



# Southern Review

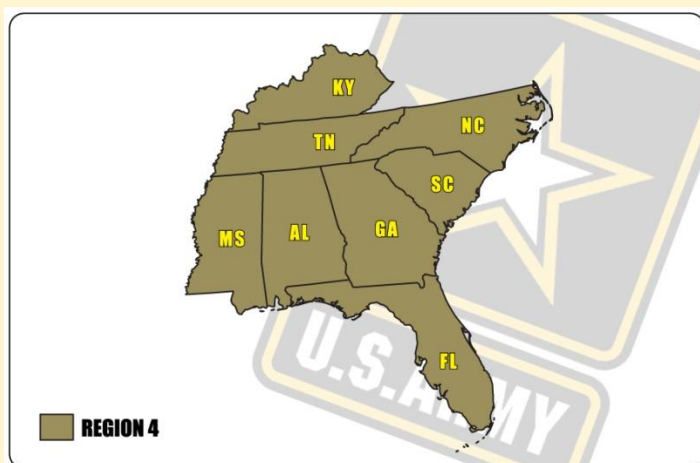
## of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

November 2017

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

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



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## 'EARLI' WARNING SYSTEM

Being aware of changing requirements and preparing for compliance with new federal and state environmental laws and regulations is a challenge. Properly planning and programming adequate funding is also difficult without early identification and analysis of potential costs and/or operational impacts to installations from new environmental requirements. The U.S. Army's Evaluation and Assessment of Regulatory and Legislative Impacts program, known as EARLI, is designed to work like an early warning system to ensure installations are prepared for future regulatory changes.

Funded by the U.S. Army Installation Management Command (IMCOM), the EARLI program is a partnership between IMCOM, U.S. Army Environmental Command, U.S. Army Corps of Engineers Environmental and Munitions Center of Expertise, and Army Regional Environmental and Energy Offices (REEOs). This expert environmental professional team monitors, evaluates, and analyzes proposed and promulgated federal and state actions that have the potential to increase compliance requirements and Army liabilities that could impact Army readiness.

In 2016, EARLI identified a shortfall of approximately nine percent of the IMCOM operating budget due to environmental regulatory and legislative changes. EARLI analysis provided necessary justification to ensure funds were available to accommodate these new compliance requirements in the out years for the IMCOM enterprise.

EARLI data and partnerships with the REEOs educates the regulating body on how changing requirements affect the military mission. Once the regulating body understands the tradeoffs and repercussions, they can remove or provide military exemption to minimize the impact to Army readiness. No matter the outcome, EARLI aims to chart the future compliance environment.

Excerpt from a 10 OCT 2017 [army.mil article](#) by Cynthia Judd

# Region 4

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



## ***2018 LEGISLATIVE SESSION: 9 JAN THROUGH 24 APR***

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

There are no significant legislative or regulatory activities to report.

## ***OTHER FEDERAL ACTIVITY***

**ALABAMA AIR PLAN APPROVAL – CROSS-STATE AIR POLLUTION RULE (CSAPR).** The U.S. Environmental Protection Agency (EPA) is approving portions of the 26 OCT 15 and 19 MAY 17 Alabama state implementation plan (SIP) revisions replacing the CSAPR federal implementation plan (FIP) ([82 FR 46674](#)). Under CSAPR, large electricity generating units (EGUs) in Alabama are subject to FIP provisions requiring the units to participate in a federal allowance trading program for ozone season emissions of nitrogen oxides (NO<sub>x</sub>). This action approves the state's regulations requiring affected units to participate in a new state allowance trading program for ozone season NO<sub>x</sub> emissions integrated with the CSAPR federal trading programs, replacing the corresponding CSAPR FIP requirements for Alabama. This state trading program is substantively identical to the federal trading program except with regard to the provisions allocating emission allowances among Alabama units. Under the CSAPR regulations, final approval of these portions of the SIP revisions automatically eliminates Alabama units' FIP requirements to participate in CSAPR's federal allowance trading program for ozone season NO<sub>x</sub> emissions. EPA approval also fully satisfies Alabama's good neighbor obligation under the Clean Air Act (CAA) to prohibit emissions which will significantly contribute to nonattainment or interfere with maintenance of the 1997 8-hour Ozone National Ambient Air Quality Standards (NAAQS) in any other state; it partially satisfies Alabama's good neighbor obligation under the CAA to prohibit emissions that will significantly contribute to nonattainment or interfere with maintenance of the 2008 8-hour Ozone NAAQS in any other state.

**ALABAMA AIR PLAN APPROVAL – PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PROGRAM.** EPA is taking final action to approve portions of revisions to Alabama's SIP, submitted by the Alabama Department of Environmental Management (ADEM), on 8 MAY 13 and 23 AUG 16 ([82 FR 46921](#)). The portions of these SIP revisions of which EPA is finalizing approval relate to the state's PSD permitting program. This action is being taken pursuant to the CAA.

**ALABAMA AIR PLAN APPROVAL WITHDRAWAL – PSD PERMITTING REGULATIONS.** Due to receipt of adverse comments, EPA is withdrawing the 24 AUG 17 direct final rule ([82 FR 40072](#)) that approves an Alabama SIP revision related to the PSD permitting regulations ([82 FR 47397](#)). EPA will address the comments in a subsequent final action based upon the proposed rulemaking action, also published 24 AUG 17 ([82 FR 40085](#)). EPA will not institute a second comment period on this action.

**ALABAMA AIR PLAN APPROVAL – MULTIPLE ACTIONS.** EPA is taking the following four actions regarding the Alabama SIP ([82 FR 47393](#)): Approving the portion of Alabama's 26 OCT 15 SIP submittal seeking to change reliance from the Clean Air Interstate Rule (CAIR) to the Cross-State Air Pollution Rule (CSAPR) for certain regional haze requirements; converting EPA's limited approval/limited disapproval of Alabama's 15 JUL 08 regional haze SIP to a full approval; approving the visibility prong of Alabama's infrastructure SIP submittals for the 2012 Fine Particulate Matter (PM<sub>2.5</sub>), 2010 Nitrogen Dioxide (NO<sub>2</sub>), and 2010 Sulfur Dioxide (SO<sub>2</sub>) NAAQS; and converting EPA's disapproval of the visibility portion of Alabama's infrastructure SIP submittal for the 2008 Ozone NAAQS to an approval.

**ALABAMA AIR PLAN APPROVAL – TRANSPORTATION CONFORMITY.** EPA is approving a portion of a revision to the Alabama SIP submitted by ADEM 8 MAY 13 for the purpose of amending the transportation conformity rules to be consistent with federal requirements ([82 FR 47383](#)).

