requirements for Owners and Operators of Hazardous Waste Facilities/Hazardous Waste Transfer Facilities*. The amendments: (1) clarify notification requirements; (2) clarify groundwater monitoring requirements; (3) clarify manifest discrepancy requirements; (4) clarify requirements for rejecting shipments; and (4) add provisions for responding to releases prior to cleanup plan approval. The comment period closed on 3 MAR 17.

REQUIREMENTS FOR HAZARDOUS WASTE GENERATORS. NHDES has [proposed](#) to readopt with amendments the rules at Env-Hw 500, *Requirements for Hazardous Waste Generators*. The rulemaking is necessary for the state to maintain primacy over the program. The amendments: (1) clarify the documentation required to meet recordkeeping requirements for HW determinations; (2) clarify generator classification calculations; (3) reorganize and clarify notification requirements; (4) reorganize and clarify requirements for packaging, labeling, and storage of HW; (5) update and clarify manifest requirements; and (6) add provisions for responding to releases prior to cleanup plan approval. The existing rules were scheduled to expire on 28 JAN 17, but they will remain in effect during the rulemaking process. The comment period closed on 3 MAR 17.

REQUIREMENTS FOR RECYCLING OF HAZARDOUS WASTE. NHDES has [proposed](#) to readopt with amendments the existing rules at Env-Hw 800, *Requirements for Recycling of Hazardous Wastes*. The rulemaking is necessary for the state to maintain primacy over the program. The amendments: (1) relocate exemptions for certain recycled wastes to Env-Hw 400 from Env-Hw 802.02; (2) clarify requirements for recycling a waste without land disposing it or placing it on the land; and (3) clarify that the NH01 waste code is not to be used on manifests for used oil recycled out of state. The existing rules were scheduled to expire on 28 JAN 17, but they will remain in effect during the rulemaking process. The comment period closed on 3 MAR 17.

REQUIREMENTS FOR HAZARDOUS WASTE TRANSPORTERS. NHDES has [proposed](#) to readopt with amendments the existing rules at Env-Hw 600, *Requirements for Hazardous Waste Transporters*. The rulemaking is necessary for the state to maintain primacy over the program. The amendments: (1) clarify notification requirements; (2) add provisions for responding to releases prior to cleanup plan approval; (3) add a federal exemption for responses to explosives or munitions emergencies; and (4) add references to current federal import/export provisions. The existing rules were scheduled to expire on 28 JAN 17, but they will remain in effect during the rulemaking process. The comment period closed on 3 MAR 17.

IDENTIFICATION AND LISTING OF HAZARDOUS WASTES. NHDES has [proposed](#) to readopt with amendments the existing rules at Env-Hw 400, *Identification and Listing of Hazardous Wastes*. The rulemaking is necessary for the state to maintain primacy over the program. The amendments: (1) relocate exemptions for certain recycled wastes from Env-Hw 800 to Env-Hw 401.03(b)(36) through (39); (2) repeal the pharmaceutical waste exemption in response to 2016 HB 1490; (3) clarify the documentation required to meet recordkeeping requirements for claims that a waste is not a HW and for recycling; and (4) adopt or incorporate federal HW regulations. The existing rules were scheduled to expire on 28 JAN 17, but they will remain in effect during the rulemaking process. The comment period closed on 3 MAR 17.

Region 2

For more information or to comment on any state issues in Region 2, contact [Patrick Timm](#), Army Regional Environmental Coordinator, Region 2, (410) 278-6165.



New Jersey

LEGISLATIVE SESSION: 10 JAN 17 THROUGH 9 JAN 18

FINAL LEGISLATION

AB 2514 MILITARY BASE PARTICIPATION IN SHARED SERVICE AGREEMENTS. AB 2514 (Public Act: 21) implements a recommendation of the New Jersey Military Installation Growth and Development Task Force's July 2015 report to facilitate shared services between military installations and neighboring governments. The bill permits local units of government to enter into shared services agreements with federal military installations located in the state by revising the definition of a "local unit" under the *Uniform Shared Services and Consolidation Act* to include a federal military base, under certain circumstances. A notice of the bill's favorable committee passing was published in the April 2016 *Northern Review*. The bill was signed by the governor on 10 FEB 17 and became effective upon signature.

PROPOSED LEGISLATION

AB 4415 REQUIREMENT FOR PURVEYORS TO CONDUCT WATER LOSS AUDITS. AB 4415 amends and supplements the *Water Supply Management Act* to require the state's water purveyors (i.e., public and private water providers) who regularly serve at least 3,300 individuals to conduct annual water loss audits. The bill requires the annual audit to be submitted to the New Jersey Department of Environmental Protection (NJDEP). AB 4415 also directs NJDEP to adopt regulations, within a specified timeline, concerning: (1) conduct and validation of water loss audits; (2) establishment of a minimum data validity score or a specific level of yearly improvement in the data validity score of future annual water loss audit reports; and (3) performance standards to be met by a water purveyor concerning the volume of water losses. The bill was reported out of the Environment and Solid Waste Committee and referred to the Appropriations Committee.

AB 4439 SALE AND DISTRIBUTION PROHIBITION OF MERCURY RELAYS AND SWITCHES. AB 4439 prohibits the sale and distribution of mercury relays and mercury switches under certain circumstances. The bill also establishes a process by which manufacturers and product users may apply for a waiver from the prohibition. The bill does not apply, under certain circumstances, to a mercury relay or switch used to replace a mercury relay or switch that is a component of a product that was in use prior to the effective date of the bill. The bill was reported out favorably by the Environment and Solid Waste Committee.

AB 4569 (SB 2834) WATER QUALITY ACCOUNTABILITY ACT. AB 4569 imposes certain testing, reporting, management, and infrastructure investment requirements on water purveyors. The bill also requires water purveyors to develop a cybersecurity program, in accordance with requirements established by the New Jersey Board of Public Utilities. The bill was referred to the Environment and Solid Waste Committee.

OTHER REGULATORY ACTIVITY

AVAILABILITY OF ONLINE PORTAL FOR SUBMISSION OF CERTAIN WORKPLANS AND FORMS. NJDEP has given [notice](#) that the online portal for submission of Remedial Action Workplans and Forms and the Remedial Action Reports and Forms is now available. The portal allows these documents to be filed electronically.



