



# REC Review

## of Legislative & Regulatory Actions



Regional Environmental Coordination / Sustaining Readiness in Partnership with States

June 2017

The *REC Review* publishes environmental and energy related developments for DoD leaders and Installation staff. Covering 20 states in Federal Regions 1, 2, 3, 4, and 5, the *REC Review* gives early notice of legislative and regulatory activities relevant to DoD interests.

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### SPOTLIGHT STORY

Department of Defense installations celebrated Earth Day in April and May. In coordination with Earth Day and in support of Clean Stream, many installations hosted stream and installation cleanup events.



Arlington National Cemetery and National Park Service personnel worked together to clean up Memorial Avenue in Arlington County. With eight volunteers they cleaned up approximately one mile removing over 26 pounds of trash.

Fort Indiantown Gap had several staff members and 29 volunteers from the Milton Hershey School support their cleanup. Removing approximately 600 pounds of thrash and debris from Indiantown Run and Manada Creek.



Naval Support Activity South Potomac removed 2,450 pounds of trash with 36 volunteers. Some interesting items such as boat parts, propane tanks and a floating dock were removed and disposed of.

**Bravo Zulu for all your efforts!**

## GENERAL INTEREST

**2017 SECRETARY OF DEFENSE ENVIRONMENTAL AWARD WINNERS** The Department of Defense has [announced](#) the winners of the 2017 Secretary of Defense Environmental Awards. The nine winners chosen from the 30 nominations.

**RACE TO RECYCLE COMPETITION FOR FEDERAL FACILITIES** This one hour [session](#) explains how to participate in an eight-week Race to Recycle competition between federal facilities in [New England](#). GSA and EPA offer this annual competition to boost recycling rates and minimize municipal waste. After receiving promotional material and technical assistance, last year's competitors increased their diversion rates between 7% and 15%.

## FEDERAL NEWS

*Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.*

### AIR

**NAVY FACILITY TO REDUCE AIR EMISSIONS FROM STATIONARY DIESEL GENERATORS AT CUTLER MAINE** EPA issued a [news release](#) that the Naval Computer and Telecommunications Area Master Station, Atlantic Detachment, located in Cutler, Maine will reduce emissions of hazardous air pollutants from its stationary diesel generators. The agreement signed recently with the EPA relates to the Navy's operation of large diesel powered engines used to generate electricity for the facility.

## REGION I



## CONNECTICUT

**Note: The Connecticut Legislature convened on 4 JAN 2017 and adjourns on 7 JUN 2017.**

### **PROPOSED LEGISLATION**

**SB 963** An act concerning educational and environmental issues relating to manufacturing. Its purpose is to

- decrease the number of years of employment experience an applicant seeking teacher certification for a position at a technical high school shall complete from eight years to five years,
- require the commissioner of energy and environmental protection to adopt regulations consistent with the federal hazardous waste generator improvements rule,
- require the board of regents for higher education to develop a plan to offer certain manufacturing related courses across the state, and

- establish a task force to develop a program to train inmates for jobs in the manufacturing field.

[HB 7221](#) An act concerning access to water planning information. Its purpose is to provide access to information that is needed for water planning purposes while adhering to prudent security considerations.

## **FINAL REGULATION**

**WATER DIVERSION EXEMPTIONS** The Department of Energy & Environmental Protection has [adopted](#) a rulemaking to amend section 22a-377(b)-1 of the Regulations of Connecticut State Agencies to eliminate the exemption for use of registered water throughout an Exclusive Service Area. **Effective 26 May 2017.**



**Note: The Maine Legislature convened on 7 DEC 2016 and adjourns on 15 APR 2018.**

## **PROPOSED LEGISLATION**

[LD 699](#) An Act to enact the Toxic Chemicals in the Workplace Act. This bill enacts the Toxic Chemicals in the Workplace Act to create a statutory and regulatory framework designed to prevent harm to employees by reducing exposure to highly toxic chemicals in the workplace and thereby decrease the rates of cancer and other chronic diseases in the State, improve workplace chemical management and safety and ensure safer workplaces and healthier communities.

