



Northern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

September 2017

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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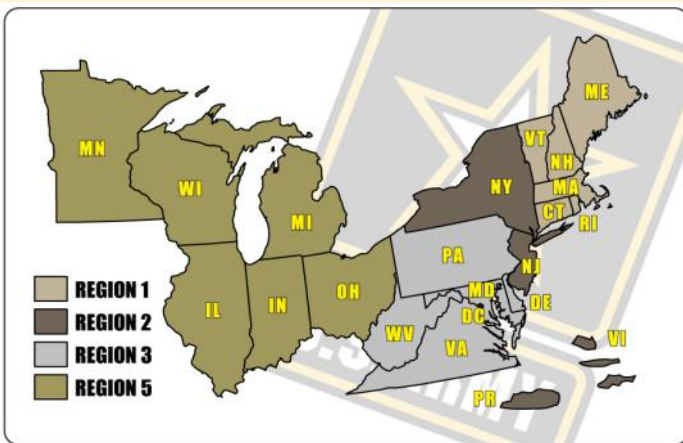


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ARMY ENERGY AND WATER MANAGEMENT AWARDS

The 2017 Secretary of the Army Energy and Water Management Awards Program recognizes installations, small groups, and individuals who make significant achievements in energy conservation and water management in support of Army readiness. In August, the Army announced 13 award winners. To read more about their achievements, click [here](#).

Energy. Fort A.P. Hill reduced energy consumption through numerous energy efficiency projects and an aggressive building management program. U.S. Army Garrison (USAG) Daegu reduced energy intensity by 10 percent in fiscal year (FY) 2016.

Water Conservation. Fort Irwin reduced water consumption 10 percent in FY 2016. Fort McCoy reduced water consumption by 27 percent from FY 2015-16. Sierra Army Depot reduced water consumption by more than 25 percent from FY 2015 to 2016.

Innovation and New Technology. Aberdeen Proving Ground constructed a combined heat and power (CHP) plant using an Energy Savings Performance Contract. Maine Army National Guard installed a CHP unit as a test pilot for micro CHP systems.

Energy Program Effectiveness. Fort Carson improved energy efficiency, reduced potable water use, and modified processes for operational savings. Presidio of Monterrey targeted its largest energy user, saving the garrison \$759,000 per year in utility bills. USAG Hawaii employed innovative methods to decrease energy cost and consumption, increase renewable energy, and enhance energy resilience.

Individual Exceptional Performance. Mr. Jack Porter, Jr., Fort Huachuca, Mr. Michael Haltiner, South Dakota Army National Guard, and Mr. Thomas Raffello, USAG Italy, demonstrated the impacts one person can make that result in significant benefits to their installation.

Region 1

For more information or to comment on any state issues in Region 1, contact [Kevin Kennedy](#), Region 1 Program Coordinator, (410) 278-6168.



LEGISLATIVE SESSION: 4 JAN THROUGH 30 JUN, SINE DIE

FEDERAL ACTIVITY

INFRASTRUCTURE REQUIREMENT FOR 2010 SO₂ NAAQS. EPA has issued a final rule approving one aspect of a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([82 FR 37013](#)). The revision addresses the Clean Air Act (CAA) interstate transport requirements, referred to as the good neighbor provision, with respect to the 2010 sulfur dioxide (SO₂) national ambient air quality standard (NAAQS). The final rule approves Connecticut's demonstration that the state is meeting its obligations regarding the transport of SO₂ emissions into other states. The final rule became effective on 7 SEP 17.

NNSR PERMIT REQUIREMENTS FOR 2008 8-HOUR OZONE NAAQS. EPA has issued a direct final rule approving a SIP revision submitted by the state of Connecticut ([82 FR 37819](#)). The SIP revision addresses the nonattainment new source review (NNSR) requirements for the 2008 8-hour ozone NAAQS. The revision addresses both of Connecticut's 2008 8-hour ozone nonattainment areas: (1) Connecticut portion of the New York-N. New Jersey-Long Island, NY-NJ-CT area, which consists of Fairfield, New Haven, and Middlesex counties; and (2) the Greater Connecticut area, which includes the rest of the state. Barring adverse comment the direct final rule becomes effective on 13 OCT 17.



LEGISLATIVE SESSION: 4 JAN THROUGH 31 DEC (EST)

LEGISLATIVE ACTIVITY

SD 2284 FISCAL YEAR (FY) 2016 TOXICS USE REDUCTION ANNUAL REPORT. SD 2284 is the Massachusetts Executive Office of Energy and Environmental Affairs' required submission of its FY 2016 [Progress Report](#) on toxics use reduction in Massachusetts. SD 2284 was placed on file.

FINAL RULES

NEW AIR REGULATIONS TO HELP REDUCE GHG EMISSIONS. The Massachusetts Department of Environmental Protection (MassDEP) has [adopted](#) (page 177) two new regulations, *Reducing CO₂ Emissions from Electricity Generating Facilities* (310 CMR 7.74) and *Clean Energy Standard (CES)* (310 CMR 7.75). The new 310 CMR 7.74 regulation establishes mass-based, annually declining aggregate carbon dioxide (CO₂) emissions limits on electricity generating facilities located in the commonwealth. The CES regulation establishes clean energy portfolio levels for retail sellers of electricity to Massachusetts customers. The new regulations are designed to work together to maximize the reduction of greenhouse gas (GHG) emissions. The regulations became effective on 11 AUG 17.

SOLAR MASSACHUSETTS RENEWABLE TARGET (SMART) PROGRAM. The Massachusetts Department of Energy Resources has [adopted](#) (page 87) a rule that establishes a statewide solar incentive program. The program encourages the

continued use and development of generating units that use solar photovoltaic technology by residential, commercial, governmental, and industrial electricity customers . The rule became effective on 25 AUG 17.

OTHER REGULATORY ACTIVITY

DRAFT MASSACHUSETTS 2016 INTEGRATED LIST OF WATERS. MassDEP has [released](#) the draft *Massachusetts Year 2016 Integrated List of Waters*, which represents the most recent update on the status of Massachusetts' waters. The report is submitted to EPA every two years in fulfillment of the Clean Water Act (CWA) reporting requirements of Sections 305 (b), *Summary of Water Quality Report*, and 303(d), *List of Impaired Waters*. Comments are due by 23 OCT 17.