LEGISLATIVE SESSION: 4 JAN THROUGH 31 DEC (EST)

PROPOSED LEGISLATION

AB 926 (AB 1440) INDOOR AIR QUALITY IN STATE OWNED, LEASED, OR OPERATED BUILDINGS. AB 926 amends state regulations related to the protection of indoor air quality in state owned, leased, or operated buildings. The bill requires these buildings to have the following in place: (1) an indoor environment plan; (2) a system for responding to requests for information and for investigating and responding to complaints about indoor air quality problems; and (3) an inventory of hazardous substances used in the building. The bill also directs the New York State Department of Health (NYSDOH), in consultation with other agencies and professional associations, to develop model courses in the operation and maintenance of heating ventilation and air conditioning systems. The bill was reported out of the Health Committee and referred to the Codes Committee.

SB 4092 MILITARY NOTIFICATION REQUIREMENTS. SB 4092 requires that notice concerning certain proposed municipal actions be given to the commander of a military station if the proposed action would occur within 3,000 feet of the installation. The bill was referred to the Local Government Committee.

SB 4188 PROHIBITIONS ON VEHICLE FRICTION BRAKE PADS CONTAINING CERTAIN MATERIALS. SB 4188 prohibits, starting 1 JAN 20, the sale of vehicle friction brake pads that contain certain levels of: (1) asbestiform fibers; (2) cadmium and its compounds; (3) chromium (VI) salts; (4) lead and its compounds; and (5) mercury and its compounds. The bill also prohibits, starting 1 JAN 27, the sale of vehicle brake pads containing more than five percent copper and its compounds by weight. The bill was referred to the Transportation Committee.

SB 4386 MCLS FOR PFCAS AND PFSAS IN DRINKING WATER. SB 4386 requires NYSDOH to conduct a comprehensive examination of perfluoroalkyl carboxylic acids (PFCAs) and perfluoroalkyl sulfonic acids (PFSAs) and establish maximum contamination levels (MCLs) for public drinking water. The bill requires the examination and implementation of the MCLs to be completed "as soon as practicable," including implementation by emergency rule if necessary to protect public health. The bill was referred to the Health Committee.

FINAL RULES

HAZARDOUS SUBSTANCES IDENTIFICATION, RELEASE PROHIBITION, AND RELEASE REPORTING. The New York State Department of Environmental Conservation (NYSDEC) has [adopted](#) (page 3) a final rule amending regulations under Title 6 NYCRR Part 597, *Hazardous Substances Identification, Release Prohibition, and Release Reporting*. The rule adds: (1) perfluorooctanoic acid (PFOA), PFOA-salt, perfluorooctane sulfonic acid (PFOS), and PFOS-salt to the list of hazardous substances in Section 597.3.; (2) allows fire-fighting foam containing PFOA-acid, PFOA-salt, PFOS-acid, or PFOS-salt to be used to fight fires (but not for training or any other purposes) on or before 25 APR 17; and (3) corrects the list of hazardous substances by providing units for reportable quantities. The requirements of this final rule have

been in effect since 27 JAN 16, due to numerous previously issued emergency rules. A notice of the proposed permanent rule was published in the June 2016 *Northern Review*. The final rule became effective on 3 MAR 17.

SCIENCE-BASED STATE SEA-LEVEL RISE PROJECTIONS. NYSDEC has [adopted](#) (page 1) a rule to add Part 490, *Projected Sea-Level Rise*, to Title 6 NYCRR. The new section establishes a common source of sea-level rise projections for consideration in relevant programs and decision-making. A notice of the proposed rule was published in the December 2015 *Northern Review*. The rule became effective on 22 FEB 17.

PROPOSED RULES

AMENDMENTS TO PUBLIC WATER SYSTEMS RULES. NYSDOH has [proposed](#) (page 16) amendments to the public water systems rules at 10 NYCRR 5-1. The amendments are necessary for NYSDOH to maintain full primacy for delivery, oversight, and management of New York's public drinking water supply supervision program. The amendments also ensure consistency with federally enacted drinking water regulations promulgated by EPA, including the: (1) amendments to the Lead and Copper Rule (LCR); (2) Long Term 2 Enhanced Surface Water Treatment Rule (LT2); (3) Stage 2 Disinfectant and Disinfection Byproducts Rule (Stage 2 DBPR); and (4) Variances and Exemptions (V&E) Rule. The amendments also incorporate requirements related to recent amendments to the New York State Public Health Law (PHL). Comments are due by 1 Apr 17.

OTHER REGULATORY ACTIVITY

FEDERAL ENFORCEABILITY OF AIR POLLUTION CONTROL PERMITS. NYSDEC has released a [guidance document](#), *DAR-17/ Federal Enforceability of Air Pollution Control Permits*. The document describes the procedure and requirements for developing federally enforceable permit conditions that must be used by permit writers when implementing NYSDEC's operating permit program. The document updates the department's procedures to reflect more recent practices and requirements.

Region 3

For more information or to comment on any state issues in Region 3, contact [Patrick Timm](#), Army Regional Environmental Coordinator, Region 3, (410) 278-6165.



LEGISLATIVE SESSION: 1 JAN THROUGH 31 DEC

FINAL LEGISLATION

B 386 FISHERIES AND WILDLIFE OMNIBUS AMENDMENT ACT OF 2015. B 386 (Public Act: A21-0675) makes various amendments to the law regarding wildlife and natural resources. The amendments include: (1) authorization for the mayor to draft and enforce rules to restrict, prohibit, regulate, and control the sale, possession, exhibition, hunting, fishing, and taking of wildlife in DC, inclusive of fees and for certain civil and criminal offenses; (2) establishment of a special purpose fund, the *Fishing License Fund*; and (3) prohibition on the sale of personal care products that contain plastic microbeads. The bill was signed by the mayor on 15 FEB 17; it was sent to Congress on 24 FEB 17 for a 30-day period of congressional review. The projected effective date is 20 MAY 17.

PROPOSED RULES

AMENDMENTS TO AIR QUALITY PERMIT FEES AND SYNTHETIC MINOR PERMITTING PROGRAM. The District of Columbia Department of Energy and Environment (DOEE) has [proposed](#) amendments to Chapter 2, *Air Quality – General and Non-Attainment Area Permits*, and Chapter 3, *Air Quality – Operating Permits and Acid Rain Programs*, of Title 20 of the District of Columbia Municipal Regulations (DCMR). The amendments: (1) revise fees for Part 70 operating permits (also known as Title V permits); (2) create a synthetic minor permitting program; (3) establish general construction and operating permit fees; (4) allow the incorporation of preconstruction review permit requirements into a Title V permit via the administrative amendment process; and (5) make grammatical and other minor clarifications, including adding a definition for the term “relevant emission units.” The comment period closed on 4 MAR 17.