## **PROPOSED REGULATION**

**SOLID WASTE MANAGEMENT RULES: BENEFICIAL USE OF SOLID WASTES** The Department of Environmental Protection has [proposed amendments](#) to Ch. 418 in order to: make substantive changes to certain standards and provisions of the rule based on knowledge, experience, and new information; modify the format and language for clarity, consistency and improved operation; and, update citations and references. **Comments due 26 June 2017.**

## **OTHER REGULATORY ACTIVITY**

**DRAFT 2016 INTEGRATED WATER QUALITY MONITORING AND ASSESSMENT REPORT** The Department of Environmental Protection has invited [public comment](#) on the draft "[2016 Integrated Water Quality Monitoring and Assessment Report](#)" for submission to the U.S. Environmental Protection Agency (EPA) as required by Sections 303(d) and 305(b) of the Clean Water Act, and in fulfillment of the reporting requirements of 38 M.R.S. §464(3)(A) of the State of Maine's Water Classification Program. **Comments due 14 June 2017.**



**Note: The Massachusetts Legislature convened on 4 JAN 2017 and adjourns on 2 JAN 2019.**

## **PROPOSED LEGISLATION**

**SD 1359** An Act relative to 2030 and 2040 emissions benchmarks. Requires modeling and analysis to determine interim 2030 and 2040 emissions limits and requires the secretary to adopt these limits. The commonwealth and its agencies shall promulgate regulations necessary to achieve declining annual aggregate emissions from sources or categories of sources that emit greenhouse gas emissions as required to achieve a 2050 statewide emissions limit that is at least 80% below the 1990 level.



**Note: The New Hampshire Legislature convened on 4 JAN 2017 and adjourns on 30 JUN 2017.**

## **PROPOSED REGULATION**

**AMENDMENTS TO SOLID WASTE PERMITTING RULES** The Department of Environmental Services has [proposed rulemaking](#) to amend sections and paragraphs of existing rules in Env-Sw 300 noted below to

- allow a compliance report in lieu of a compliance certification for Type III permit modifications;
- eliminate the requirement for a solid waste facility permittee to seek a Type III permit modification when the ownership of 10% or more of the permittee's equity or debt changes without changing the permittee's ownership or operational control;
- clarify the information required for a Type I-A permit modification application;
- clarify the applicability of Env-Sw 315;
- streamline and clarify the application requirements for a Type IV permit modification; and
- correct existing language.

**Comments due 16 June 2017.**

## **FINAL REGULATION**

**ASBESTOS MANAGEMENT AND CONTROL** The Department of Environmental Services has [adopted](#) amendments to Env-A 1800, Asbestos Management and Control rules. The proposed amendments would clarify several definitions and amend existing recordkeeping requirements. The amendments also:

- require an owner or operator of a facility in which a major abatement project is occurring to notify the Department of any change in start or completion dates or of any break in operations (Env-A 1804.01);
- include new, less burdensome alternative requirements for facility operators performing asbestos abatement activities involving vinyl asbestos floor tile, vinyl asbestos floor sheeting, asbestos roofing materials, asbestos siding and other preformed cementitious asbestos materials (in Env-A 1806); and
- allow an applicant for an abatement entity or ADS contractor license to voluntarily provide proof of business liability insurance or bond, which would be noted by the Department on its website (Env-A 1811.05).

**Effective 5 May 2017.**



**Note: The Rhode Island Legislature convened on 3 JAN 2017 and adjourns on 30 JUN 2017.**

## **OTHER REGULATORY ACTIVITY**

**OPERATION PERMIT FEES** The Department of Environmental Management has issued [notice](#) of a final determination of operation permit fees for emissions sources. The new fees for FY2018 begin on July 1, 2017.