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

FINAL RULES

WATER QUALITY REGULATIONS CONCERNING ALTERATION OF TERRAIN. The New Hampshire Department of Environmental Services (NHDES) has [readopted](#) with amendments the water quality regulations at Env-Wq 1500, *Alteration of Terrain*. The existing Env-Wq 1500 protects water quality from activities that significantly alter the characteristics of the terrain and result in soil erosion and/or stormwater runoff. The regulations state the requirements and procedures for obtaining an Alteration of Terrain (AOT) permit and the requirements for protecting water quality during and after development. Most of the rules were scheduled to expire on 1 JAN 17 but remained in effect through the rulemaking process. The amendments: (1) add and update definitions; (2) clarify existing requirements; (3) update incorporated references; and (4) add and update certain requirements to better align them with industry-standard practices. A notice of the proposed readoption was published in the April 2017 *Northern Review*. The readoption became [effective](#) (page 17) on 15 AUG 17.

PRIMARY CONTAINMENT SYSTEM TESTING OF DIESEL FUEL UNDERGROUND STORAGE TANK (UST) SYSTEMS. NHDES has [readopted](#) with amendments Env-Or 406.24, *Test Methods for Primary Containment System Testing of Diesel Fuel UST Systems*. In 2013, NHDES adopted Env-Or 406.24, which required owners of UST systems storing motor fuels to test the primary containment system for tightness no later than 22 DEC 17 and triennially thereafter, using a listed applicable test method. The allowable methods for UST systems storing diesel fuel did not include the pressure decay test. NHDES adopted an emergency rule, effective 17 APR 17, allowing pressure decay testing for UST systems storing diesel fuel. The readoption with amendments permanently codifies the existing emergency rule and validates any pressure decay testing done on or after 15 APR 16. A notice of the proposed readoption was published in the July 2017 *Northern Review*. The readoption became effective on 19 AUG 17.

PROPOSED RULES

READOPTION OF HAZARDOUS MATERIALS TRANSPORTATION RULES. The New Hampshire Department of Safety has [proposed](#) (page 9) an interim rule to readopt Saf-C 600, which outlines the state-specific procedures for handling the transportation of hazardous waste. The regulation expired on 8 SEP 14. The readoption does not include: (1) Saf-C 603.01, which incorporated by reference federal standards, because it remains in effect pursuant to RSA 21-P:17, I (a); or (2) Saf-C 603.02, which refers to 42 CFR 72, because it was subsequently repealed. There is an immediate need for the rules to be readopted so that the regulations for intrastate transportation of hazardous materials can be effectively enforced by the New Hampshire Division of State Police. The interim rule was proposed on 10 AUG 17.



LEGISLATIVE SESSION: 3 JAN THROUGH 19 SEP (EST), SINE DIE

FEDERAL ACTIVITY

INFRASTRUCTURE REQUIREMENT FOR 2010 SO₂ AND 2010 NO₂ NAAQS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Rhode Island ([82 FR 41197](#)). The revision addresses the CAA interstate transport requirements, referred to as the good neighbor provision, with respect to the 2010 primary SO₂ and 2010 primary nitrogen dioxide (NO₂) NAAQS. The proposed rule approves Rhode Island's demonstration that the state is meeting its obligations regarding the transport of SO₂ and NO₂ emissions into other states. Comments are due by 29 SEP 17.



LEGISLATIVE SESSION: 4 JAN THROUGH 23 OCT (EST), SINE DIE

FEDERAL ACTIVITY

REGIONAL HAZE FIVE-YEAR PROGRESS REPORT. EPA has issued a direct final rule approving a SIP revision submitted by the state of Vermont that addresses the state's regional haze progress report ([82 FR 38834](#)). Vermont is federally required to submit periodic reports that describe the progress being made toward reasonable progress goals (RPGs) established for regional haze. The reports must include a determination of adequacy of the state's existing regional haze SIP. EPA has approved Vermont's progress report on the basis that it addresses the progress report and adequacy determination requirements for the first implementation period through 2018. Barring adverse comment the direct final rule becomes effective on 16 OCT 17.

FINAL RULES

REVISIONS TO ABOVEGROUND STORAGE TANK RULES. The Vermont Department of Environmental Conservation (VDEC) has [adopted](#) revisions to the Aboveground Storage Tank (AST) rules that implement requirements of Act No. 76 of 2016. In accordance with the statutory mandate, the revisions enable VDEC to regulate the installation of new AST systems and substantial alterations of existing tank systems that store petroleum fuel oil. The revisions also require periodic tank system inspections, establish criteria for inspection, and create a formal requirement to report certain noncompliance and designate a tank system as noncompliant and unfillable. A notice of the proposed revisions was published in the April 2017 *Northern Review*. The revisions became effective on 15 AUG 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

FEDERAL ACTIVITY

REGIONAL HAZE FIVE-YEAR PROGRESS REPORT. EPA has issued a proposed rule to approve a SIP revision submitted by the state of New Jersey that addresses the state's regional haze progress report ([82 FR 35734](#)). New Jersey is federally required to submit periodic reports that describe the progress being made toward RPGs established for regional haze. The reports must include a determination of adequacy of the state's existing regional haze SIP. EPA has proposed to approve New Jersey's determination that the state's regional haze SIP is adequate to meet these RPGs for the first implementation period, which extends through 2018, and requires no substantive revision at this time. The comment period closed on 31 AUG 17.

RACT FOR NO_x FOR JOINT BASE MCGUIRE-DIX-LAKEHURST. EPA has issued a final rule approving two SIP revisions submitted by the state of New Jersey. These SIP revisions consist of two source-specific reasonably available control technology (RACT) determinations for controlling oxides of nitrogen (NO_x) ([82 FR 37308](#)). One is for the Transcontinental Gas Pipeline Corp., LNG Station 240 located in Carlstadt, New Jersey and the other is for Joint Base McGuire-Dix-Lakehurst in Lakehurst, New Jersey. The final rule approves the source-specific RACT determinations that were made by the state in accordance with the provisions of its regulation to help meet the NAAQS for ozone. The final rule becomes effective on 11 SEP 17.

FINAL RULE CORRECTION CONCERNING REVISED FORMAT FOR MATERIALS BEING INCORPORATED BY REFERENCE. EPA has issued a final rule to correct a previously issued [final rule](#) ([82 FR 41342](#)). The previously issued final rule revised the format for materials that are incorporated by reference into the New Jersey SIP. An error in the docket number was identified and is being corrected by this final rule. A notice of the July final rule was published in the August 2017 *Northern Review*. The final rule became effective on 31 AUG 17.

PROPOSED LEGISLATION

AB 5158 MCL FOR 1,2,3-TRICHLOROPROPANE IN DRINKING WATER. AB 5158 requires the New Jersey Department of Environmental Protection (NJDEP) to establish a maximum contaminant level (MCL) for 1,2,3-trichloropropane (TCP) in drinking water. TCP is a man-made chemical, commonly found at industrial or hazardous waste sites. Specifically, the bill requires NJDEP, with 90 days of the bill's effective date, to establish an MCL for TCP of 15 parts per trillion (ppt). AB 5158 grants NJDEP the authority to adopt a more stringent standard, pursuant to existing law, upon the recommendation of the Drinking Water Quality Institute. The bill was referred to the Environment and Solid Waste Committee.