AMENDMENTS TO AIR QUALITY REGULATIONS CHAPTERS 1 AND 2. DOEE has [proposed](#) amendments to Chapters 1 and 2 of the air quality regulations. The amendments to Chapter 1 clarify its general authorities to protect air quality in DC and update the general requirements to reflect the changes, particularly with respect to: (1) the right of entry and inspection; (2) penalties and injunctive relief; (3) cease and desist orders; and (4) the hearing rights of aggrieved parties. The amendments also revise the definitions in Section 199, by deleting obsolete definitions and updating cross-references. Amendments to Chapter 2 revise Section 202 to clarify the process for denying, revoking, suspending, or amending an air quality permit. Once finalized, the amendments will be submitted to EPA as a State Implementation Plan (SIP) revision for review and approval.



LEGISLATIVE SESSION: 11 JAN THROUGH 11 MAY (EST), SINE DIE

PROPOSED LEGISLATION

SB 386 (HB 830) POLLINATOR HABITAT PLAN REQUIREMENTS. SB 386 requires, by 1 JUL 17, multiple state agencies to work together to establish a pollinator habitat plan. The bill identifies plan requirements, including that it: (1) must include best management practices (BMPs) for the designation, maintenance, creation, enhancement, and restoration of pollinator habitat areas; (2) must be as protective of pollinators as the Maryland Department of Agriculture’s managed pollinator protection plan; (3) cannot require an action on land that is inconsistent with any applicable federal, state, or local law, regulation, rule, or guidance; (4) must prohibit the use of certain pesticides, seeds, or plants in an area designated or created as a pollinator habitat area in accordance with a pollinator habitat plan. The bill also establishes exemptions. The bill passed the Senate and was referred to the House Environment and Transportation Committee.



LEGISLATIVE SESSION: 3 JAN THROUGH 30 NOV (EST)

PROPOSED LEGISLATION

SB 294 PLASTIC BAG FEE. SB 294 amends the *Tax Reform Code* to provide for a plastic bag fee. The bill requires a retail store to pay a two cent fee per plastic carryout bag provided to customers. Half of the total money collected from the fee will be returned to the store, for the purposes of improving recycling practices, while the other 50 percent will be credited to the commonwealth for related services that promote recycling. Only retail establishments that gross in excess of \$1 million dollars during the previous tax year will be subject to the bill’s requirements. The bill was referred to the Finance Committee.

OTHER REGULATORY ACTIVITY

DRAFT TECHNICAL GUIDANCE DOCUMENTS FOR CLOSURE REQUIREMENTS FOR ASTs AND USTs. The Pennsylvania Department of Environmental Protection (PADEP) has [issued](#) two separate draft technical guidance documents concerning aboveground storage tanks (ASTs) and underground storage tanks (USTs). The draft guidance documents are: (1) *Closure Requirements for Aboveground Storage Tank Systems* ([DEP ID: 263-4200-001](#)); and (2) *Closure Requirements for Underground Storage Tank Systems* ([DEP ID: 263-4500-601](#)). The draft documents establish minimum standards that must be met in order to comply with the closure requirements for regulated large ASTs and regulated USTs, respectively. These procedures include closure notification, tank handling, waste management and disposal, site assessment, sampling requirements, analytical requirements, release reporting, and recordkeeping. The comment periods for both documents closed on 6 MAR 17.

REPORTING REQUIREMENTS FOR CRYPTOSPORIDIA, E. COLI, AND TURBIDITY UNDER LT2ESWTR. PADEP has [issued](#) a draft guidance, *Cryptosporidia, E.coli and Turbidity LT2ESWTR Laboratory Reporting Instructions for Public Water Systems Using Surface Water or Groundwater Under the Direct Influence of Surface Water (GUDI) Sources* ([DEP ID: 390-3301-001](#)). The draft guidance establishes uniform instructions and protocol for implementing the drinking water reporting requirements for Cryptosporidia, E. coli, and turbidity under the Long-term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR). The comment period closed on 6 MAR 17.



LEGISLATIVE SESSION: 11 JAN THROUGH 25 FEB (EST)

FINAL LEGISLATION

HB 1619 WATERSHED GENERAL PERMIT PROCEDURES. HB 1619 (Public Act: 9) amends regulations relating to the watershed GP for nutrients. The bill directs the Virginia State Water Control Board (VSWCB) to incorporate into the GP procedures a requirement for the board to, every 10 years: (1) review load allocations to determine whether changes in the use of a facility have halted or reduced nutrient discharges; and (2) determine, prior to reissuing the GP, the need for reallocations based on a variety of factors, including changes in treatment technologies and land use. The bill was signed by the governor on 13 FEB 17 and will become effective on 1 JUL 17.

HB 2076 (SB 1127) REQUIREMENTS FOR LICENSED PROFESSIONAL TO APPROVE CERTAIN PLANS. HB 2076 (Public Act: 10) directs VSWCB to adopt regulations requiring that all plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to become effective no later than 1 JUL 18, and exempts them from certain provisions of the Administrative Process Act. The bill was signed by the governor on 13 FEB 17 and becomes effective on 1 JUL 17.

PROPOSED RULES

REVISIONS TO MUNICIPAL SOLID WASTE LANDFILLS PLAN. The Virginia Department of Environmental Quality (VDEQ) has [proposed](#) revisions to the commonwealth of Virginia's § 111(d) plan for municipal solid waste landfills (MSWLs). The plan fulfills the commonwealth's responsibilities under the federal Clean Air Act (CAA) to implement and enforce emissions guidelines for MSWLs. Once final, the plan will be submitted to EPA for review and approval. A [public hearing](#) is scheduled for 19 APR 17 and comments are due by 1 MAY 17.