**Note: The Vermont Legislature convened on 4 JAN 2017 and adjourns on 7 MAY 2018.**

## **FINAL RULES**

**VERMONT WETLAND RULES** The Agency of Natural Resources has [adopted](#) rulemaking to update the Vermont Wetland Rules to reflect statutory updates effective since the last Rules update in 2010. The Agency has proposed adding four wetlands to the list of Class I wetlands. **Effective 1 April 2017.**

# REGION II



**Note: The New Jersey Legislature convened on 12 JAN 2016 and adjourns on 9 JAN 2018.**

## **PROPOSED LEGISLATION**

[AB 1696](#) Authorizes prescribed burning in certain circumstances. This bill establishes a process for certifying individuals, and for allowing landowners and lessees, to conduct prescribed burns of forested and other undeveloped lands, to prevent uncontrolled and damaging wildfires, and to accomplish various land management objectives. The bill establishes the procedures to be followed in conducting prescribed burns on lands, and authorizes the New Jersey Bureau of Forest Fire Management in the Department of Environmental Protection (DEP), under certain conditions, to conduct prescribed burns on any area of land within the State which is determined by the bureau, or the bureau's designee, to be in reasonable danger of wildfire. The bill specifically directs the DEP to develop and administer a program for the certification of prescribed burn managers.

[AB 4794](#) Prohibits the use of chlorpyrifos insecticide.

## **PROPOSED REGULATION**

**UNDERGROUND STORAGE TANKS** The Department of Environmental Protection has [proposed rules](#) related to general information, registration of UST systems, release detection, release reporting and investigation, adjudicatory hearings, and certification of individuals and business firms differ significantly from the May 2015 proposal, as

discussed in the summary below. Further, the May 2015 proposal did not include amendments related to partially regulated underground storage tank systems, field-constructed tanks and airport hydrant systems, regulated heating oil tank systems, and financial responsibility, which this rulemaking addresses. **Comments due 14 July 2017.**

## ***FINAL REGULATION***

**NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM, TREATMENT WORKS APPROVALS, CAPACITY ASSURANCE PROGRAM, AND SEWER BAN PROGRAM** The Department of Environmental Protection has [adopted](#) amendments to the New Jersey Pollutant Discharge Elimination System (NJPDES) rules with respect to the capacity assurance program (CAP) provisions that are part of the rules governing treatment works approvals (TWAs) at N.J.A.C. 7:14A-22. **Effective 15 May 2017.**



**Note: The New York State Legislature convened 4 JAN 2017 and adjourns 2 JAN 2019.**

## ***PROPOSED LEGISLATION***

**[SB 881](#)** Relates to establishing the paint stewardship program; minimizing the public sector involvement in the management of post-consumer paint; and negotiating agreements to collect, transport, reuse, recycle, and/or burn for energy recovery at an appropriately licensed facility post-consumer paint using environmentally sound management practices.

**[SB 1755](#)** Prohibits the location of certain wind electric generation facilities within forty miles of an airfield or airbase under jurisdiction of any federal military department or an air traffic control radar site, weather radar site, or aircraft navigation aid.

**[SB 2602](#)** An Act to amend the environmental conservation law, in relation to prohibiting the disposal of dredged spoils containing toxic pollutants into the water of the marine district.

**[AB 1366](#)** Relates to requiring notice to neighboring landowners within one thousand feet of intention to develop in wetland areas; requires a public hearing on a wetland application.

**[AB 6336](#)** Prohibits the use of the chemical Methoprene, trade name ALTOSID, as a pesticide.

**[SB 6492](#)** Relates to the conduction of asbestos surveys prior to demolition of buildings.

## ***PROPOSED REGULATION***

**LEAD TESTING IN SCHOOL DRINKING WATER** The Department of Health has [proposed rulemaking](#) that requires all school districts and boards of cooperative educational services, including those already classified as a public water system under 10 NYCRR Subpart 5-1, to test potable water for lead contamination and to develop and implement a lead remediation plan, where applicable. **Comments due 3 July 2017.**

## REGION III



### DISTRICT OF COLUMBIA

**Note: The Council of the District of Columbia convened 2 JAN 2017 and adjourns 31 DEC 2018.**

#### ***FINAL LEGISLATION***

**B 271** To amend, on an emergency basis, the Electric Company Infrastructure Improvement Financing Act of 2014 to authorize the collection and use by the District of Columbia and the electric company of certain charges to finance the undergrounding of certain electric power lines and ancillary facilities, and to repeal Title II of that act, which provided authorization for the issuance of bonds; and to amend the District of Columbia Recordation Tax Act and sections 47-902, 47-2005, and 47-2206 of the District of Columbia Official Code to make conforming amendments. **Effective 17 May 2017.**



### DELAWARE

**Note: The Delaware General Assembly convened on 11 JAN 2017 and adjourns on 30 JUN 2018.**

#### ***PROPOSED LEGISLATION***

**SB 68** An Act to provide for an increase in fees collected with annual hazardous chemical inventory reports submitted by facilities.