FINAL RULES

SOIL EROSION AND SEDIMENT CONTROL ON LAND DISTURBANCE ACTIVITIES. The New Jersey Department of Agriculture State Soil Conservation Committee has [adopted](#) amendments to N.J.A.C. 2:90-1.3, 1.4 and 1.14, *Soil Erosion and*

Sediment Control, pursuant to the Soil Erosion and Sediment Control Act. The amendments update the topsoiling and land grading standards. The amendments became effective on 21 AUG 17.

PROPOSED RULES

UPDATES TO AIR POLLUTION CONTROL REGULATIONS. NJDEP has [proposed](#) new rules, repeals, and amendments to the air pollution control regulations N.J.A.C. 7:27. The proposed rulemaking consists of three major categories: (1) exemptions from air emission control and permitting requirements to improve resiliency in emergency and similar situations and provide flexibility for facilities to use low-emitting temporary and portable equipment; (2) updates to hazardous air pollutant (HAP) reporting thresholds using the most recent science-based methodologies; and (3) repeal of N.J.A.C. 7:27-30, Clean Air Interstate Rule (CAIR) NO_x Trading Program, and N.J.A.C. 7:27-31, NO_x Budget Program, which have been federally preempted. Comments are due by 6 OCT 17.

AMENDMENTS TO STATE SAFE DRINKING WATER ACT. NJDEP has [proposed](#) amendments to the New Jersey Safe Drinking Water Act (SDWA) rules at N.J.A.C. 7:10. As recommended by the New Jersey Safe Drinking Water Quality Institute, the amendments establish an MCL for perfluorononanoic acid (PFNA) of 0.013 micrograms per liter ([μ]g/L) (equivalent to 13 ppt) and an MCL for TCP of 0.030 [μ]g/L (equivalent to 30 ppt). NJDEP has also proposed monitoring requirements for these contaminants for public community and public non-transient non-community water systems. In addition, the proposed amendments establish the required information regarding these contaminants that must be included in the consumer confidence report (CCR) that public community water systems issue each year. Comments are due by 6 OCT 17.



LEGISLATIVE SESSION: 4 JAN THROUGH 31 DEC (EST)

FEDERAL ACTIVITY

REGIONAL HAZE FIVE-YEAR PROGRESS REPORT. EPA has issued a proposed rule to approve a SIP revision submitted by the state of New York that addresses the state's regional haze progress report ([82 FR 35738](#)). New York is federally required to submit periodic reports that describe the progress being made toward RPGs established for regional haze. The reports must include a determination of adequacy of the state's existing regional haze SIP. EPA has proposed to approve New York's determination that the state's regional haze SIP is adequate to meet these RPGs for the first implementation period, which extends through 2018, and requires no substantive revision at this time. The comment period closed on 31 AUG 17.

SIP REVISIONS ADDRESSING CROSS-STATE AIR POLLUTION RULE. EPA has issued a proposed rule to conditionally approve a SIP revision submitted by the state of New York addressing requirements of the Cross-State Air Pollution Rule (CSAPR) ([82 FR 40963](#)). Under CSAPR, large electricity generating units in New York are subject to Federal Implementation Plans (FIPs) requiring the units to participate in CSAPR federal trading programs for annual emissions of NO_x, ozone season emissions of NO_x, and annual emissions of SO₂. The proposed rule conditionally approves the state's regulations that replace the default allowance allocation provisions of the CSAPR federal trading programs for annual NO_x and SO₂ emissions. The proposed rule does not take action on the portion of New York's SIP submittal addressing NO_x ozone season emissions. EPA has proposed conditional approval because, while the submitted rules do not fully conform to CSAPR, New York is in the process of making further revisions to its rules and has provided a commitment to finalize and submit them by 29 DEC 17. Comments are due by 28 SEP 17.

FINAL RULES

EMERGENCY RULE REQUIRING LEAD TESTING OF SCHOOL DRINKING WATER. The New York State Department of Health (NYSDH) has [readopted](#) (page 13) an emergency rule addressing testing of school drinking water for lead contamination. The emergency rule 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. The rule also requires the development and implementation of lead remediation plans, where applicable. The previous emergency rule was scheduled to expire on 30 JUL 17. The new emergency rule became effective on 31 JUL 17 and will expire on 28 SEP 17. A notice of the NYSDH's proposed rule that would adopt this emergency rule as a permanent rule was published in the June 2017 *Northern Review*.

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: 10 JAN THROUGH 2 JUL

FEDERAL ACTIVITY

FINAL AUTHORIZATION OF STATE HAZARDOUS WASTE MANAGEMENT PROGRAM REVISIONS. EPA has issued a direct final rule granting final authorization for revisions to Delaware's hazardous waste program under the Resource Conservation and Recovery Act (RCRA) ([82 FR 37319](#)). The state revisions correspond to certain federal rules promulgated between 30 JUL 03 and 28 JUL 06. EPA has determined that these revisions satisfy all requirements needed to qualify for final authorization. Barring adverse comment the direct final rule becomes effective on 10 OCT 17.



LEGISLATIVE SESSION: 1 JAN THROUGH 31 DEC

FEDERAL ACTIVITY

REGIONAL HAZE FIVE-YEAR PROGRESS REPORT. EPA has issued a final rule approving a SIP revision submitted by the District of Columbia that addresses the state's regional haze progress report ([82 FR 37305](#)). DC is federally required to submit periodic reports that describe the progress being made toward RPGs established for regional haze. The reports must include a determination of adequacy of the district's existing regional haze SIP. EPA has determined that the DC submission satisfactorily addresses the progress report and adequacy determination requirements for the first implementation period for regional haze. The final rule becomes effective on 11 SEP 17.

OTHER REGULATORY ACTIVITY

REVISIONS TO EROSION AND SEDIMENT CONTROL MANUAL. The DC Department of Energy and Environment (DOEE) has [released](#) the revised [Erosion and Sediment Control \(ESC\) Manual](#). The ESC Manual updates and modernizes the 2003 erosion and sediment control specifications. The revisions: (1) provide guidance for erosion and sediment control permitting, DOEE Water Quality Division (WQD) review, and any requirements from the 2013 Stormwater Rule in Title 21 of the DC Municipal Regulations (DCMR), Chapter 5; (2) update the list of standards and specifications to current practices used in construction; (3) update the stream protection chapter to reflect practices used by the DOEE Planning and Restoration Branch; (4) update vegetation lists; (5) update planning and permitting requirements from WQD and the Stormwater Guidebook; and (6) update the tree protection standard. The comment period closed on 4 SEP 17.