NONATTAINMENT NEW SOURCE REVIEW SIP. VDEQ has [proposed](#) a SIP, *Nonattainment New Source Review (NNSR) Requirements in the Virginia State Implementation Plan for the 2008 Ozone NAAQS*. The document certifies that Virginia's existing NNSR program, covering the Washington, DC-MD-VA nonattainment area for the 2008 ozone National Ambient Air Quality Standards (NAAQS), is at least as stringent as the requirements at 40 CFR 51.165 for ozone and its

precursors. Once final, the commonwealth will submit the plan as a SIP revision to EPA for review and approval. [Comments](#) are due by 20 APR 17.

OTHER REGULATORY ACTIVITY

AMENDMENTS TO TITLE V PROGRAM FEES. VDEQ is [considering](#) (page 6) amendments to 9VAC5-80, *Permits for Stationary Sources*. The amendments would update state rules to comply with state and federal requirements to fully fund Virginia's Title V Permit Program. Possible amendments would: (1) increase Title V fees enough to fully fund the Title V program; (2) restructure the existing Title V fee schedule to better reflect actual costs of the program; and (3) make other amendments determined to be necessary including clarification of the regulatory text. The comment period closed on 8 FEB 17.



LEGISLATIVE SESSION: 11 JAN THROUGH 10 MAR (EST), SINE DIE

PROPOSED LEGISLATION

HB 2221 (SB 105) ALTERNATIVE EMISSION LIMITATIONS DURING STARTUP, SHUTDOWN AND MAINTENANCE OPERATIONS. HB 2221 authorizes the West Virginia Department of Environmental Protection (WVDEP) to promulgate legislative rule [45 CSR 01](#), *Alternative Emission Limitations During Startup, Shutdown and Maintenance Operations*. The rule was published in the State Register on 26 AUG 16. Under West Virginia law, all regulations adopted by state regulatory agencies must be approved by the Legislature before they can be promulgated. The bill was referred to the Judiciary Committee.

SB 113 (HB 2229) APPROVAL OF STATE REGULATORY AGENCY RULES. SB 113 authorizing WVDEP to promulgate a series of regulations that were adopted during 2016. Under West Virginia law, all regulations adopted by state regulatory agencies must be approved by the Legislature before they can be promulgated. The regulations are:

- *Alternative Emission Limitations During Startup, Shutdown and Maintenance Operations* ([45 CSR 01](#)), filed in the State Register on 26 AUG 16;
- *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, Permission to Commence Construction and Procedures for Evaluation* ([45 CSR 13](#)), filed in the State Register on 26 AUG 16;
- *Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality* ([45 CSR 14](#)), filed in the State Register on 26 AUG 16;
- *Standards of Performance for New Stationary Sources* ([45 CSR 16](#)), filed in the State Register on 26 AUG 16;
- *Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities* ([45 CSR 25](#)), filed in the State Register on 26 AUG 16;
- *Emission Standards for Hazardous Air Pollutants* ([45 CSR 34](#)), filed in the State Register on 26 AUG 16;
- *Ambient Air Quality Standards* ([45 CSR 08](#)), filed in the State Register on 26 AUG 16; and
- *Voluntary Remediation and Redevelopment* ([60 CSR 03](#)), filed in the State Register on 26 AUG 16.

The bill has passed the Senate was referred to the House Judiciary Committee.

Region 5

For more information or to comment on any state issues in Region 5, contact [Dr. Jim Hartman](#), DOD Regional Environmental Coordinator, Region 5, (410) 278-6991.



Illinois

LEGISLATIVE SESSION: 13 JAN 16 THROUGH 11 JAN 17 (EST)

FINAL LEGISLATION

SB 1673 TIME-LIMITED WATER QUALITY STANDARDS. SB 1673 (Public Act: 99-0937) grants the Illinois Pollution Control Board (IPCB) authority to conduct non-adjudicatory proceedings to adopt a time-limited water quality standard for specified watersheds and bodies of water. The bill establishes timelines for the Illinois Environmental Protection Agency (IEPA) and IPCB in regard to proposing and adopting rules that prescribe specific procedures and standards to be used by IPCB when adopting time-limited water quality standards. The bill also adds additional provisions concerning time-limited water quality standards. The bill was signed by the governor on 24 FEB 17 and became effective upon signature.

PROPOSED LEGISLATION

HB 2958 PROHIBITION OF SALE AND USE OF COAL TAR SEALANT PRODUCTS. HB 2958 prohibits, on and after 1 JAN 18, the sale of a coal tar sealant product. The bill also prohibits, on and after 1 JUL 19, the application of a coal tar sealant product on any surface, except for highway structures, in the state of Illinois including driveways, parking areas, playgrounds, sidewalks, bike trails, or roadways. The bill grants authority to cities or counties to adopt ordinances to enforce the requirements of the bill, and establishes penalties for violations. The bill was referred to the Consumer Protection Committee. An identical bill, [HB 3181](#), has also been introduced and was referred to the Environment Committee.

FINAL RULES

AMENDMENTS TO AMBIENT AIR QUALITY REQUIREMENTS. IPCB has [adopted](#) (page 379) amendments to the ambient air quality requirements at 35 Ill. Adm. Code 243. The amendments allow the state requirements to correspond with EPA amendments to the federal NAAQS adopted between 1 JAN 16 and 30 JUN 16. The amendments will be submitted as a SIP revision to EPA for review and approval. A notice of the proposed amendments was published in the December 2016 *Northern Review*. The amendments became effective on 23 JAN 17.

AMENDMENTS TO STATE DEFINITION OF VOC. IPCB has [adopted](#) (page 354) amendments to the state definition of volatile organic compound (VOC) at 35 Ill. Adm. Code 211, *Definitions and General Provisions*. The amendments update the state VOC definition to correspond with an amendment to the federal definition of VOC at 40 C.F.R. 51.100(s) that EPA adopted between 1 JAN 16 and 30 JUN 16. The EPA amendment being implemented revised the existing exclusion of tertiarybutyl acetate (t-Bac) to remove the recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements related to the use of t-Bac as a VOC. The amendments will be submitted as a SIP revision to EPA for review and approval. A notice of the proposed amendments was published in the December 2016 *Northern Review*. The amendments became effective on 23 JAN 17.