**ALABAMA AIR PLAN APPROVAL WITHDRAWAL – TRANSPORTATION CONFORMITY.** Due to receipt of an adverse comment, EPA is withdrawing the 17 AUG 17 direct final rule ([82 FR 39035](#)) that approves an Alabama SIP revision related to transportation conformity requirements ([82 FR 47397](#)). EPA will address the comment in a subsequent final action based upon the proposed rulemaking action, also published 17 AUG 17. The agency will not institute a second comment period on this action.

**ALABAMA AIR PLAN APPROVAL WITHDRAWAL – VOLATILE ORGANIC COMPOUNDS (VOCs) AND PARTICULATE EMISSIONS.** Due to receipt of an adverse comment, EPA is withdrawing the 16 AUG 17 direct final rule ([82 FR 38841](#)) that approves an Alabama SIP revision related to VOCs and particulate emissions ([82 FR 47635](#)). EPA will address the comment in a subsequent final action based upon the proposed rulemaking action ([82 FR 38865](#)), also published 16 AUG 17. EPA will not institute a second comment period on this action.

**ALABAMA AIR PLAN APPROVAL WITHDRAWAL – VOCs AND PARTICULATE EMISSIONS.** EPA is taking final action to approve changes to the Alabama SIP to revise the definition of VOCs, correct a typographical error, and remove control of particulate emissions and opacity limits for Talladega County ([82 FR 47631](#)). EPA is approving the SIP revisions submitted by ADEM 19 MAY 17. This action is being taken pursuant to the CAA.



## ***2018 LEGISLATIVE SESSION: 8 JAN THROUGH 7 MAR***

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

**FLORIDA HR 319 (FLORIDA SR 550), MORATORIUM ON OIL EXPLORATION.** The Gulf of Mexico (GOMEX) Range Complex stretches from the Florida Panhandle, referred to as the Military Mission Line, south to Key West and is the largest military testing and training range in the United States. To ensure drilling platforms and activities would not encroach on the GOMEX Range Complex, the Gulf of Mexico Security Act (GOMESA) was signed into law 20 DEC 06, establishing a moratorium on oil exploration in the eastern Gulf of Mexico east of the Military Mission Line until 2022. This resolution states that the Florida House of Representatives supports an indefinite extension of the restriction, specified in the GOMESA, on oil and gas leasing in all areas east of the Military Mission Line and indefinite extension of the GOMESA ban on oil and gas leasing within 125 miles of the Florida coastline in the Eastern Planning Area and in a portion of the Central Planning Area. Both resolutions were filed 12 OCT 17; the House resolution was referred to the Local, Federal, and Veterans Affairs Subcommittee of the Government Accountability Committee 18 OCT 17.

## ***PROPOSED RULES***

**CONSUMPTIVE USE PERMIT FEES.** The St. John's River Water Management District proposes to amend the fees for consumptive use permit (CUP) applications, basing fees solely on the amount of water proposed, and to create a new free application fee category to incentivize CUP renewals that would provide a water resource benefit. The water management district published a [notice of development of rulemaking](#) 11 OCT 17.

**HAZARDOUS WASTE REGULATIONS.** The Florida Department of Environmental Protection (FDEP) proposes to amend rules to increase efficiency and internal consistency by adopting federal regulations by reference, making other conforming changes, and updating forms. The subject areas to be addressed include the state hazardous waste regulations in [Chapter 62-730, F.A.C.](#) FDEP published a [notice of development of rulemaking](#) 5 OCT 17.

**UNIVERSAL WASTE REQUIREMENTS.** FDEP proposes to amend rules to increase efficiency and internal consistency by adopting the revised notification form and updating the labeling requirements for spent universal waste lamps and devices. The subject area to be addressed is the management of spent mercury-containing lamps and devices destined for recycling in [Chapter 62-737, F.A.C.](#) FDEP published a [notice of development of rulemaking](#) 5 OCT 17.

**USED OIL MANAGEMENT RULES.** FDEP proposes to amend rules to increase efficiency and internal consistency by adopting federal regulations by reference, and updating forms. The subject areas to be addressed include the used oil management regulations in [Chapter 62-710, F.A.C.](#) FDEP published a [notice of development of rulemaking](#) 5 OCT 17.

## ***OTHER FEDERAL ACTIVITY***

**FLORIDA AIR PLAN APPROVAL – NON-TITLE V PERMITTING AND COMPLIANCE.** EPA is finalizing approval of portions of five SIP revisions submitted by FDEP on 23 JUN 99, 1 JUL 11, 12 DEC 11, 27 FEB 13, and 1 FEB 17 ([82 FR 46682](#)). Florida's SIP revisions recodify, clarify, and reorganize the state's non-Title V air permitting and compliance assurance program regulations consistent with flexibility provided under the CAA and U.S. EPA rules, which address new source preconstruction permitting. EPA is finalizing approval of Florida's SIP revisions on the basis that they are consistent with the CAA and U.S. EPA requirements for permitting air emission sources.

**FLORIDA AIR PLAN APPROVAL – STATIONARY SOURCES.** EPA is taking direct final action to approve a portion of a SIP revision submitted by FDEP 1 FEB 17 for the purpose of revising Florida's requirements and procedures for emissions monitoring at stationary sources ([82 FR 47636](#)). Florida's SIP submittal includes amendments to three Florida Administrative Code (F.A.C.) rule sections, as well as the removal of one F.A.C. rule section from the Florida SIP in order to eliminate redundant language and make updates to the requirements for emissions monitoring at stationary sources. Additionally, this action includes a correction to remove an additional F.A.C. rule that was previously approved for removal from the SIP in a separate action but was never removed. EPA is taking action on the SIP submittal as a direct final rule without prior proposal because it views this as a noncontroversial submittal and anticipates no adverse comments. This direct final rule is effective 12 DEC 17 without further notice, unless EPA receives adverse comment by 13 NOV 17.

**FLORIDA AIR PLAN APPROVAL – INTERSTATE TRANSPORT.** EPA is taking final action to approve a revision to the Florida SIP, submitted by FDEP 3 FEB 17, addressing the CAA interstate transport (prongs 1 and 2) infrastructure SIP requirements for the 2010 1-hour NO<sub>2</sub> NAAQS ([82 FR 47983](#)). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA, commonly referred to as an "infrastructure SIP." Specifically, EPA is taking final action to approve Florida's SIP submission addressing prongs 1 and 2 to ensure that air emissions in the state do not significantly contribute to nonattainment or interfere with maintenance of the 2010 1-hour NO<sub>2</sub> NAAQS in any other state.