### MARYLAND

**Note: The Maryland General Assembly convened on 11 JAN 2017 and adjourned on 11 APRIL 2017.**

#### ***FINAL LEGISLATION***

**HB 66** Prohibits specified persons from using, allowing to be used, or selling specified lead wheel weights after January 1, 2020; requires the State to ensure that no vehicle purchased for the State fleet after January 1, 2019, is equipped with an externally attached lead wheel weight that is composed of greater than 0.1% lead or 0.1% mercury by weight; and prohibits a tire on a vehicle in the State fleet that is balanced or replaced after January 1, 2018, from being equipped with specified lead wheel weights.. **Effective 1 October 2017.**

**HB 121** Repeals a requirement to deposit specified fees collected by the Department of the Environment into a separate account within the Community Right-to-Know Fund; repeals a requirement that specified persons analyze the security of specified facilities in accordance with specified requirements; repeals a specified fee; repeals a

requirement that the Department adopt specified hazardous material security standards; and repeals a requirement that the Department adopt specified regulations. **Effective 1 July 2017.**

**HB 124** Requires the Department of the Environment to adopt specified regulations relating to recycling facilities, including conditions for specified permit exemptions; provides that specified enforcement provisions apply to specified violations; requires the Department to convene and consult with a workgroup of affected stakeholders in developing specified regulations; and requires the workgroup to include representatives of specified entities. **Effective 1 October 2017.**

**HB 171** Requires the Department of the Environment, in consultation with specified persons, to study, review, explore, identify, and make recommendations regarding specified matters that relate to the diversion of yard waste, food residuals, and other organic materials from refuse disposal facilities, including the status of infrastructure in the State; and requires the Department to provide a final report of its findings and recommendations to the Governor and the General Assembly by July 1, 2019. **Effective 1 July 2017.**

**HB 270** Requires the Department of the Environment, in consultation with the State Department of Education, the Department of General Services, and Maryland Occupational Safety and Health, to adopt regulations, under specified circumstances, to require periodic testing for the presence of lead in drinking water outlets in occupied public or nonpublic school buildings; and requires the Department of the Environment, before adopting regulations, to gather specified information regarding the establishment of lead-free school environments. **Effective 1 June 2017.**

**SB 29** Clarifies that units of local government with planning and zoning authority may adopt specified forest conservation thresholds and afforestation and reforestation requirements as part of its local forest conservation program that are more stringent than specified forest conservation thresholds and afforestation and reforestation requirements. **Effective 1 June 2017.**

**SB 99** Requires the Department of the Environment, in consultation with specified persons, to study, review, explore, identify, and make recommendations regarding specified matters that relate to the diversion of yard waste, food residuals, and other organic materials from refuse disposal facilities, including the status of infrastructure in the State; requires the Department to provide a final report of its findings and recommendations to the Governor and the General Assembly by July 1, 2019 **Effective 1 July 2017.**

**HB 504** Prohibits a specified marketer from knowingly selling or providing electric switches, electric relays, and gas valve switches that contain mercury to a consumer on or after October 1, 2018; establishing specified penalties for specified violations; and authorizing the Department of the Environment to impose specified penalties in a specified manner for specified violations. **Effective 1 October 2017.**

**HB 617** Clarifies that units of local government with planning and zoning authority may adopt specified forest conservation thresholds and afforestation and reforestation requirements as part of its local forest conservation program that are more stringent than specified forest conservation thresholds and reforestation requirements in State law. **Effective 1 June 2017.**



**Note: The Pennsylvania General Assembly convened on 3 JAN 2017 and adjourns on 30 NOV 2018.**

## **PROPOSED LEGISLATION**



**HB 1398** An Act amending the act of October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, in preliminary provisions, further providing for definitions; in powers and duties, further providing for powers and duties of department; and, in liability and settlement procedures, further providing for responsible person.

**HB 20** An Act providing for registration of extraordinary non-agriculture and non-municipal water users; imposing a water resource fee; establishing the Water Use Fund; and providing for submission of a question to the electorate authorizing incurring of indebtedness for water-related environmental initiatives.