AMENDMENTS TO SEWER DISCHARGE CRITERIA. IPCB has [adopted](#) (page 387) revisions to the state wastewater pretreatment rules at 35 Ill. Adm. Code 307, *Sewer Discharge Criteria*. The revisions implement amendments adopted by EPA between 1 JUL 15 and 31 DEC 15. EPA wastewater pretreatment elements being implemented include: (1) mandatory digital reporting rules for facilities permitted under the National Pollutant Discharge Elimination System (NPDES) program; and (2) amended wastewater effluent requirements applicable to sources in the Steam Electric Power Generating Point Source Category. A notice of the proposed amendments was published in the December 2016 *Northern Review*. The amendments became effective on 23 JAN 17.

AMENDMENTS TO PRETREATMENT PROGRAM RULES. IPCB has [adopted](#) (page 413) amendments to 35 Ill. Adm. Code 310, *Pretreatment Programs*. The amendments allow the state requirements to implement segments of EPA amendments to the corresponding federal rule. Specifically, the amendments add the NPDES Electronic Reporting Rule to the state wastewater pretreatment regulations. IPCB also included corrections and clarifying amendments that are not directly derived from the federal amendments. The amendments became effective on 23 JAN 17.



LEGISLATIVE SESSION: 3 JAN THROUGH 29 APR (EST), SINE DIE

PROPOSED LEGISLATION

SB 421 REGISTRATION REQUIREMENTS FOR ASTs. SB 421 repeals the law requiring owners of certain ASTs to register their tanks with the Indiana Department of Environmental Management (IDEM). The bill authorizes operators of a public water system (PWS) to gather information from potential sources of contamination to be used in developing or updating the PWS's threat minimization and response plan. The bill also urges the Legislative Council to assign a specified committee to study PWS protection, including (1) the potential creation of a central repository for all information about ASTs that is reported to various agencies; (2) resources available to PWS operators for developing and maintaining emergency plans for responding to threats to the drinking water supply; and (3) whether the information available to emergency responders and environmental regulators concerning ASTs is sufficient to ensure the protection of PWSs. The bill passed the Senate and was referred to the House Environmental Affairs committee.

FINAL RULES

AMENDMENT TO DEFINITION OF 'INTERFERENCE' RELATED TO PUBLICLY OWNED TREATMENT WORKS. IDEM has [adopted](#) amendments to the industrial wastewater pretreatment programs and NPDES regulations. The amendments update the pretreatment rules at 327 IAC 5-17-11, concerning the definition of "interference" as it relates to pretreatment discharge to a publicly owned treatment works (POTW). A notice of the proposed amendments was published in the October 2016 *Northern Review*. The amendments become effective on 17 MAR 17.

AMENDMENTS TO PWS RULES CONCERNING TOTAL COLIFORM RULE. IDEM has [adopted](#) new rules and amendments to the state drinking water standards at 327 IAC 8-2. The rulemaking incorporates revisions adopted by EPA to the Total Coliform Rule (TCR) under the Safe Drinking Water Act (SDWA) and corrections requested by EPA to the Ground Water Rule (GWR) and Stage 2 Disinfectants and Disinfection Byproducts (Stage 2) rules that were previously adopted. The rulemaking also includes minor revisions to maintain compliance with EPA requirements. A notice of the proposed rulemaking was published in the April 2014 *Northern Review*. The rulemaking becomes effective on 17 MAR 17.

PROPOSED RULES

SECTION 401 WATER QUALITY CERTIFICATION. IDEM has [proposed](#) the [Section 401 Water Quality Certification](#) for the U.S. Army Corps of Engineer's (USACE) 2017 Nationwide Permits (NWP) in the state of Indiana. USACE has proposed to reauthorize certain NWP and add two new NWP in the state. The certification contains the general and specific

conditions that IDEM has proposed to place on the NWPs. These conditions ensure that projects authorized by the NWPs have minimal impacts to waters within the state. The comment period closed on 27 FEB 17.



LEGISLATIVE SESSION: 3 JAN THROUGH 22 MAY (EST), SINE DIE

OTHER REGULATORY ACTIVITY

INTERIM INTRUSION SCREENING VALUES GUIDANCE. The Minnesota Pollution Control Agency has [issued](#) interim Intrusion Screening Values (ISVs) guidance. The guidance has been updated to: (1) include interim ISVs for the following additional chemicals: toluene; xylene; 1,2,4-trimethylbenzene; 1,3,5-trimethylbenzene; 1,2-dibromoethane; 1,2-dichloroethane; and chlorobenzene; (2) correct the 1,3-butadiene residential ISV; and (3) provide clarification regarding use.



LEGISLATIVE SESSION: 2 JAN THROUGH 31 DEC (EST)

FEDERAL ACTIVITY

REMOVAL OF GASOLINE VOLATILITY REQUIREMENTS IN CINCINNATI AND DAYTON AREAS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Ohio, concerning the state's gasoline volatility standards in the Cincinnati and Dayton areas ([82 FR 10727](#)). The revision removes the 7.8 pounds per square inch (psi) low Reid Vapor Pressure (RVP) fuel requirements for the two areas as a component of the Ohio ozone SIP. The submittal also includes a section 110(l) demonstration as required by the CAA that addresses emission impacts associated with the removal of the program. Comments are due by 17 MAR 17.

FINAL RULES

AMENDMENTS TO HAZARDOUS WASTE MANAGEMENT REGULATIONS. The Ohio Environmental Protection Agency (OEPA) has [adopted](#) amendments to the hazardous waste management rules at Chapters [3745-50](#), [-51](#), [-52 through -55](#), [-57 through -67](#), and [-68 through -279](#) of the Ohio Administrative Code (OAC). The amendments update Ohio's rules so they continue to be equivalent to their amended federal counterpart rules in 40 CFR Parts 261 and 266 and fulfill five-year review requirements. The amendments are typically referred to collectively as the "Set N" rules package. A notice of the proposed amendments was published in the January 2017 *Northern Review*. The amendments become effective on 24 MAR 17.

AMENDMENTS TO RELEASE NOTIFICATION REQUIREMENTS FOR OIL AND GAS FACILITIES. OEPA, on behalf of the State Emergency Response Commission (SERC), has [adopted](#) amendments to OAC rule 3750-25-25, *Release Notification Requirements*. The amendments align the rule language for reporting spills/releases at oil and gas facilities regulated under the ORC 1509 (Division of Oil and Gas Resources Management) with the Governor's Executive Order 2016-04K signed on 9 AUG 16. Specifically, the amendments incorporate the one-call emergency notification system for oil and gas related emergencies. The notification system designates the Ohio Department of Natural Resources to be the single point of contact for state agency notification for spills or releases at oil and gas regulated facility sites. A notice of the proposed amendments was published in the December 2016 *Northern Review*. The amendments became effective on 11 FEB 17.