## ***2018 LEGISLATIVE SESSION: 8 JAN THROUGH 2 MAR***

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

There are no significant legislative or regulatory activities to report.

## ***OTHER FEDERAL ACTIVITY***

**GEORGIA AIR PLAN APPROVAL – REGIONAL HAZE.** EPA is finalizing approval of a SIP revision submitted by the Georgia Environmental Protection Division (EPD) 8 JAN 14 ([82 FR 46136](#)). Georgia's SIP revision addresses requirements of the CAA and EPA rules that require each state to submit periodic reports on progress toward reasonable progress goals (RPGs) established for regional haze, along with a determination on the adequacy of the existing SIP addressing regional haze. EPA is finalizing approval of Georgia's determination that state's regional haze plan is adequate to meet goals for the first implementation period covering through 2018 and requires no substantive revision at this time.

**GEORGIA AIR PLAN APPROVAL – CSAPR AND CAIR.** EPA is approving portions of a revision to the Georgia SIP concerning the CSAPR and the CAIR that was submitted by Georgia EPD 26 JUL 17 ([82 FR 47930](#)). Under CSAPR, large EGUs in Georgia are subject to FIPs requiring the units to participate in CSAPR's federal trading program for annual emissions of NO<sub>x</sub>, one of CSAPR's two federal trading programs for annual emissions of SO<sub>2</sub>, and one of CSAPR's two federal trading programs for ozone season emissions of NO<sub>x</sub>. This action approves the state's regulations requiring large Georgia EGUs to participate in new CSAPR state trading programs for annual NO<sub>x</sub>, annual SO<sub>2</sub>, and ozone season NO<sub>x</sub> emissions integrated with the CSAPR federal trading programs, replacing the corresponding FIP requirements. Under the CSAPR regulations, approval of these portions of the SIP revision automatically eliminates Georgia's units' obligations under the corresponding CSAPR FIPs addressing interstate transport requirements for the 1997 Annual PM<sub>2.5</sub> NAAQS, the 2006 24-hour PM<sub>2.5</sub> NAAQS, and the 1997 8-hour Ozone NAAQS. Approval of these portions of the SIP revision satisfies Georgia's good neighbor obligation for the 1997 Annual PM<sub>2.5</sub> NAAQS, the 2006 24-hour PM<sub>2.5</sub> NAAQS, and the 1997 8-hour Ozone NAAQS. In addition, approval removes from Georgia's SIP those state trading program rules adopted to comply with CAIR.

**GEORGIA AIR PLAN APPROVAL WITHDRAWAL – NEW SOURCE REVIEW (NSR).** Due to receipt of an adverse comment, EPA is withdrawing the 15 AUG 17 direct final rule ([82 FR 38605](#)) that approves changes to Georgia's SIP related to NSR permitting for PSD ([82 FR 47992](#)). EPA will address the comment in a separate final action based upon the proposed rulemaking action ([82 FR 38646](#)), also published 15 AUG 17. EPA will not institute a second comment period on this action. The direct final rule is withdrawn effective 16 OCT 17.

**GEORGIA AIR PLAN APPROVAL– NSR.** EPA is taking final action to approve changes to the Georgia SIP to revise NSR permitting regulations ([82 FR 47993](#)). EPA is approving a SIP revision submitted by the Georgia EPD 15 DEC 11, 25 JUL 14, and 12 NOV 14. The rule is effective 15 NOV 17.



## ***2017 LEGISLATIVE SESSION: 2 JAN THROUGH 15 APR***

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

There are no significant legislative activities to report.

### ***PROPOSED RULES***

**HAZARDOUS WASTE REGULATIONS.** On 1 AUG 17, the Kentucky Department for Environmental Protection (KDEP) published several [proposed amendments](#) to Kentucky Administrative Regulations (KAR), Title 401, Energy and Environmental Cabinet – Department for Environmental Protection. These proposed changes were further amended in the following KAR sections after KDEP received comments:

- [401 KAR 39:005](#). Definitions for 401 KAR Chapter 39.
- [401 KAR 39:060](#). General requirements.
- [401 KAR 39:080](#). Hazardous waste handlers.
- [401 KAR 39:090](#). Hazardous waste permit program.
- [401 KAR 39:120](#). Permit review, determination timetables, and fees.

KDEP published the proposed rules [amended after comments](#) 1 NOV 17.

**INDIRECT HEAT EXCHANGERS.** KDEP proposes to amend regulations for new indirect heat exchangers ([401 KAR 59:015](#)) and existing indirect heat exchangers ([401 KAR 61:015](#)). The regulation is contained in the SIP approved by EPA. The SIP revision package for the amended regulation will be submitted to EPA once the proposed amendments to this administrative regulation become effective. KDEP published the proposed amendments ([401 KAR 59:015](#); [401 KAR 61:015](#)) 1 OCT 17.

### ***OTHER FEDERAL ACTIVITY***

**KENTUCKY AIR PLAN APPROVAL – REGIONAL HAZE.** EPA is finalizing approval of a SIP revision submitted by the Kentucky Energy and Environment Cabinet on 17 SEP 14 ([82 FR 47378](#)). Kentucky's SIP revision addresses requirements of the CAA and EPA rules that require each state to submit periodic reports describing progress toward RPGs established for regional haze and a determination of the adequacy of the state's existing SIP addressing regional haze. EPA is finalizing approval of Kentucky's determination that the regional haze plan is adequate to meet these RPGs for the first implementation period covering through 2018 and requires no substantive revision at this time.



## ***2018 LEGISLATIVE SESSION: 2 JAN THROUGH 2 APR***

The Mississippi State Legislature convenes in regular session on the Tuesday following the first Monday in January of each year, and the length of regular sessions is limited to 90 calendar days, except for once every four years when the regular session can last up to 125 calendar days. The Legislature may extend its sessions for 30 days by a two-thirds

vote of both legislative houses, and the governor may call the Legislature into an extraordinary session. Mississippi has a one-year session. Adjournment dates are estimated and updated based on legislative activity.

There are no significant legislative or regulatory activities to report.



## ***2018 LEGISLATIVE SESSION: 10 JAN THROUGH 1 JUL***

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

**NORTH CAROLINA HB 576, AEROSOLIZATION OF LEACHATE.** Approves aerosolization of leachate and wastewater as an acceptable method of site management within lined landfills for the purpose of the management and/or disposal of leachate and non-domestic wastewater collected from a lined sanitary landfill for the disposal of municipal solid waste, except those permitted for the disposal of coal combustion residuals and wastewater from a swine lagoon. North Carolina Department of Environmental Quality (NCDEQ) also may consider aerosolization of leachate as an acceptable method of site management for unlined landfills. This bill was vetoed by the governor in June 2017, but it was referred back to the House Committee on Rules, Calendar, and Operations 11 OCT 17.