## ***OTHER REGULATORY ACTIVITY***

**DRAFT PENNSYLVANIA LAKE ERIE PHOSPHORUS REDUCTION DOMESTIC ACTION PLAN** The Department of Environmental Protection has invited [public comment](#) on the draft Pennsylvania Lake Erie Phosphorus Reduction Domestic Action Plan (Plan) created to assist in the elimination of nutrient pollution in Lake Erie. **Comments due 26 June 2017.**



**Note: The Virginia General Assembly convened on 11 JAN 2017 and adjourned on 25 FEB 2017.**

## ***PROPOSED RULES***

**DEFINITION OF VOC** The Department of Environmental Quality has [proposed](#) revision to the Commonwealth of Virginia State Implementation Plan (SIP). The SIP is a plan developed by the Commonwealth in order to fulfill its responsibilities under the federal Clean Air Act to attain and maintain the ambient air quality standards promulgated by the U.S. Environmental Protection Agency (EPA) under the Act. The Commonwealth intends to submit the regulation to the EPA as a revision to the SIP in accordance with the requirements of § 110(a) of the federal Clean Air Act. **Comments due 12 July 2017.**

**TITLE V PROGRAM FEES (REVISION K16)** The Department of Environmental Quality has [proposed](#) rulemaking to comply with state and federal requirements to fully fund Virginia's Title V Permit Program. The goal of this proposed action is to increase Title V fees enough to fully fund the Title V program, to restructure the existing Title V fee schedule to better reflect actual costs of the program, and to make other amendments determined to be necessary including clarification of the regulatory text. **Comments due 28 July 2017.**

## ***FINAL RULES***

**AMENDMENTS TO IMPLEMENT THE 2012 PM2.5 STANDARD** On August 24, 2016 (81 FR 58010), the U.S. Environmental Protection Agency established a [final implementation rule](#) for the 2012 national ambient air quality standard (NAAQS) for very fine particulate matter (PM2.5). This rule addresses a range of nonattainment area state implementation plan requirements for the 2012 PM2.5 NAAQS, including how to address the revoked 1997 PM2.5 NAAQS. The board's ambient air quality regulation must be amended accordingly, as well as the regulation governing permitting in nonattainment areas (Rule 8-9), and the Regulation for General Conformity. **Effective 17 May 2017.**

**NON-MEDICAL X-RAY DEVICE REGISTRATION AND INSPECTION FEE SCHEDULE** The Department of Health has [adopted](#) rulemaking to amend 12VAC5-490, Radiation Protection Fee Schedule. Specifically, the proposed regulatory action addresses two sets of fees levied by the x-ray machine program: x-ray machine registration fees and x-ray

machine inspection fees. **Effective 12 July 2017.**



## WEST VIRGINIA

**Note: The West Virginia Legislature convened on 4 MAY 2017 and adjourns on 9 JUN 2017.**

### **FINAL LEGISLATION**

**SB 113** AN ACT to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule. **Effective 30 March 2017.**

### **FINAL RULES**

**AMBIENT AIR QUALITY STANDARDS** The Department of Environmental Protection has [adopted](#) amendments to 45-8, Ambient Air Quality Standards. The rule incorporates by reference the ambient air quality standards in WV for sulfur dioxides, particulate matter, carbon monoxide, ozone, nitrogen dioxide and lead, equivalent to the national primary and secondary ambient air quality standards (NAAQS) established under §109 of the Clean Air Act, and promulgated by the United States Environmental Protection Agency under 40 CFR Part 540. **Effective 1 June 2017.**

**CONTROL OF AIR POLLUTION FROM HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES** The Department of Environmental Protection has [adopted](#) amendments to 45-25 which establishes and adopts emission standards for the treatment, storage and disposal of hazardous waste promulgated by the US EPA pursuant to the Resource Conservation and Recovery Act, as amended (RCRA). **Effective 1 June 2017.**

**EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS** The Department of Environmental Protection has [adopted](#) amendments to 45-34 which incorporates by reference the national emission standards for hazardous air pollutants (NESHAP) and other regulatory requirements promulgated by the US EPA pursuant to § 112 of the federal Clean Air Act, as amended (CAA). **Effective 1 June 2017.**