AMENDMENTS TO SO₂ REGULATIONS. OEPA has [adopted](#) amendments to [OAC Chapter 3745-18](#), *Sulfur Dioxide (SO₂) Regulations*. The rules in this chapter set limits, testing, and recordkeeping requirements for emissions of SO₂ from

sources in the state. The amendments are a result of the state mandated five-year review, and they: (1) correct a deficiency identified by EPA in a recent amendment; (2) remove facility specific emission requirements for shut down facilities; (3) update facility names and emissions unit identifications; and (4) make minor changes for grammar and typographical errors throughout the chapter. A notice of the proposed amendments was published in the January 2017 *Northern Review*. The amendments became effective on 16 FEB 17.

AMENDMENTS TO TOXIC CHEMICAL RELEASE REPORTING RULES. OEPA has [adopted](#) amendments to [OAC Chapter 3745-100](#), *Toxic Chemical Release Reporting*. The amendments: (1) align the state rules with federal requirements; (2) correct minor typographical errors; (3) fulfill the formatting requirements of the Legislative Services commission (LSC); and (4) add and update citation information on materials referenced in the rules. A notice of the proposed amendments was published in the November 2016 *Northern Review*. The amendments became effective on 11 FEB 17.

OTHER REGULATORY ACTIVITY

DRAFT REVISIONS TO STATE LEAD AND COPPER RULE. OEPA has [drafted](#) revisions to the Division of Drinking and Ground Water rules located in OAC Chapters 3745-81, 3745-89 and 3745-96. The draft revisions incorporate provisions from Ohio Revised Code (ORC) Section 6109.121, addressing lead notification and monitoring for community water systems and non-transient non-community water systems. The draft revisions impact the following sections of Ohio's lead and copper rule: (1) definitions; (2) public water systems deemed to have optimized corrosion control treatment; (3) corrosion control recommendation, study and treatment steps; (4) lead service line replacement notification; (5) notification and education of lead monitoring results; (6) identification of lead and copper sampling sites; (7) reduced lead and copper monitoring; (8) reduced water quality parameter monitoring; (9) analysis of lead and copper samples; (10) public water system reporting for the lead and copper rule; and (11) consumer confidence reports. Comments are due by 17 MAR 17.

FRAMEWORK TO REDUCE NUTRIENTS IN LAKE ERIE BASIN. The State of Ohio has [released](#) the framework that is being used to reduce phosphorus entering Lake Erie under the Western Basin of Lake Erie Collaborative Agreement. The agreement was signed in June 2015 by Ohio, Michigan, and Ontario with a goal of reducing phosphorus loading to Lake Erie by 20 percent by 2020 and 40 percent by 2025. This framework gives Ohio a jump start on EPA's and Environment and Climate Change Canada's deadline to develop a state Domestic Action Plan required under the binational Great Lakes Water Quality Agreement by February 2018.



LEGISLATIVE SESSION: 3 JAN THROUGH 31 DEC (EST)

FEDERAL ACTIVITY

SIP REVISIONS FOR PSD AND AMBIENT AIR QUALITY PROGRAMS. EPA has issued a final rule approving a SIP revision submitted by the state of Wisconsin ([82 FR 9515](#)). The revision updates portions of the state's Prevention of Significant Deterioration (PSD) and ambient air quality programs to address deficiencies identified in EPA's previous narrow infrastructure SIP disapprovals and Finding of Failure to Submit (FFS). The SIP revision request is consistent with the federal PSD rules and addresses the required elements of the fine particulate matter (PM_{2.5}) PSD Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC) Rule. EPA has also approved elements of SIP submissions from Wisconsin regarding PSD infrastructure requirements of CAA section 110 for the 1997 PM_{2.5}, 1997 ozone, 2006 PM_{2.5}, 2008 lead, 2008 ozone, 2010 nitrogen dioxide (NO₂), 2010 SO₂, and 2012 PM_{2.5} NAAQS. The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA. The final rule became effective on 9 MAR 17.

Federal Activity

AIR

RULEMAKING WITHDRAWAL—PM CONTINUOUS EMISSION MONITORING SYSTEMS AT STATIONARY SOURCES. Due to receipt of adverse comment, EPA has withdrawn a previously issued direct final rule, *Revisions to Procedure 2 - Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems (PM CEMS) at Stationary Sources*, published at [81 FR 83160](#), on 21 NOV 16 ([82 FR 10711](#)). EPA will not provide a second comment opportunity but will address the comment in a subsequent final action, which will be based on the parallel proposed rule also published on 21 NOV 16. The direct final rule issued on 21 NOV 16 addressed extension of PM CEMS correlation curve data. A notice of the November direct final rule was published in the December 2016 *Northern Review*.

ALLOCATIONS OF CROSS-STATE AIR POLLUTION RULE ALLOWANCES FROM NEW UNIT SET-ASIDES FOR 2016 COMPLIANCE YEAR. EPA has provided notice of emission allowance allocations to certain units under the new unit set-aside (NUSA) provisions of the Cross-State Air Pollution Rule (CSAPR) federal implementation plans (FIPs) ([82 FR 10711](#)).

CLIMATE CHANGE

NOAA 2017 COASTAL RESILIENCE GRANTS. The U.S. National Oceanic and Atmospheric Administration (NOAA) has developed the [Coastal Resilience Grants Program](#). The program will invest in the tools and resources communities and businesses need to address the impacts of extreme weather and climate-related hazards, as well as to restore coastal habitat to enhance the resilience of coastal ecosystems and the communities that rely on them. This competition represents the integration of two existing grant programs: the Coastal Ecosystem Resiliency Grants Program administered by NOAA Fisheries, and the Regional Coastal Resilience Grants Program administered by NOAA's National Ocean Service. The program will support two categories of activities: strengthening coastal communities and habitat restoration. Applicants can now submit proposals for both categories through the same funding opportunity.

REQUEST FOR COMMENTS—INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS. EPA has issued the [Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2015](#) ([82 FR 10767](#)). Annual U.S. emissions from 1990 through 2015 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃) emissions. The draft summary is available [here](#).