LEGISLATIVE SESSION: 11 JAN THROUGH 10 APR, SINE DIE

FEDERAL ACTIVITY

SIP REVISION ADDRESSING STATE PROCEDURES FOR ISSUANCE OF PERMITS. EPA has issued a final rule approving a SIP revision submitted by the state of Maryland ([82 FR 40710](#)). The revision addresses Maryland's administrative procedures for the issuance, denial, and appeal of permits issued by the Maryland Department of the Environment. The final rule becomes effective on 27 SEP 17.



LEGISLATIVE SESSION: 3 JAN THROUGH 30 NOV (EST)

PROPOSED LEGISLATION

SB 852 AMENDMENTS TO HAZARDOUS WASTE LAWS. SB 852 amends the *Hazardous Sites Cleanup Act*. The bill makes numerous significant changes to the state hazardous waste laws including: (1) addition of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) to list of hazardous materials; (2) grants the Pennsylvania Department of Environmental Protection (PADEP) authority to add "equivalent" chemicals to the hazmat list; (3) creates and defines a "special drinking water resource-impacted community"; (4) grants the governor the power to: (a) designate by executive order a chemical to the hazardous material list if it poses a threat to public health and safety; (b) use emergency authority to respond to perfluorinated chemicals (PFC) drinking-water contamination exceeding 15 ppt (individual compounds or in aggregate); and (c) establish alternative or incident-specific drinking water standards and cleanup standards for impaired water in special drinking water resource-impacted communities that would remain in effect for 24 months; and (5) gives PADEP 12 months after the establishment of an MCL or provisional health advisory level (HAL) to determine if that chemical should be designated by regulation as a hazardous substance. The bill was referred to the Environmental Resources and Energy Committee.

PROPOSED RULES

AMENDMENTS TO SAFE DRINKING WATER REGULATIONS. The Pennsylvania Environmental Quality Board (PEQB) has [proposed](#) amendments to 25 PA. Code Chapter 109, *Safe Drinking Water*. The amendments include three components: (1) incorporate the remaining general update provisions that were separated from the proposed Revised Total Coliform Rule (RTCR), including amendments to treatment technique requirements for pathogens, clarifications to permitting requirements, and new requirements for alarms, shutdown capabilities, and auxiliary power; (2) amend existing permit fees and add new annual fees; and (3) establish the regulatory basis for issuing general permits, clarify that non-community water systems require a permit or approval from PADEP prior to construction and operation, and address concerns regarding gaps in the monitoring, reporting, and tracking of back-up sources of supply. Comments are due by 25 SEP 17.

OTHER REGULATORY ACTIVITY

PETITION FOR STUDY OF PFOA MCL. PEQB has [accepted](#) a rulemaking petition for a study submitted by the Delaware Riverkeeper Network. The petition requests an amendment of 25 Pa.Code Chapter 109 (relating to safe drinking water) to establish an MCL for PFOA not to exceed 6 ppt. Under PEQB's acceptance of the petition, PADEP will prepare a report evaluating the petition. The report will include a recommendation on whether PEQB should proceed with a proposed rulemaking and, if so, the process that PADEP would need to undertake to develop a proposed rulemaking.



LEGISLATIVE SESSION: 11 JAN THROUGH 5 APR

FEDERAL ACTIVITY

SIP REVISIONS ADDRESSING NSR. EPA has issued a final rule approving SIP revisions submitted by the commonwealth of Virginia ([82 FR 40703](#)). The revisions amend Virginia's major source New Source Review (NSR) regulations to make them consistent with the federal program. The final rule becomes effective on 27 SEP 17.

SIP REVISIONS TO IMPLEMENT REVOCATION OF 1997 OZONE NAAQS. EPA has issued a direct final rule approving SIP revisions submitted by the commonwealth of Virginia ([82 FR 39031](#)). The revisions updated the state Air Pollution Control Board's *Regulations for the Control and Abatement of Air Pollution* to be consistent with EPA's final rule implementing the 2008 ozone NAAQS and revoking the 1997 ozone NAAQS. The revisions update a regulation listing nonattainment areas under the 1997 ozone NAAQS and a regulation regarding the 1997 ozone standard to reflect the revocation of the 1997 ozone NAAQS. The revisions also add clarifying text to two transportation and general conformity regulations in order to reflect the revocation of the 1997 ozone NAAQS. Barring adverse comment the direct final rule becomes effective on 16 OCT 17.

FINAL RULES

AMENDMENTS TO WATER QUALITY MANAGEMENT PLANNING REGULATION. The Virginia Department of Environmental Quality (VDEQ) has [adopted](#) amendments to 9VAC25-720, *Water Quality Management Planning*. The amendments: (1) revise seven existing total maximum daily load (TMDL) wasteload allocations (WLAs) and add 12 new TMDL WLAs in the James River Basin (9VAC25-720-60 A); (2) add two new TMDL WLAs in the Chowan River-Dismal Swamp River Basin (9VAC25-720-100 A); and (3) revise two existing TMDL WLAs and remove four TMDL WLAs in the Chesapeake Bay-Small Coastal-Eastern Shore River Basin (9VAC25-720-110 A). A notice of the proposed amendments was published in the April 2017 *Northern Review*. The amendments become effective on 20 SEP 17.

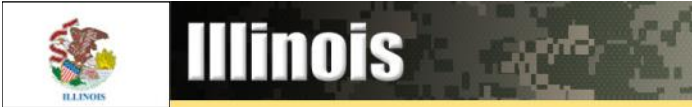
TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR USTs. VDEQ has [adopted](#) (page 13) revisions to 9VAC25-580, *Underground Storage Tanks (USTs): Technical Standards and Corrective Action Requirements*, and 9VAC25-590, *Virginia's Petroleum Underground Storage Tank Financial Responsibility Requirements*. The revisions incorporate federal requirements found in 40 CFR Part 280, *Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks*. The revisions become effective on 1 JAN 18.

OTHER REGULATORY ACTIVITY

2016 WATER QUALITY ASSESSMENT INTEGRATED REPORT. VDEQ has [released](#) (page 114) the [draft 2016 Water Quality Assessment Integrated Report](#). The Integrated Report combines both the 305(b) Water Quality Assessment and the 303 (d) Report on Impaired Waters. Both are required by the CWA and the Virginia Water Quality Monitoring Information and Restoration Act. The comment period closed on 6 SEP 17.

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.



LEGISLATIVE SESSION: 11 JAN THROUGH 30 JUN

FEDERAL ACTIVITY

CROSS-MEDIA ELECTRONIC REPORTING. EPA has approved the state of Illinois' request to revise its USEPA-authorized National Pollutant Discharge Elimination System (NPDES) program to allow electronic reporting ([82 FR 37095](#)). The approval became effective on 8 AUG 18.