## ***PROPOSED RULES***

**COASTAL STORMWATER RULE.** NCDEQ proposes to amend the [Coastal Stormwater Rule](#). The purpose of this rule is to protect surface waters in the 20 coastal counties from the impact of stormwater runoff from new development. NCDEQ filed the proposed rule 25 OCT 17 and [published](#) it 1 NOV 17.

**SIP REVISION AND NONINTERFERENCE DEMONSTRATION.** NCDEQ invites public comment on a [pre-hearing draft](#) of the SIP Revision and CAA Section 110(I) Noninterference Demonstration for Removing 26 Counties from North Carolina's Emissions Inspection and Maintenance (I&M) Program. The North Carolina General Assembly enacted Session Law 2017-10, Senate Bill 131, which revised the state's I&M program. Section 3.5(a) of the act amended North Carolina General Statute (NCGS) §143-215.107A(c) to remove 26 of 48 counties from North Carolina's I&M program. In addition, the NCDEQ proposes revisions to update program-related data and to remove Section C (Basic I&M Performance Standards) of the I&M SIP. NCDEQ issued a [public notice](#) 5 OCT 17.

**HAZARDOUS WASTE MANAGEMENT.** NCDEQ proposes to incorporate new federal regulations in North Carolina's Hazardous Waste Management rules. Rule 15A NCAC 13A .0107 is proposed for amendment due to a change in a federal regulation: 81 Federal Register (FR) 85732 (published 28 NOV 16), "[Hazardous Waste Generator Improvements Rule](#)." Proposed amendments are made to 15A NCAC 13A .0104-.0107, .0109-.0113 and .0117-.0119 as part of the periodic review of existing rules pursuant to G.S. Rules 150B-21.3A. 15A NCAC 13A .0101 and .0114 are proposed for amendment to provide clarification and update references made in the rule. NCDEQ published the [proposed rule](#) 16 OCT 17.

**WATER QUALITY RULES.** NCDEQ proposes to change regulations regarding waste that is not discharged to surface waters and the use and distribution of reclaimed water. The department filed the [proposed rule](#) 3 OCT 17.

**STORMWATER PERMITTING PROGRAM FOR LANDFILLS.** The Environmental Management Commission, Division of Energy, Mineral, and Land Resources (DEMLR) invites public comment on, or objections to, the proposed reissuance of NCG120000 for Landfills. DEMLR issued a [public notice](#) 2 OCT 17.

## ***FINAL RULES***

**ENDANGERED AND THREATENED SPECIES.** The North Carolina Wildlife Resources Commission (NCWRC) has adopted changes to the state listing to include an additional three species to be listed as endangered, three species to be listed as threatened, and eight species to be listed as special concern. Overall, 37 changes are made to the 15A NCAC 10I – Endangered and Threatened Species Rules due to additions, removals, and shifting of species between lists. NCWRC published the [approved rule](#) 1 NOV 17; it became effective 1 OCT 17.

**PREVENTION OF SIGNIFICANT DETERIORATION RULE.** NCDEQ has adopted an amendment to the prevention of significant deterioration (PSD) rule. The proposed rule amendments update the federal cross-reference in the rule to address the EPA's partial disapproval of North Carolina's SIP. These proposed rule changes are necessary to comply with federal rules and are consistent with the principles of state Executive Order 70. NCDEQ published the [approved rule](#) 2 OCT 17.

**VAPOR INTRUSION SCREENING LEVELS.** NCDEQ has released updated tables for October 2017 of the various vapor intrusion screening levels for both [residential](#) and [non-residential](#) buildings. The department issued a public notice 27 OCT 17.

**NONCOMMERCIAL UNDERGROUND STORAGE TANKS.** NCDEQ has adopted temporary rules to define application of the requirements from SL 2015-241 until such time as permanent rulemaking is completed. NC Session Law 2015-241 Section 14.16B requires the amendment of rules that directed the owner or operator of a noncommercial underground storage tank (UST) not immediately respond to any release by trying to recover all accessible contamination. The session law directs NCDEQ to classify the risk posed by a noncommercial UST discharge before the UST owner or operator is required to perform any cleanup action. NCDEQ published the [temporary rule](#) 16 OCT 17.

## ***OTHER FEDERAL ACTIVITY***

**NORTH CAROLINA AIR PLAN APPROVAL – GOOD NEIGHBOR PROVISIONS.** EPA is approving North Carolina's 5 NOV 17 SIP submission pertaining to the CAA "good neighbor" provision for the 2008 8-hour ozone NAAQS ([82 FR 46134](#)). The good neighbor provision requires each state's SIP to address the interstate transport of air pollution in amounts that contribute significantly to nonattainment, or interfere with maintenance, of a NAAQS in any other state. EPA concludes that North Carolina's SIP contains adequate provisions to prohibit emissions within the state from contributing significantly to nonattainment or interfering with maintenance of the 2008 8-hour ozone NAAQS in any other state.

**NORTH CAROLINA AIR PLAN APPROVAL WITHDRAWAL – TRANSPORTATION CONFORMITY.** Due to receipt of an adverse comment, EPA is withdrawing the 16 AUG 17 direct final rule ([82 FR 38838](#)) that approves a North Carolina SIP revision related to transportation conformity requirements ([82 FR 47629](#)). EPA will address the comment in a subsequent final action based upon the proposed rulemaking action ([82 FR 38864](#)), also published 16 AUG 17. EPA will not institute a second comment period on this action. The direct final rule is withdrawn, effective 13 OCT 17.



## ***2018 LEGISLATIVE SESSION: 9 JAN THROUGH 7 JUN***

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



There are no significant legislative or regulatory activities to report.

## ***OTHER FEDERAL ACTIVITY***

**SOUTH CAROLINA AIR PLAN APPROVAL – NO<sub>2</sub> NAAQS.** EPA is taking final action to approve a revision to the South Carolina SIP, submitted by the South Carolina Department of Health and Environmental Control (DHEC) 7 DEC 16 addressing CAA interstate transport (prongs 1 and 2) infrastructure SIP requirements for the 2010 1-hour NO<sub>2</sub> NAAQS ([82 FR 45995](#)). The CAA requires each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA, commonly referred to as an “infrastructure SIP.” Specifically, EPA is taking final action to approve South Carolina's 7 DEC 16 SIP submission addressing prongs 1 and 2 to ensure that air emissions in the state do not significantly contribute to nonattainment or interfere with maintenance of the 2010 1-hour NO<sub>2</sub> NAAQS in any other state.