ENERGY

FEDERAL EFFORTS TO ENHANCE GRID RESILIENCE. The Government Accountability Office has released a [report](#) reviewing federal efforts to enhance resilience of the electricity grid, focusing on 27 different grid resiliency efforts implemented by federal agencies since 2013. Federal grid resiliency efforts implemented by Department of Energy, Department of Homeland Security, and Federal Energy Regulatory Commission supported a range of activities, with the most prevalent being: (1) emergency preparedness and response activities; (2) research and development activities; (3) modeling, analytics, and risk assessment activities; and (4) standard-setting activities.

HR 928 STATE AUTHORITY OVER FRACTURING ON FEDERAL LANDS. HR 928 clarifies that a state has the sole authority to regulate hydraulic fracturing on federal land within the boundaries of the state. The bill defines federal land as: (1) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)); (2) National Forest System land; (3) land under the jurisdiction of the Bureau of Reclamation; and (4) land under the jurisdiction of the U.S. Army Corps of Engineers. The bill was referred to multiple committees. A similar bill has also been introduced, [S 334](#), and referred to the Energy and Natural Resources Committee.

S 316 HYDRAULIC FRACTURING. S 316 requires the Secretary of the Interior to recognize and defer to state regulations, guidance, and permitting for all activities regarding hydraulic fracturing, or any component of hydraulic fracturing, relating to oil, gas, or geothermal production activities on federal land. The bill states that the deferment to state rules is regardless of whether the regulations, guidance, and permitting are duplicative, more or less restrictive, have different requirements, or do not meet federal regulations, guidance, or permit requirements. The bill was referred to the Energy and Natural Resources Committee.

S 335 ENERGY DEVELOPMENT. S 335 will assist in achieving domestic energy independence by empowering states to control the development and production of all forms of energy on all available federal land. The bill defines “available federal land” as any federal land that, as of 31 MAY 13: (1) is located within the boundaries of a state; (2) is not held by the United States in trust for the benefit of a federally recognized Indian tribe; (3) is not a unit of the National Park System; (4) is not a unit of the National Wildlife Refuge System; and (5) is not a congressionally designated wilderness area. The bill was referred to the Energy and Natural Resources Committee.

TOXICS

UPDATED VERSION OF IC2 ALTERNATIVES ASSESSMENT GUIDE. The Interstate Chemicals Clearinghouse (IC2) has released an updated version (v1.1) of the [IC2 Alternatives Assessment Guide](#), with substantive changes to the Exposure Module that bring the guide into closer agreement with the National Academy of Sciences’ Framework to Guide Selection of Chemical Alternatives. The IC2 guide is designed to meet the needs of a wide range of users. The guide provides three potential frameworks for conducting an alternatives assessment. Up to seven modules, each evaluating a different aspect of potential alternatives, can be used with the chosen framework. Each module can be completed to different levels.

2017 ANNUAL REPORT ON CHEMICAL RISK EVALUATION. EPA has published the [2017 Annual Report on Chemical Risk Evaluation](#). The report satisfies requirements of the *Frank R. Lautenberg Chemicals Safety for the 21 Century Act*, which amended the Toxic Substances Control Act (TSCA). The report identifies the chemical substances that will undergo risk evaluation during that year, including those that will have a risk evaluation initiated and those that will have a risk evaluation completed, including status and schedules. The report also identifies the resources necessary to complete these tasks.

WATER

REVIEW OF CLEAN WATER RULE. President Trump issued an [Executive Order](#) on 28 FEB 17, calling on the EPA and Department of Army to review and rescind or revise the “[Clean Water Rule: Definition of 'Waters of the United States](#),” 80 FR 37054, effective 29 JUN 15. The EO further directs the agencies to consider interpreting the term “navigable waters” as defined in 33 U.S.C. 1362(7), consistent with the opinion of Justice Antonin Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006).

SAMPLING GUIDANCE FOR UNKNOWN CONTAMINANTS IN DRINKING WATER. EPA has issued [Sampling Guidance for Unknown Contaminants in Drinking Water](#). The guidance provides utilities, emergency responders, and laboratories with recommended procedures for conducting routine and baseline monitoring in response to a contamination incident and sampling in support of remediation or decontamination efforts. The guidance covers the collection, storage, preservation, and transport of potentially contaminated water samples and provides recommendations for better supporting the detection and identification of many types of contaminants in drinking water.

Department of Defense Activity

ARMY RESERVE ENVIRONMENTAL STRATEGY AND POLICY. According to a [news release](#), Major General Peter Lennon, United States Army Reserve (USAR) Deputy Commanding General, signed the Army Reserve Environmental Quality Implementation Strategy and the Army Reserve Environmental Quality Policy. The documents solidify the Army Reserve's commitment to environmental stewardship with four strategic goals: (1) to conserve natural and cultural resources; (2) to ensure compliance with environmental laws and regulations; (3) to prevent pollution of land, air and water resources; and (4) to strengthen an integrated Environmental Quality Program foundation. All four of the Army Reserve sustainability programs – energy, water, solid waste, and environmental quality – now have signed implementation strategies.

S 307 DOD EMERGENCY RESPONSE CAPABILITIES DATABASE ENHANCEMENT ACT OF 2017. S 307 amends the *John Warner National Defense Authorization Act for Fiscal Year 2007* by requiring the Secretary of Defense to enhance the DOD database of emergency response capabilities. The bill also requires Secretary of Defense to identify and revise the information required to be included in the database at least once every two years. The bill was referred to the Armed Services Committee.

S 373 REPORT ON HEARING LOSS, TINNITUS, AND NOISE POLLUTION DUE TO SMALL ARMS FIRE. S 373 requires the Secretary of Defense to submit to Congress a report on hearing loss, tinnitus, and noise pollution due to small arms fire. The report must be submitted, to the Senate and House Committees on Armed Services and the President pro tempore of the Senate, within 180 days after the date of the enactment of the act. The bill was referred to the Armed Services Committee.

Professional Development

DOD TRAINING SOURCES

2017 REPI WEBINAR SERIES (ONLINE). DOD's Readiness and Environmental Protection Integration (REPI) program announced its schedule of webinars for 2017. The webinars showcase best practices, tutorials, and knowledge sharing on REPI partnerships that support military missions and accelerate the pace and rate of conservation. Unless otherwise noted, all webinars begin at 1:00 pm Eastern. Past webinars are archived for later viewing.