FINAL LEGISLATION

HB 513 AMENDMENTS TO GASOLINE STORAGE ACT. HB 513 (Public Act 100-0299) amends the *Gasoline Storage Act* by expanding the locations where certain permitted fuel dispensing can take place. The bill allows the state fire marshal to adopt rules allowing, with restrictions, the dispensing of motor vehicle fuels at the following sites permitted under the state *Environmental Protection Act*: (1) waste disposal sites; (2) sanitary landfills; and (3) municipal solid waste landfill units. The bill requires that refueling at these sites be limited to off-road vehicles and equipment that are used at and for the operation of the waste disposal site, sanitary landfill, or municipal solid waste landfill unit. A notice of the bill's House passage was published in the April 2017 *Northern Review*. The bill was signed by the governor on 24 AUG 17 and became effective upon signature.

HB 3032 ESTABLISHMENT OF MILITARY ECONOMIC DEVELOPMENT COMMITTEE. HB 3032 (Public Act 100-0144) creates the Military Economic Development Committee as an entity within the Office of the Lieutenant Governor. The new committee will replace the current Interagency Military Base Support and Economic Development Committee located within the Department of Commerce and Economic Opportunity. The bill establishes the committee's membership criteria, service terms, and mission. A notice of the bill's passage from the House Business Incentives for Local Communities Committee was published in the April 2017 *Northern Review*. The bill was signed by the governor on 18 AUG 17 and becomes effective on 1 JAN 18.

PROPOSED RULES

UPDATE TO STATE AMBIENT AIR QUALITY REQUIREMENTS. The Illinois Environmental Protection Agency (IEPA) has [proposed](#) (page 31) amendments (R17-10) to the state ambient air quality requirements in 35 Ill. Adm. Code 243. The amendments update the state requirements to correspond with amendments to the federal NAAQS that EPA adopted from 1 JUL 16 through 31 DEC 17. A public hearing is scheduled for 21 SEP 17 and comments are due by 25 SEP 17.

UPDATE OF STATE DEFINITION OF VOM/VOC. IEPA has [proposed](#) (page 6) amendments (R17-11) to the Illinois definition of volatile organic material (VOM) or volatile organic compound (VOC) at 35 Ill Adm. Code 211.7150. The amendments update the definition to correspond with an amendment to the federal definition of VOC at 40 CFR 51.100 (s) that EPA adopted from 1 JUL 16 through 31 DEC 16. EPA added one hydrofluoroether compound to the list of chemical species excluded from the federal definition of VOC. A public hearing is scheduled for 21 SEP 17 and comments are due by 25 SEP 17.



LEGISLATIVE SESSION: 3 JAN THROUGH 21 APR, SINE DIE

FEDERAL ACTIVITY

INFRASTRUCTURE SIP REQUIREMENTS FOR 2012 PM_{2.5} NAAQS. EPA has issued a proposed rule to approve elements of a SIP revision submitted by the state of Indiana ([82 FR 41379](#)). The SIP revision addresses CAA infrastructure requirements for the 2012 fine particulate matter (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 CAA responsibilities. Comments are due by 2 OCT 17.



LEGISLATIVE SESSION: 11 JAN THROUGH 31 DEC (EST)

FEDERAL ACTIVITY

CHANGES TO STATE PERMIT TO INSTALL REQUIREMENTS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Michigan ([82 FR 38651](#)). The SIP revision addresses changes to the Permit to Install (PTI) requirements of the Michigan Rules that were submitted in 1993, 1996, 1998, 2003, 2009, and 2017. Comments are due by 14 SEP 17.



LEGISLATIVE SESSION: 2 JAN THROUGH 31 DEC (EST)

FINAL LEGISLATION

SB 2 ENVIRONMENTAL PROTECTION OMNIBUS BILL. SB 2 amends regulations governing: (1) evaluation and cleanup of landfill facilities and properties; (2) construction and demolition debris; (3) waste management fund; (4) public water system capability; (5) receivership of a public water system; (6) public water system exemptions; (7) financial assurance requirement for community water systems; (8) discharge to a privately owned treatment works; (9) Section 401 Water Quality Certification; (10) dredged material; (11) blast furnace slag and steel slag; (12) Ohio Lake Erie Commission; and (13) Lake Erie Protection Fund. A notice of the bill's Senate passage was published in the April 2017 *Northern Review*. The bill was signed by the governor on 7 JUL 17 and becomes effective on 6 OCT 17.

OTHER REGULATORY ACTIVITY

EARLY STAKEHOLDER OUTREACH: TMDL PROGRAM RULE. The Ohio Environmental Protection Agency (OEPA) has [requested comment](#), as part of the early stakeholder outreach rulemaking stage, on a potential rulemaking concerning Ohio Administrative Code (OAC) Chapter 3745-2, *Implementation of Water Quality Standards*. The rulemaking would include the five year review of OAC 3745-2-12, *Total Maximum Daily Loads*. This chapter covers the procedures for developing TMDLs for waters listed as impaired on Ohio's 303(d) list. Minor updates to style are being considered along with revisions necessary to be consistent with requirements for TMDLs in House Bill 49, signed by the governor on 30 JUN 17. In addition, House Bill 49 specifically requires OEPA to adopt rules that establish: (1) procedures for providing notice to stakeholders; and (2) criteria for determining significant public interest in TMDL development. OEPA is requesting feedback on how these two items should be addressed in the draft rule. Comments are due by 12 SEP 17.

LEGISLATIVE SESSION: 3 JAN THROUGH 31 DEC (EST)

FEDERAL ACTIVITY

CROSS-MEDIA ELECTRONIC REPORTING. EPA has approved the state of Wisconsin's request to revise multiple state USEPA-authorized programs to allow electronic reporting ([82 FR 35777](#)). Barring receipt of adverse comment the approval for the state's National Primary Drinking Water Regulations Implementation program became effective on 31 AUG 17. EPA's approval for the state's other authorized program revisions became effective on 1 AUG 17.

FINAL LEGISLATION

SB 180 DESIGNATION OF A WATER SUPPLY SERVICE AREA BY GREAT LAKES COUNCIL. SB 180 (Public Act 38) amends the regulations governing water supply service area plans for public water supply systems. Under the current law, if a public water supply system within a county that lies only partly within the Great Lakes Basin proposes to divert water from the basin, the public water supply system's proposal for diverting the water must be approved by the Great Lakes-St. Lawrence River Basin Water Resources Council. This bill provides that if the council approves a diversion area for a public water supply system, that diversion area serves as the water supply service area in the water supply plan that the public water supply system must submit to WDNR. Under the bill, diversion areas designated by the council do not need to be consistent with an approved area-wide water quality management plan for the planning area. A notice of the bill's introduction was published in the June 2017 *Northern Review*. The bill was signed by the governor on 2 AUG 17 and became effective on 4 AUG 17.