**SOUTH CAROLINA AIR PLAN APPROVAL – REGIONAL HAZE.** EPA is approving a South Carolina SIP revision, submitted by the South Carolina DHEC 28 DEC 12 ([82 FR 47385](#)). South Carolina's SIP revision addresses requirements of the CAA and EPA rules that require states to submit periodic reports describing progress toward RPGs established for regional haze and a determination of the adequacy of the state's existing SIP addressing regional haze. EPA is finalizing approval of South Carolina's progress report on the basis that it addresses the progress report and adequacy determination requirements for the first implementation period for regional haze.

**SOUTH CAROLINA AIR PLAN APPROVAL – CSAPR.** EPA is taking final action to approve portions of a revision to the South Carolina SIP concerning the CSAPR ([82 FR 47936](#)). South Carolina submitted a draft version of this SIP revision for parallel processing 26 MAY 17 and a final version 5 SEP 17. Under CSAPR, large EGUs in South Carolina are subject to FIPs requiring the units to participate in CSAPR's federal trading program for annual emissions of NO<sub>x</sub> and one of CSAPR's two federal trading programs for annual emissions of SO<sub>2</sub>. This action approves the state's regulations requiring large South Carolina EGUs to participate in new CSAPR state trading programs for annual NO<sub>x</sub> and SO<sub>2</sub> emissions integrated with the CSAPR federal trading programs and incorporates them into South Carolina's SIP, replacing the corresponding FIP requirements. These CSAPR state trading programs are substantively identical to the CSAPR federal trading programs, with the state retaining EPA's default allowance allocation methodology and EPA remaining the implementing authority for administering the trading program. Under the CSAPR regulations, approval of these portions of the SIP revision automatically eliminates South Carolina units' obligations to participate in CSAPR's federal trading programs for annual NO<sub>x</sub> and SO<sub>2</sub> emissions under the corresponding CSAPR FIPs addressing interstate transport requirements for the 1997 Annual PM<sub>2.5</sub> NAAQS. Approval of these portions of the SIP revision satisfies South Carolina's good neighbor obligation for the 1997 Annual PM<sub>2.5</sub> NAAQS. EPA is not acting on any other portion of the 5 SEP 17 submittal.

**SOUTH CAROLINA AIR PLAN APPROVAL WITHDRAWAL – DEFINITIONS AND OPEN BURNING.** Due to receipt of an adverse comment, EPA is withdrawing portions of the 21 AUG 17 direct final rule ([82 FR 39537](#)) that approves changes to South Carolina's SIP related to definitions and open burning ([82 FR 47636](#)). EPA will address the comment in a separate final action based upon the proposed rulemaking action ([82 FR 39551](#)), also published 21 AUG 17. EPA will not institute a second comment period on this action. The direct final rule is withdrawn effective 13 OCT 17.

**SOUTH CAROLINA AIR PLAN APPROVAL WITHDRAWAL – AIR POLLUTION STANDARDS.** Due to receipt of an adverse comment, EPA is withdrawing the 16 AUG 17 direct final rule ([82 FR 38828](#)) that approves portions of the South Carolina SIP revisions for miscellaneous rules covering air pollution control standards ([82 FR 47640](#)). EPA will address the comment in a subsequent final action based upon the proposed rulemaking action ([82 FR 38874](#)), also published 16 AUG 17. EPA will not institute a second comment period on this action. The direct final rule is withdrawn effective 13 OCT 17.

**SOUTH CAROLINA AIR PLAN APPROVAL WITHDRAWAL – VOCs AND NO<sub>x</sub>.** Due to receipt of an adverse comment, EPA is withdrawing a portion of the 16 AUG 17 direct final rule ([82 FR 38828](#)) that approves changes to South Carolina's SIP related to the regulation of VOCs and NO<sub>x</sub> ([82 FR 47634](#)). EPA will address the comment in a separate final action based

upon the proposed rulemaking action ([82 FR 38865](#)), also published 16 AUG 17. EPA will not institute a second comment period on this action. The direct final rule is withdrawn effective 13 OCT 17.



## ***2018 LEGISLATIVE SESSION: 9 JAN THROUGH 16 APR***

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

There are no significant legislative activities to report.

### ***PROPOSED RULES***

**DESIGN CRITERIA FOR REVIEW OF SEWAGE WORKS.** The Tennessee Department of Environment and Conservation (TDEC) Division of Water Resources proposes Draft Design Criteria for Review of Sewage Works. Comments may be submitted by the state engineering community and other interested parties on the proposed revision of Chapter 1 of the Design Criteria dealing with submittal requirement for plans, specification and engineering reports concerning sewage (wastewater) treatment and conveyance projects. The division issued [public notice](#) 12 OCT 17.

**UNDERGROUND STORAGE TANK REGULATIONS.** TDEC proposes to make changes to state UST rules to incorporate revisions made to federal UST regulations in 2015. TDEC filed a [notice of rulemaking hearing](#) 13 OCT 17.

### ***FINAL RULES***

**CLEAN AIR ACT ADMINISTRATIVE FEES.** TDEC has adopted rulemaking to clarify that a CAA Title V major source is bound by its most recent choice of annual accounting period (state fiscal year or calendar year) and emissions fee basis (allowable, actual, or mixed). In addition, the rule is amended to require payment of 65 percent of the annual emissions fee by March 31 of each year for certain sources and 100 percent of the fee due by March 31 of each year for others (100 percent of the fee is currently due July 1). TDEC filed the [rulemaking hearing rule](#) 10 OCT 17.

# **Federal Activity**

## ***AIR***

**NEW REFERENCE METHOD FOR MONITORING AMBIENT AIR QUALITY.** EPA has designated one new reference method for measuring concentrations of carbon monoxide (CO) in ambient air ([82 FR 45842](#)). In accordance with [40 CFR part 53](#), EPA evaluates various methods for monitoring concentrations of ambient air pollutants for which it has established NAAQS. Monitoring methods that meet specific requirements for adequacy are designated by EPA as either reference or equivalent methods, as applicable, thereby permitting their use under [40 CFR part 58](#) by states and other agencies for determining compliance with the NAAQS. Designations are made under the provisions of [40 CFR part 53](#), as amended 26 OCT 15 ([80 FR 65291](#)-65468). The new reference method for CO is an automated method based on non-dispersive infrared analysis.