**PERMITS FOR CONSTRUCTION AND MAJOR MODIFICATION OF MAJOR STATIONARY SOURCES FOR THE PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY** The Department of Environmental Protection has [adopted](#) amendments to 45-14 which establishes and adopts a state preconstruction permit program consistent with the federal Clean Air Acts Title I program and the prevention of significant deterioration of air quality requirements of 40 CRF § 51.166 (2011). Preconstruction permits issued pursuant to this rule shall contain emission limitations and such other measures as may be necessary for the prevention of significant deterioration of air quality. **Effective 1 June 2017.**

**STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES** The Department of Environmental Protection has [adopted](#) amendments to 45-16 which incorporates by reference the national standards of performance for new stationary sources (NSPS) and other regulatory requirements promulgated by the United States Environmental Protection Agency (EPA) pursuant to §111(b) of the federal Clean Air Act, as amended (CAA). **Effective 1 June 2017.**

**STATIONARY SOURCE REPORTING** The Department of Environmental Protection has [adopted](#) amendments to 45-13 which sets forth the procedures for stationary source reporting, and the criteria for obtaining a permit to construct and operate a new stationary source which is not a major stationary source and to modify a non-major stationary source. This rule also establishes the requirements for obtaining an administrative update to an existing permit, temporary permit or a general permit, and for filing notifications and maintaining records of changes not otherwise

subject to the permit requirements of this rule. The rule establishes public participation requirements as well as procedures for permission to commence construction, and the transfer, suspension and revocation of permits. **Effective 1 June 2017.**

### ***OTHER REGULATORY ACTIVITY***

**WVDEP 2017 AMBIENT AIR MONITORING ANNUAL NETWORK PLAN** The Department of Environmental Protection Division of Air Quality has invited [public comment](#) on the ambient air monitoring Annual Network Plan (ANP) for 2017. **Comments due 13 June 2017.**

## **REGION IV**



### **NORTH CAROLINA**

**Note: The North Carolina General Assembly convened on 11 JAN 2017 and adjourns on 1 JUL 2018.**

### ***PROPOSED LEGISLATION***

**[SB 257](#)** An Act to make base budget appropriations for current operations of State Departments, Institutions, and Agencies, and for other purposes.

### ***FINAL LEGISLATION***

**[SB 131](#)** An Act to provide further regulatory relief to the citizens of North Carolina. Please review text for all changes and effective dates. **Effective.**

### ***FINAL RULES***

**SEPTAGE MANAGEMENT: SAMPLING AND ANALYSIS** The Department of Environmental Quality has [amended rule](#) 15A NCAC 13B .0840 to decrease the frequency of soil sampling at septage land application sites from once per year to once every other year. **Effective 15 May 2017.**

**UNDERGROUND STORAGE TANK REGULATIONS** The Department of Environmental Quality has [adopted](#) new rules and amendments to incorporate changes to the federal Underground Storage Tank regulations (40 CFR Part 280) to retain its State Program Approval. **Effective 15 May 2017.**

# REGION V



## ILLINOIS

**Note: The Illinois General Assembly convened on 11 JAN 2017 and adjourns on 9 JAN 2019.**

No new environmental legislation or regulation of significant importance to DoD was identified during this reporting period.



## INDIANA

**Note: The Indiana General Assembly convened on 3 JAN 2017 and adjourns on 29 APR 2017.**

### ***OTHER REGULATORY ACTIVITY***

**2010 1-HOUR SULFUR DIOXIDE NATIONAL AMBIENT AIR QUALITY STANDARDS** The Department of Environmental Management has invited [public comment](#) on the [draft Emissions Assessment](#) for Ongoing Data Requirements in association with the 2010 1-Hour Sulfur Dioxide National Ambient Air Quality Standards (NAAQS). **Comments due 23 June 2017.**



## MICHIGAN

**Note: The Michigan Legislature convened on 11 JAN 2017 and adjourns on 31 DEC 2018.**

### ***PROPOSED LEGISLATION***

**HB 4205** Amends the Administrative procedures act of 1969. Except for an emergency rule, an agency shall not adopt or promulgate a rule more stringent than the applicable federally mandated standard unless the Director of the agency determines that there is a clear and convincing need to exceed the applicable federal standard.