Federal Activity

AIR

WITHDRAWAL OF DEADLINE EXTENSION FOR PROMULGATING 2015 OZONE NAAQS DESIGNATIONS. EPA has withdrawn the previously issued one-year deadline extension for promulgating initial area designations for the ozone NAAQS that were promulgated in October 2015 ([82 FR 37318](#)). Barring additional final action, the CAA two-year deadline of 1 OCT 17 applies for promulgating designations.

QUALITY ASSURANCE REQUIREMENTS FOR PM CONTINUOUS EMISSION MONITORING SYSTEMS AT STATIONARY SOURCES. EPA has issued a final rule promulgating revisions to Procedure 2—Quality Assurance Requirements for Particulate Matter (PM) Continuous Emission Monitoring Systems (CEMS) at Stationary Sources ([82 FR 37822](#)). The quality assurance procedures specify the minimum requirements necessary for the control and assessment of the quality of PM CEMS data submitted to EPA and other regulatory authorities. The final rule establishes consistent requirements that meet initial acceptance requirements in Performance Specification 11 of appendix B to part 60. The final rule becomes effective on 13 SEP 17.

NESHAP FOR OFF-SITE WASTE AND RECOVERY OPERATIONS. EPA has issued a proposed rule to amend the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Off-Site Waste and Recovery Operations (OSWRO) ([82 FR 36713](#)). The amendments remove additional monitoring requirements for pressure relief devices on containers that resulted from the 2015 NESHAP OSWRO amendments because the agency determined that they are not necessary. According to EPA, categories and entities potentially regulated by this action include, but are not limited to, businesses or government agencies that operate any of the following: (1) hazardous waste treatment, treatment storage and disposal facilities; (2) RCRA-exempt hazardous wastewater treatment facilities; (3) nonhazardous wastewater treatment

facilities other than publicly owned treatment works; (4) used solvent recovery plants; (5) RCRA-exempt hazardous waste recycling operations; and (6) used oil re-refineries.

NO DELAY IN IMPLEMENTATION OF FINAL RULE LOWERING NAAQS FOR GROUND-LEVEL OZONE. EPA has [announced](#) it will not delay the implementation of an October 2015 final rule lowering NAAQS for ground-level ozone. The rule lowered the primary and secondary NAAQS for ozone from 75 parts per billion (ppb) to 70 ppb. In June, the agency announced it was delaying the deadline for designations by one year, to 18 OCT 18. The announcement came one day after 15 states filed a [lawsuit](#) against EPA for its decision to delay the rule.

CAA TREND REPORT. EPA has released an annual report, [Our Nation's Air](#), on trends in the nation's air quality. The report found that since Congress passed the CAA in 1970, the economy has more than tripled and the number of vehicle miles traveled every year has nearly doubled, all while the nation's population and annual energy consumption has surged. At the same time, the levels of six key air pollutants (carbon monoxide, lead, NO₂, ozone, PM, and SO₂) have declined dramatically. The report details trends in criterial pollutants, regulated via NAAQS, visibility in national parks and wilderness areas, and emissions of HAPs, also referred to as toxic air pollutants. For more information, visit EPA's [AirTrends website](#).

APPLICABILITY DETERMINATIONS, REGULATORY INTERPRETATIONS, AND ALTERNATIVE MONITORING DECISIONS. EPA has released applicability determinations, regulatory interpretations, and alternative monitoring decisions it has made under the New Source Performance Standards (NSPS); the NESHAP; and/or the Stratospheric Ozone Protection Program ([82 FR 36394](#)). EPA responses to inquiries regarding whether a certain action is subject to NSPS and NESHAP general provisions in 40 CFR Parts 60 and 61 are referred to as applicability determinations. EPA also issues regulatory interpretations in response to inquiries regarding the type of sources to which a regulation applies, or to the testing, monitoring, recordkeeping, or reporting requirements of a regulation. NSPS and NESHAP allow sources to seek permission to use monitoring or recordkeeping that is different from the promulgated requirements. EPA responses to these inquiries are referred to as alternate monitoring decisions. In this action, EPA announced it has added 31 documents to its [Applicability Determination Index](#) (ADI) data system. For more information about the ADI, click [here](#), and follow the ADI link under "Air."

CLIMATE CHANGE

ANNUAL CLIMATE REPORT. The American Meteorological Society has [released](#) the annual report, [State of the Climate in 2016](#). The report, compiled by the National Oceanic and Atmospheric Administration's Center for Weather and Climate, is based on contributions from scientists from around the world. It provides a detailed update on global climate indicators, notable weather events, and other data collected by environmental monitoring stations and instruments located on land, water, ice, and in space.

ENERGY

DOE SEMIANNUAL REGULATORY AGENDA. DOE has released its [Spring 2016 semiannual regulatory agenda](#) ([82 FR 40269](#)). The agenda is a compilation of upcoming and ongoing regulatory activity, including a brief description of each rulemaking and a timetable for action. The agenda also includes a list of regulatory actions completed since the last agenda.

POLICY HANDBOOK FOR DISTRIBUTED ENERGY. The National Conference of State Legislatures [released](#) a handbook, [Here Comes the Sun — A State Policy Handbook for Distributed Solar Energy](#), intended to assist policymakers and planners that wish to tailor their state's energy policy to best leverage the opportunities offered by the rapid increase in distributed solar energy. The handbook provides tools to investigate options and practices to leverage the economic and reliability benefits of solar energy while addressing the challenges presented by a localized approach to energy generation. It covers the many options and innovative approaches that states have implemented or considered when it comes to rate design, incentives, integration, financing, regulation, and workforce development. The report also provides readers with references and resources for a deeper exploration of the topics covered.

MISCELLANEOUS

EO 13807—ADDRESSING ENVIRONMENTAL REVIEW AND PERMITTING PROCESS FOR INFRASTRUCTURE PROJECTS. The President has issued Executive Order (EO) 13087, *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure* ([82 FR 40463](#)). The EO includes requirements for: (1) the Office of Management and Budget (OMB) to establish a Cross-Agency Priority (CAP) Goal on infrastructure permitting modernization; (2) certain federal agencies to modify their strategic plans and annual performance plans under the Government Performance and Results Modernization Act of 2010 to include agency performance goals that are consistent with the new CAP Goal; (3) OMB to issue guidance for establishing a performance accountability system; (4) OMB to consider agency performance during budget formulation and determine whether appropriate penalties should be imposed; and (5) agencies to implement best practices identified annually by the Federal Permitting Improvement Steering Council. Additionally, the EO revokes EO 13690 of 30 JAN 15, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input*.