**CLEAN POWER PLAN.** EPA is proposing to repeal the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, commonly referred to as the Clean Power Plan ([80 FR 64662](#)), as promulgated 23 OCT 15 ([82 FR 48035](#)). Specifically, EPA proposes a change in the legal interpretation as applied to section 111(d) of the CAA, on which the Clean Power Plan was based, to an interpretation that the agency proposes is consistent with the CAA's text, context, structure, purpose, and legislative history, as well as with the agency's historical understanding and exercise of its statutory authority. Under the interpretation proposed in this notice, the Clean Power Plan is found to exceed EPA's statutory authority and would be repealed. EPA is accepting comments on the legal interpretation addressed in the proposed rulemaking. Comments must be received by 15 DEC 17.

## ***CLEAN UP***

**STUDY: ENHANCING TCE BIODEGRADATION IN GROUNDWATER.** The U.S. Geological Survey [Toxic Substances Hydrology Program](#) funded a laboratory study to develop understanding of ways to enhance biodegradation of trichloroethylene (TCE) in groundwater at contaminated sites containing both TCE and acetylene. The laboratory-based results indicate that when TCE and acetylene are present, the addition of acetylene-fermenting bacteria can enhance bioremediation of TCE and reduce its harmful breakdown products. To learn more, click [here](#).

## ***CLIMATE CHANGE***

**GAO REPORT: INFORMATION COULD GUIDE FEDERAL EFFORTS TO REDUCE FISCAL EXPOSURE FROM CLIMATE CHANGE.** In a new report, the U.S. Government Accountability Office (GAO) evaluated methods used to estimate the potential economic effects of climate change in the United States ([GAO-17-720](#)). GAO found that climate-related impacts, such as coastal property damage, have already cost the federal government billions of dollars, and costs will likely rise in the future. According to GAO, information on the economic effects of climate change is developing and imprecise, but it can convey insights into the nation's regions and sectors that could be most affected. GAO recommends that the Executive Office of the President use information on economic effects to help identify significant climate risks and craft appropriate federal responses.

## ***ENERGY***

**RENEWABLE FUEL STANDARD PROGRAM.** On 21 JUL 17, EPA proposed reductions in the statutory volume targets for advanced biofuel and total renewable fuel using the cellulosic waiver authority in CAA [section 211\(o\)\(7\)\(D\)](#). The agency is providing additional data and an opportunity to comment on that data and potential options for reductions in the 2018 biomass-based diesel, advanced biofuel, and total renewable fuel volumes, and/or the 2019 biomass-based diesel volume under the Renewable Fuel Standard program ([82 FR 46174](#)). In a 21 JUL 17 notice of proposed rulemaking, EPA proposed certain reductions in the statutory volume targets for advanced biofuel and total renewable fuel for 2018, and requested comment on further reductions based on various considerations ([82 FR 34206](#)). This document presents additional data on production, imports, and cost of renewable fuel and several options for how EPA may consider such data in establishing the final volume requirements using the waiver authorities provided by the CAA.

**REPORT: NATIONWIDE USE OF RENEWABLE ENERGY TO SAVE BILLIONS.** According to a new report by researchers from the Lawrence Berkeley National Laboratory, Calif., and the National Renewable Energy Laboratory (NREL), Colo., extending existing U.S. renewable energy standards nationwide could save hundreds of billions of dollars in health and environmental costs by 2050. The researchers found that air quality and climate change mitigation benefits would bring a large net economic benefit, even when the implementation costs were taken in to account. An article about the report is available [here](#). A fact sheet summarizing the report is available [here](#). More information about the analysis is available [here](#).

**NEW TOOL ALLOWS BUILDING OWNERS TO OPTIMIZE PV AND BATTERY SYSTEM SIZES.** NREL's new [REopt Lite](#) web tool (beta version) can help building owners evaluate the economics of grid-connected solar photovoltaics (PV) and battery

storage at commercial sites. The tool identifies the optimal PV and battery system sizes and dispatch strategy to minimize the life cycle cost of energy at a specific site. The tool also estimates the amount of time a PV and battery system can sustain the site's critical load during a grid outage. REopt Lite is a publicly available web version of NREL's more comprehensive [REopt model](#). The full REopt model is used by NREL analysts to conduct project feasibility analysis for federal agencies, military installations, businesses, campuses, and communities. Over the past 10 years, REopt has been used to evaluate renewable energy opportunities at more than 10,000 sites, and analyses have led to more than [260 MW of renewable energy development](#). A NREL news release about the tool is available [here](#).

**UTILITY-SCALE SOLAR PV SYSTEM COST FELL NEARLY 30 PERCENT IN EARLY 2017.** [According to](#) NREL, the installed cost of solar power fell to record lows in the first quarter of 2017 because of the continuing decline in PV module and inverter prices, higher module efficiency, and lower labor costs. Compared to the first quarter of 2016, and using 2017 dollars, the benchmarks fell by six percent for residential, 15 percent for commercial, and 29 percent for utility-scale systems. These results suggest that the Department of Energy's (DOE's) SunShot Initiative, which was launched in 2011 to make solar cost-competitive with other forms of energy, has met its 2020 cost target for utility-scale solar systems three years early. The industry is more than 85 percent of the way toward achieving the 2020 commercial-scale and residential-scale solar cost targets. The full report is available [here](#). A presentation about the report is available [here](#).

## **MISCELLANEOUS**

**EPA TO END 'SUE AND SETTLE.'** EPA Administrator Scott Pruitt [issued](#) an agency-wide directive designed to end so-called "sue and settle" practices within the agency. With the directive, EPA will:

- Publish any notices of intent to sue EPA within 15 days of receiving the notice;
- Publish any complaints or petitions for review in regard to an environmental law, regulation, or rule in which EPA is a defendant or respondent in federal court within 15 days of receipt;
- Reach out to and include any states and/or regulated entities affected by potential settlements or consent decrees;
- Publish a list of consent decrees and settlement agreements that govern EPA actions within 30 days, along with any attorney fees paid, and update it within 15 days of any new consent decree or settlement agreement;
- Expressly forbid the practice of entering into any consent decrees that exceed the authority of the courts;
- Exclude attorney's fees and litigation costs when settling with those suing EPA;
- Provide sufficient time to issue or modify proposed and final rules, and take and consider public comment; and
- Publish any proposed or modified consent decrees and settlements for 30-day public comment, and provide a public hearing on a proposed consent decree or settlement when requested.

EPA's "sue and settle" directive is available [here](#). For more information, or to read the associated memo announcing the directive, click [here](#).