SERDP AND ESTCP WEBINAR SERIES (ONLINE). The DOD environmental research and development funding programs SERDP and ESTCP are launching a webinar series to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding. Webinars are offered every two weeks. Most webinars feature two 30-minute presentations and interactive question and answer sessions, on topics targeted for DOD and DOE audiences.

AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, QUALIFIED RECYCLING PROGRAM MANAGEMENT (CLASSROOM). This Interservice Environmental Education Review Board (ISEERB) designated course emphasizes principles and techniques to assist students in implementing a sound Qualified Recycling Program (QRP). The course focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting methods to maximize returns, working with your Defense Reutilization and Marketing Office, establishing contracts, recording transactions, DOD recordkeeping, and estimating future budgets.

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS (CLASSROOM/ONLINE). The Army offers numerous environmental training courses. Training providers and fiscal year class schedules are available on the U.S. Army Environmental Command (USAEC) website.

NAVY AND ISEERB ENVIRONMENTAL TRAINING FY17 (CLASSROOM). Course topics in the Navy and the ISEERB Environmental Training schedule include environmental management, basic and advanced environmental law, sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY17 (CLASSROOM/ONLINE). 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. Fees vary according to personnel status (i.e., active duty Air Force/civilian, other U.S. government employee, contractor).

FEDERAL TRAINING SOURCES

INTERAGENCY CONSULTATION FOR ENDANGERED SPECIES (CLASSROOM). Hosted by USFWS, 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. Lectures 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.

FEMP OFFERS CERTIFICATE SERIES FOR 2016 GUIDING PRINCIPLES FOR SUSTAINABLE BUILDINGS (ONLINE). The U.S. Department of Energy's Federal Energy Management Program (FEMP) is offering a five-course training series that provides updated guidance for complying with the 2016 Guiding Principles for Sustainable Federal Buildings. The series is web-based and offered on demand.

SMALL DRINKING WATER AND WASTEWATER SYSTEMS WEBINAR SERIES (ONLINE). EPA's Office of Research Development and Office of Water are hosting a monthly webinar series to communicate EPA's current small systems research along with agency priorities. The site also includes an archive of past webinars.

ENERGY MANAGEMENT BASIC TRAINING- TOOLS AND RESOURCES FOR RESULTS (ONLINE). FEMP offers this course to provide civilian and military personnel with a concise overview of federal energy management, and the most current tools and resources for success. The instructors for this seminar are Randall Smidt, Army Program Manager for Alternative Financing, and Thomas B. Delaney, Jr., PE, Army Energy Conservation Investment Program Manager. Both instructors serve within the Army's Facilities Policy Division of the Office of the Assistant Chief of Staff for Installation Management.

USACE PROSPECT TRAINING (CLASSROOM). USACE released 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.

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER (ONLINE). 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; 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; access to environmental assistance; environmental conferences, meetings, training, and workshop information; applicable laws and Executive Orders; and industry sector-specific newsletters.

INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL (ITRC) TRAINING (CLASSROOM/ONLINE). ITRC is a state-led coalition of regulators, industry experts, academia, citizen stakeholders, and federal partners from all 50 states and the District of Columbia that supports new approaches to cleanup projects. ITRC offers internet-based training and hosts nationwide classroom training. Topics span the full spectrum of remediation and compliance subjects. The internet-based training is supported by ITRC technical and regulatory guidance documents and is hosted with EPA's Technology Innovation and Field Services Division. For a listing of current classes and to register, visit [EPA's Clu-In Web page](#). The nationwide classroom training courses are often provided with an ITRC member state and provide participants with face-to-face training, hands-on problem solving, and engaging real world site applications. Visit the [ITRC training website](#) for specific training topics and scheduled events.

EPA TMDLs AND NPDES PERMITTING WEB-BASED TRAINING MODULES (ONLINE). EPA has developed three web-based training modules on topics related to total maximum daily loads (TMDLs) and National Pollutant Discharge Elimination System (NPDES) permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded PowerPoint presentations with slides and scripts. Each recorded session is approximately two hours long. The modules are: (1) Understanding TMDLs: A Primer for NPDES Permit Writers; (2) Understanding WLA (waste load allocation) Implementation in Permits: A Primer for TMDL Developers; and (3) Understanding TMDLs with Stormwater Sources and the NPDES Stormwater Permitting Process.

AVERT TUTORIAL (ONLINE). EPA launched its on-demand training on how to use its avoided emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy programs to displace electricity system-related SO₂, NO_x, and CO₂ emissions in the continental United States. The tool can be used to evaluate county, state, and regional level emissions displaced by energy efficiency and renewable energy programs without the need of specialized resources or electricity system expertise.

FEMP TRAINING SEARCH TOOL (ONLINE). FEMP has launched FEMP Training Search, a web tool that lists free training opportunities to help agencies meet federal energy, water, and sustainability laws and requirements. The new search tool provides options to easily find and select training offerings by topic area, topic series, course format and type, and by level of difficulty—introductory (101), intermediate (201), and advanced (301).

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES (ONLINE). The U.S. Geological Survey's National Climate Change and Wildlife Science Center is partnering with the National Conservation Training Center to offer the webinar series 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 United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

BEST PRACTICES FOR COMPREHENSIVE WATER MANAGEMENT FOR FEDERAL FACILITIES TRAINING (ONLINE). The training is provided by FEMP and provides federal facility and energy managers with knowledge and skills to assist in meeting water-related legislative and executive order requirements. Participants develop skills in increasing water efficiency, and reducing water use through sound operations practices and water-efficient technologies. Water metering is covered, as well as life cycle costing and establishing the overall economics for strategic water management.

UTILITY ENERGY PROJECT INCENTIVE FUNDS (ONLINE). This FEMP course teaches federal agency personnel about financing the capital costs of energy improvement projects from savings generated through energy efficiency measures funded by utilities, public benefit funds, and other resources. This training opportunity targets federal energy, environmental, and fleet professionals and is offered at no cost by leading experts. The training session is delivered live via satellite or through streaming media.

NPDES TRAINING COURSES AND WORKSHOPS. Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES permit program. They are designed for permit writers, dischargers, EPA officials, and other interested parties.

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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 represented.

To comment on items in the *Northern Review*, please contact the Regional Environmental Coordinator listed at the top of each region's section.

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