EPA SPRING SEMIANNUAL REGULATORY AGENDA. EPA has released its [Spring 2016 semiannual regulatory agenda](#) ([82 FR 40347](#)). The notice contains information about regulations in the semiannual regulatory agenda that are under development, completed, or canceled since the last agenda and plans for retrospective reviews of existing regulations.

NATURAL RESOURCES

MIGRATORY BIRD HUNTING REGULATIONS. The U.S. Fish and Wildlife Service (FWS) has issued a proposed rule to establish annual hunting regulations for certain migratory game birds for the 2018-19 hunting season ([82 FR 36308](#)). The proposed rule provides the regulatory schedule, announces the Service Migratory Bird Regulations Committee and Flyway Council meetings, and describes the proposed regulatory alternatives for the 2018-19 duck hunting seasons. The service annually prescribes frameworks within which states may select hunting seasons.

LONGLEAF PINE CONSERVATION. The National Fish and Wildlife Foundation [announced](#) \$5.5 million in grants to support the restoration of the longleaf ecosystem in nine states. Awarded through the Longleaf Stewardship Fund, the grants are expected to generate more than \$7 million in matching contributions for a total conservation impact of \$12.5 million. The grants will support conservation work in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia. A complete list of the 2017 grants made through the Longleaf Stewardship Fund is available [here](#). Now in its sixth year, the fund represents a landmark public-private partnership that includes the U.S. Department of Agriculture's Natural Resources Conservation Service, U.S. Forest Service, DOD, FWS, and private funding.

DESIGNATION OF CRITICAL HABITAT FOR ATLANTIC STURGEON. The National Marine Fisheries Service (NMFS) has issued a final rule designating critical habitat for the Atlantic sturgeon ([82 FR 39160](#)). The designation includes five distinct population segments (DPS) of Atlantic sturgeon: (1) threatened Gulf of Maine DPS; (2) endangered New York Bight DPS; (3) endangered Chesapeake Bay DPS; (4) endangered Carolina DPS; and (5) endangered South Atlantic DPS. The habitat consists of designated river and stream miles, rather than estuaries or bays. Maps and other information are available [here](#). The final rule becomes effective on 18 SEP 17.

INITIATION OF ESA STATUS REVIEW FOR ALEWIFE AND BLUEBACK HERRING UNDER. NMFS has initiated a new status review of [alewife](#) and [blueback herring](#) to determine whether listing either species as endangered or threatened under Endangered Species Act (ESA) is warranted ([82 FR 38672](#)). The historical distribution of the species is throughout the Atlantic seaboard, from Newfoundland to the St. Johns River, Florida. A comprehensive status review must be based on the best scientific and commercial data available at the time of the review. Therefore, NMFS has requested information on alewife and blueback herring that has become available since the listing determination in 2013.

TOXICS

TSCA INVENTORY NOTIFICATION REQUIREMENTS. EPA has issued a final rule to establish a retrospective electronic notification of chemical substances on the Toxic Substances Control Act (TSCA) Inventory ([82 FR 37520](#)). This notification covers chemicals that were manufactured (including imported) for nonexempt commercial purposes during the 10-year period ending on 21 JUN 16, with provision to also allow notification by processors. EPA is required by the 2016 TSCA amendments to designate chemical substances on the TSCA Chemical Substance Inventory as either active or inactive in U.S. commerce. EPA will use the newly established notifications to distinguish active substances from inactive substances. The final rule also establishes procedures regarding the manner in which such retrospective and forward-looking activity notifications must be submitted, the details of the notification requirements, exemptions from such requirements, and procedures for handling claims of confidentiality. The final rule became effective on 11 AUG 17.

ADOPTION OF 2017 NAICS CODES FOR TOXICS RELEASE INVENTORY REPORTING. EPA has issued a direct final rule updating the list of North American Industry Classification System (NAICS) codes subject to reporting under the Toxics Release Inventory (TRI) to reflect the OMB 2017 NAICS code revision ([82 FR 39038](#)). Facilities will be required to use 2017 NAICS codes beginning with TRI reporting forms that are due on 1 JUL 18, covering releases and other waste management quantities for the 2017 calendar year. EPA has also modified the list of exceptions and limitations associated with NAICS codes in the Code of Federal Regulations for TRI reporting purposes by deleting the descriptive text. Barring adverse comment the direct final rule becomes effective on 15 NOV 17.

HALOACETIC ACIDS RECOMMENDED FOR CLASSIFICATION AS CARCINOGENS. The National Toxicology Program [recommended](#) that six haloacetic acids (HAAs) be classified in the [Report on Carcinogens](#) as reasonably anticipated to be carcinogens. HAAs are byproducts created when chlorine, chloramine, or chlorine dioxide are used to disinfect drinking water. The report will help EPA assess the effects of those byproducts on human health and determine whether drinking water regulations should be updated. Currently, the EPA Office of Water regulates the levels of five HAAs and some trihalomethanes in public drinking water.

NANOTECHNOLOGY REPORTING RULE GUIDANCE. EPA issued [guidance materials](#) for the recently-issued TSCA section 8(a) [Nanotechnology Reporting and Recordkeeping Requirements Rule](#), which became effective in August. The rule establishes one-time reporting and recordkeeping requirements for certain chemical substances when they are manufactured or processed at the nanoscale. The guidance reflects input received on earlier draft guidance and provides answers to questions EPA received from manufacturers (including importers) and processors of certain chemical substances when they are manufactured or processed at the nanoscale, as described in the final rule. EPA intends to update the guidance based on new questions and input. A copy of the Working Guidance on EPA's Section 8 (a) Information Gathering Rule on Nanomaterials in Commerce is available [here](#).

WATER

EXTENSION OF COMMENT PERIOD—DEFINITION OF WATERS OF THE UNITED STATES. The U.S. Army Corps of Engineers and EPA have issued a proposed rule extending the comment period for the previously issued proposed rule "[Definition of 'Waters of the United States'—Recodification of Pre-existing Rules](#)" ([82 FR 39712](#)). The agencies are extending the comment period for 30 days in response to stakeholder requests for an extension.

CWA METHODS UPDATE RULE FOR ANALYSIS OF EFFLUENT. EPA has issued a final rule that modifies the testing procedures approved for analysis and sampling under CWA ([82 FR 40836](#)). The changes adopted in the final rule fall into the following categories: (1) new and revised EPA methods (including new and/or revised methods published by voluntary consensus standard bodies, such as ASTM International and the Standard Methods Committee); (2) updated versions of currently approved methods; (3) methods reviewed under the alternate test procedures (ATP) program; (4) clarifications to the procedures for EPA approval of nationwide and limited use ATPs; and (5) amendments to the procedure for determination of the method detection limit to address laboratory contamination and to better account for intra-laboratory variability. The final rule becomes effective on 27 SEP 17.