## **THREATENED AND ENDANGERED SPECIES**

**TRISPOT DARTER PROPOSED AS THREATENED SPECIES.** The U.S. Fish and Wildlife Service (FWS) announced a 12-month finding on a petition to list three species, the holiday darter (*Etheostoma brevirostrum*); the trispot darter (*Etheostoma trisella*); and the bridled darter (*Percina kusha*), as endangered or threatened under the Endangered Species Act (ESA) ([82 FR 46183](#)). All three species are freshwater fish native to Alabama, Georgia, and Tennessee. After review of the best available scientific and commercial information, FWS found that listing the trispot darter is warranted and proposes to list the trispot darter as a threatened species under the ESA. FWS found that listing the holiday and bridled darters is not warranted.

**FINDINGS ON ENDANGERED OR THREATENED SPECIES.** FWS announced 12-month findings on petitions to list 25 species as endangered or threatened under the ESA ([82 FR 46618](#)). After a thorough review of the best available scientific and commercial information, FWS found that listing is not warranted at this time for 14 Nevada springsnail species, Barbour's map turtle, Bicknell's thrush, Big Blue Springs cave crayfish, Oregon Cascades-California population and Black Hills population of the black-backed woodpecker, eastern population of the boreal toad, Northern Rocky Mountains population of fisher, Florida Keys mole skink, Great Sand Dunes tiger beetle, Kirtland's snake, Pacific walrus, and San Felipe gambusia. The public may submit at any time new information that becomes available concerning the stressors to any of the species or their habitats.

**ENDANGERED OR THREATENED PLANT SPECIES.** FWS has determined endangered species status for the Florida prairie-clover (*Dalea carthagenensis* var. *floridana*); threatened species status for Everglades bully (*Sideroxylon reclinatum* ssp. *austrofloridense*); Florida pineland crabgrass (*Digitaria pauciflora*); and pineland sandmat (*Chamaesyce deltoidea* ssp. *pinetorum*) ([82 FR 46691](#)). All four plant species are endemic to south Florida. This rule adds the species to the Federal List of Endangered and Threatened Plants.

## ***TOXIC SUBSTANCES***

**SIGNIFICANT NEW USE RULE ON CERTAIN CHEMICAL SUBSTANCES.** EPA is finalizing a significant new use rule under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for the chemical substance identified generically as bimodal mixture consisting of multi-walled carbon nanotubes and other classes of carbon nanotubes, which was the subject of pre-manufacture notice P-11-482 ([82 FR 45990](#)). The action requires persons who intend to manufacture or process the chemical substance for a use that is designated as a significant new use by the final rule to notify EPA at least 90 days before commencing that activity. Manufacture and processing for the significant new use may not commence until EPA has conducted a review of the notice, made an appropriate determination, and taken such actions as are required with the determination. The required notification would provide EPA with the opportunity to evaluate the intended use and, if necessary, prohibit or limit the activity before it occurs.

**SIGNIFICANT NEW USE RULES UNDER TSCA.** EPA is promulgating significant new use rules under TSCA for 29 chemical substances that were the subject of pre-manufacture notices ([82 FR 48637](#)). The chemical substances are subject to consent orders issued by EPA pursuant to section 5(e) of TSCA. The action requires persons who intend to manufacture or process any of these 29 chemical substances for an activity that is designated as a significant new use by the rule to notify EPA at least 90 days before commencing the activity. The required notification initiates EPA's evaluation of the intended use within the applicable review period. Persons may not commence manufacture or processing for the significant new use until EPA has conducted a review of the notice, made an appropriate determination, and has taken such actions as are required with the determination.

## ***WATER***

**REPORT: WATER POLLUTION TRADING.** GAO released a report on state use of nutrient credit trading programs to meet nutrient discharge limits, finding that some states have trading programs to help address nutrient pollution, but use has been limited ([GAO-18-84](#)). The Clean Water Act establishes the basic structure for regulating discharges of pollutants, including excess nutrients. Under the act, authorized states—assisted and overseen by EPA—set limits on nutrients impairing a water body and limits on point source discharges. EPA encourages states to use nutrient credit trading to address nutrient pollution. According to EPA, trading allows a point source to meet nutrient discharge limits by buying pollutant credits from a source that has reduced its discharges more than required. GAO's report describes (1) the extent to which nutrient credit trading programs have been used and what the outcomes of the programs have been; (2) how states and EPA oversee nutrient credit trading programs; and (3) what key factors stakeholders view as affecting participation in nutrient credit trading.



**REPORT: LEAD AND COPPER RULE.** GAO conducted a review of state data submitted to EPA in compliance with the Lead and Copper Rule (LCR), which set national standards to reduce lead in drinking water ([GAO-17-424](#)). The LCR applies to all water systems providing drinking water to most of the U.S. population, except places where people do not remain for long, such as campgrounds. EPA's current approach to oversight of the LCR targets water systems with sample results that exceed the lead action level. While this approach is reasonable because such water systems have a documented lead exposure risk, EPA officials in three of the 10 regional offices told GAO that it is not sustainable over time because of limited resources. In its report, GAO makes recommendations for EPA to supplement its current oversight, including that EPA require states to report data on lead pipes, and EPA develop a statistical analysis to identify water systems that might pose a higher likelihood of LCR violations.

**REPORT: DRINKING WATER AND WASTEWATER INFRASTRUCTURE.** GAO issued a report on federal programs that provide funding for drinking water and wastewater infrastructure ([GAO-17-559](#)). EPA estimates that addressing the nation's water infrastructure needs will take about \$655 billion over the next 20 years. GAO looked at programs in eight federal agencies that help communities plan for these needs, or provide funding to help address them. For example, the Bureau of Reclamation has helped some communities assess their future water supply and demand. In addition, EPA and the U.S. Department of Agriculture (USDA) provided more than \$4 billion in grants and loans to help pay for water infrastructure projects in 2016. GAO also noted that previously, it recommended that EPA and USDA coordinate to limit any duplicate efforts, and that they have taken steps to do so.