**HB 4474** Allows an individual who is licensed to carry a concealed pistol, or who is exempt from licensure, may possess a concealed weapon either on his or her person or properly secured while on the premises of an armory or any other building or property under the authority and control of the adjutant general.

**HB 4583** Amends the Natural Resources and Environmental Protection Act. Establishes the authority to administer a legacy Underground Storage Tank Cleanup Program. Defines how to demonstrate owner or operator financial responsibility for the deductible amount is defined.

## **PROPOSED RULES**

**2018 AMBIENT AIR MONITORING NETWORK REVIEW** The Department of Environmental Quality has published a [draft](#) of the 2018 Ambient Air Monitoring Network Review.

## **FINAL RULES**

**ESTABLISHMENT OF CLEANUP CRITERIA FOR 1,4-DIOXANE EMERGENCY RULE** The Department of Environmental Quality has adopted an [emergency rule](#) to establish cleanup criteria for 1,4-dioxane under the authority of Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The Department of Environmental Quality finds that releases of 1,4-dioxane have occurred throughout Michigan that pose a threat to public health, safety, or welfare of its citizens and the environment. **Effective 1 May 2017 and expires 1 November 2017.**



**Note: The Ohio General Assembly convened on 2 JAN 2017 and adjourns on 31 DEC 2018.**

## **PROPOSED RULES**

**ALTERNATIVE FUEL VEHICLE GRANT PROGRAM** The Office of Environmental Education of Ohio EPA has drafted preliminary [proposed rules](#) to implement a new grant program for converting or replacing diesel- and gasoline-powered large vehicles to run on alternative fuels. The draft rules closely mirror the program requirements enacted in the 2016 statute that authorizes the grant program. **Comments due 21 June 2017.**

**UNDERGROUND STORAGE TANK PROGRAM** The Division of State Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR), pursuant to Section 119.03 of the Ohio Revised Code, has filed twenty-one [revised rules](#) related to Ohio's underground storage tank (UST) program, found at Ohio Administrative Code Chapter 1301:7-9. **Comments due 20 June 2017.**

## **FINAL RULES**

**WATER QUALITY STANDARDS** Ohio EPA has [adopted](#) rulemaking to amend the following Water Quality Standards Program rules in Ohio Administrative Code (OAC) Chapter 3745-1:

- 3745-1-11: Maumee river drainage basin
- 3745-1-12: Sandusky river drainage basin
- 3745-1-21: Great Miami river drainage basin
- 3745-1-23: Portage river drainage basin
- 3745-1-24: Muskingum river drainage basin

**Effective 22 May 2017.**

## **OTHER REGULATORY ACTIVITY**

**EARLY STAKEHOLDER OUTREACH: RULE 3745-27-13** Ohio EPA has invited [public comment](#) on Rule 3745-27-13. This rule provides the requirements for any person seeking to fill, grade, excavate, build, drill or mine on land where a

solid waste or hazardous waste facility was operated. This rule addresses activities ranging from exploratory sampling to full-scale commercial or industrial re-development on land where a solid or hazardous waste facility was operated. **Comments due 19 June 2017.**

**EARLY STAKEHOLDER OUTREACH: WATER QUALITY TRADING** Ohio EPA has invited [public comment](#) on proposed changes and revisions to Rule Chapter 3745-5. This rule chapter provides the administrative requirements for the development and implementation of water quality trading programs in Ohio. **Comments due 19 June 2017.**

**OHIO EPA RELEASES DRAFT 2018 DRINKING WATER ASSISTANCE PROGRAM MANAGEMENT PLAN** Ohio EPA has released the draft 2018 Drinking Water Assistance Program Management Plan and has invited [public comment](#) on the draft. **Comments due 16 June 2017.**



**Note: The Wisconsin Legislature convened on 5 JAN 2017 and adjourned on 31 MAY 2017.**

### ***PROPOSED LEGISLATION***

**AB 298** An Act relating to testing for lead in drinking water in buildings used for child care and granting rule-making authority.

**SB 180** An Act relating to designation of a water supply service area by the Great Lakes Council.

## MEET THE REC STAFF

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