WATER MANAGEMENT PROGRAMS TO REDUCE GROWTH AND TRANSMISSION OF LEGIONELLA. The Centers for Disease Control and Prevention (CDC) has requested information on water management programs (WMPs) intended to reduce Legionella growth and transmission in buildings at increased risk ([82 FR 39439](#)). Information gathered should also inform CDC efforts to prevent disease due to other opportunistic waterborne pathogens (e.g., Pseudomonas, Acinetobacter, Burkholderia, Stenotrophomonas, nontuberculous mycobacteria, various species of fungi, and Naegleria). Legionnaires disease, a severe, sometimes fatal pneumonia, can occur in persons who inhale aerosolized droplets of water contaminated with the bacterium Legionella. CDC has developed a toolkit, *Developing a Water Management Program to Reduce Legionella Growth & Spread in Buildings: A Practical Guide to Implementing Industry Standards*, available [here](#).

Department of Defense Activity

DOE FEDERAL ENERGY AND WATER MANAGEMENT AWARDS. Eight U.S. Army units, groups, and agencies have been selected to receive the DOE [2017 Federal Energy and Water Management Awards](#). The awards recognize individuals, groups, and agencies for their outstanding contributions in energy efficiency, water conservation, and the use of advanced and renewable energy technologies at federal facilities. The awardees within the Regional Environmental and Energy Office – Northern (REEO-N) area of responsibility (AOR) are: (1) Career Exceptional Service Award—Paul G. Wirt, U.S. Army Reserve, Fort Belvoir, Virginia; and (2) Program Awards: (a) Headquarters, U.S. Army Installation Management Command, Washington, DC; and (b) Terry Banks, Benjamin McBride, Sergio Sergi, Roderick T. Smith, U.S. Army Garrison Fort A.P. Hill, Virginia. A formal award ceremony will be held at the National Archives in Washington D.C. in November.

DOD ENERGY POLICY. DOD has updated and re-issued [DOD Directive \(DODD\) 4180.01](#), DOD Energy Policy. The directive establishes it is DOD policy to enhance military capability, improve energy security and resilience, and mitigate costs in its use and management of energy.

RECOVERED CHEMICAL WARFARE MATERIAL. DOD updated and re-issued [DODD 5101.17E](#), Roles and Responsibilities Associated with the Recovery of Chemical Warfare Material (CWM). The DODD applies to situations involving: (1) Munitions and certain materials of interest, as defined in this issuance, that contain an unknown liquid fill and are recovered within or outside the U.S.; (2) CWM of U.S. origin recovered outside of the U.S.; (3) CWM of U.S. origin recovered within the U.S. (e.g., munitions response, explosives or munitions emergencies, range clearance); and (4) CWM not of U.S. origin recovered within or outside the U.S.

VAPOR INTRUSION FACT SHEET UPDATE. In August, the [DOD Vapor Intrusion Handbook Fact Sheet Update No. 004](#), *Use of Building Pressure Cycling in Vapor Intrusion Assessment*, was released on the Defense Environmental Network and Information Exchange ([DENIX](#)) website. The fact sheet relates to Sections 2.7, 2.8, 3.34, 3.5, and Appendix G of the [DOD Vapor Intrusion Handbook](#). These sections describe methods for indoor air sampling and determining the influence of background sources. Building pressure cycling offers an alternative approach to the methods described in the handbook. For more information, click [here](#).

EMERGING CONTAMINANTS. DOD's Chemical and Material Risk Management (CMRM) Program evaluated eight chemicals for placement on the DOD Emerging Contaminant (EC) Watch List or Action List. The CMRM Program's evaluation of the eight chemicals considered input from each of the Service's TSCA points of contact and their evaluation of conditions of use for each chemical. The program also considered other sources of information including the DOD's purchase and use of the chemical, and the status of the chemical in existing EPA regulatory programs. The evaluation concluded that four of the eight chemicals warrant placement on the EC Watch List due to specific DOD use and EPA regulatory triggers. Four do not warrant additional evaluation due to absence of use by the DOD. The four chemicals added to the Watch List in July are: (1) Tetrachloroethylene (CASRN 127-18-4); (2) Carbon tetrachloride (CASRN 56-23-5); (3) Asbestos

(CASRN 1332-21-4); and (4) Tris (4-isopropylphenyl) phosphate (CASRN 68937-41-7). To learn more about the CMRM program, click [here](#).

Professional Development

DOD TRAINING SOURCES

2017 REPI WEBINAR SERIES (ONLINE). DOD's Readiness and Environmental Protection Integration (REPI) program 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 launched 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 (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.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING (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

14 SEP 17 - FEDERAL FACILITY CLEAN AIR ACT REQUIREMENTS FOR STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES – WEBINAR (ONLINE). Join the EPA Region 1 and Region 4 webinar on Clean Air Act Stationary [Reciprocating Internal Combustion Engine \(RICE\) requirements](#) and learn about the public health impacts of stationary RICE and emergency generators, why EPA regulates these engines, and specific regulatory requirements for federal facilities. EPA recently settled two enforcement cases with significant penalties against federal facilities for violating the RICE regulations. EPA is conducting this webinar in order to help other regulated federal facilities better understand their responsibilities under the RICE rules.

THE RESTORATION WEBINAR SERIES (ONLINE) - This webinar series is produced by a partnership between the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service.

- 28 SEP 17: Overview of SER's New Certified Ecological Restoration Practitioner Program.
- 12 OCT 17: Restoring an Urban River: The Acushnet Sawmill Ecological Restoration Project.
- 30 NOV 17: Restoration of Shad and Anadromous Fish to the White Clay Creek National Wild and Scenic River in Delaware.
- 7 DEC 17: Upper Arkansas River Instream Habitat Restoration Project: How Can Monitoring be Used to Inform Adaptive Management?
- 25 JAN 18: Decision Support Tools and a Framework for Climate-smart Restoration.

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.

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 FY18 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, such as: (1) program development (e.g., environmental management systems, green procurement program); (2) federal and state regulatory requirements for various facility activities; (3) access to [environmental assistance](#); (4) access to free, [FedCenter-sponsored courses](#); (5) applicable laws and Executive Orders; and (6) [Partnerships](#). FedCenter also provides member assistance services such as collaboration tools for workgroups, environmental reporting tools, and daily newsletter and subscription services.

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.

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 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 (CLASSROOM/ONLINE). 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.

EPA WATERSHED ACADEMY WEBCAST SERIES (ONLINE). EPA's Watershed Academy is sponsoring free webcast seminars for local watershed organizations, municipal leaders, and others. To access a webcast, simultaneously log on to the web and/or participate by phone in live training conducted by expert instructors. Archived training sessions are also available by streaming audio.

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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.

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