**REPORT: EPA EFFORTS INCREASE USE OF GREEN INFRASTRUCTURE.** Green infrastructure uses natural processes and materials to slow stormwater so it is absorbed and filtered by the soil, reducing pollution to surface waters. EPA provides multiple resources to educate and assist municipalities on the use of green infrastructure. In 2016, the agency launched a pilot project with five municipalities to encourage states, communities, and municipalities to develop long-term stormwater plans to increase their use of green infrastructure. GAO reviewed the pilot project and surveyed municipalities that have entered into consent agreements with EPA to reduce the incidence of combined sewer overflows, when raw sewage is discharged into waterbodies ([GAO-17-750](#)). GAO issued a report that (1) describes the extent to which selected municipalities are incorporating, and funding, green infrastructure in stormwater management efforts; (2) describes what challenges, if any, municipalities reported facing in incorporating green infrastructure into stormwater management efforts; and (3) examines efforts EPA is taking to help municipalities use green infrastructure. GAO recommends that EPA document agreements, when working with municipalities and other stakeholders, on how they will collaborate when developing long-term stormwater plans. EPA generally agreed with GAO's recommendation and plans to implement it over the next 12 to 18 months.

## Department of Defense Activity

**INSTALLATION READINESS BOARD.** J. Randall Robinson, acting secretary of the Army for Installations, Energy and Environment, said the Army has authorized formation of an installation readiness board of directors that will examine and prioritize installation readiness programs and funding. According to an [Army press release](#), the board will be responsible for, among other things, making decisions such as which of the 23 percent of Army-wide poor or failing facilities should be renovated, and which installation programs should be kept or jettisoned. According to the press release, facility security is likely to factor into any decisions or recommendations.

**REPORT: DOD INFRASTRUCTURE CAPACITY.** On 6 OCT 17, DOD submitted a [report to congress](#) that contains a force structure plan for each military service informed by the department's assessment of probable threats to national security, as well as the end-strength levels and major military force units authorized for fiscal year (FY) 2012. The report also includes a worldwide installations inventory and a description of the infrastructure necessary to support the FY 2012 force structure, according to an accompanying [cover letter](#).

**REPORT: EMERGING CONTAMINANTS IN DOD DRINKING WATER.** GAO issued a report ([GAO-18-78](#)) on the extent to which DOD internally reported data on compliance with health-based drinking water regulations at military installations, and the actions DOD has taken to address concerns with its use of firefighting foam and elevated levels of perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA), and perchlorate. The three substances are DOD-identified emerging contaminants in drinking water at or near military installations. GAO found that DOD has taken steps to limit individuals' exposure to some chemicals, including providing alternative drinking water supplies and installing water treatment systems. GAO's report said DOD's incomplete internal reporting limits its ability to monitor installation compliance with safe drinking water regulations. The report makes [recommendations](#) to improve DOD's data, reporting, and oversight of drinking water regulations.

**DOD ENERGY MANAGEMENT AND RESILIENCE REPORT.** DOD released its [Annual Energy Management and Resilience Report Fiscal Year 2016](#). The report details the DOD's FY 2016 performance toward its objectives of energy efficiency and demand reduction, energy supply expansion, and energy resilience on fixed installations. According to the report, although DOD fell short of its FY 2016 goal for renewable energy, it exceeded its energy intensity reduction goal and continued to exceed its goals for potable water intensity and petroleum consumption reduction. Prior reports are available [here](#).

# Professional Development

## ***DOD TRAINING SOURCES***

**US ARMY CORPS OF ENGINEERS PROSPECT TRAINING (CLASSROOM).** USACE announces course availability for 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. Environmental courses include, but are not limited to:

- CERCLA/RCRA Process (Course Control Number (CCN) [356](#))
- Environmental Laws and Regulations (CCN [170](#))
- Environmental Regulations Practical Application Course (CCN [398](#))
- Environmental Remediation Technologies (CCN [395](#))
- Hazardous Waste Manifesting/DOT Certification (CCN [223](#))
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN [429](#))
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Radioactive Waste Transport (CCN [441](#))
- The Complete RCRA Course (Hazardous Waste Generation, Management, and Corrective Action) (CCN [226](#))

**NAVY CIVIL ENGINEER CORPS OFFICERS SCHOOL TRAINING.** The [Navy Civil Engineer Corps Officers School](#) (CECOS) offers training on environmental management, pollution prevention, environmental compliance, environmental conservation and planning, and environmental restoration. Energy course offerings include Leadership in Energy and Environmental Design, Energy Information Administration, and Energy Technology Information. Click [here](#) for information on course offerings and times. Courses offered by CECOS are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

**AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING.** The [Air Force Civil Engineer School](#) offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are

available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

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

**REPI WEBINAR SERIES (ONLINE).** DOD's Readiness and Environmental Protection Integration (REPI) program offers [webinars](#) on best practices, tutorials, and knowledge sharing on partnerships that support the military mission and accelerate the pace and rate of land conservation. Archived webinars are available [on demand](#). Upcoming webinars include:

- 13 DEC 17: [REPI and Water](#)
- 31 JAN 18: [Can You Hear Me Now? Addressing Noise Impacts in Your REPI Partnership](#)

**SERDP AND ESTCP WEBINAR SERIES (ONLINE).** DOD's 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. Live webinars are offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars feature two 30-minute presentations and interactive question and answer sessions on topics targeted for DOD and DOE audiences. Prior presentations are archived for viewing any time. Upcoming webinars include:

- 16 NOV 17: [Building Envelope Technologies](#)
- 7 DEC 17: [Management of Novel Hawaiian Ecosystems](#)

Recently archived webinars, available on demand [here](#), include:

- [Research and Development Needs for Management of DOD's PFAS Contaminated Sites](#)
- [New Resource Conservation Insights to Desert Environments](#)

## ***FEDERAL TRAINING SOURCES***

**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. To receive an email notification when registration for each webinar opens, please send your email address to [jennifer\\_ryan@fws.gov](mailto:jennifer_ryan@fws.gov). Also, you may click [here](#) to access the Restoration Webinar Series recording archive.

- 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.

**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:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Access to [environmental assistance](#);
- Access to free, [FedCenter-sponsored courses](#)
- Applicable laws and Executive Orders; and

- [Partnerships](#).

FedCenter also provides member assistance services such as collaboration tools for workgroups, environmental reporting tools, and daily newsletter and subscription services.

**BIOBASED PRODUCT TRAINING SERIES (ONLINE).** The U.S. Department of Agriculture (USDA) offers a series of [on-demand training modules](#) about biobased products and the BioPreferred® Program:

- [Fundamentals: Biobased Products and the BioPreferred® Program](#)
- [Sustainable Acquisition: Biobased Requirements in the New Executive Order 13693](#)
- [Contracting Officer Role in Contractor Reporting of Biobased Product Purchases](#)
- [BioPreferred® Training for USDA Acquisition Community](#)
- [From Awareness to Action: The BioPreferred® Federal Procurement Preference Program](#)
- [Products in Operations, Maintenance, and Cleaning](#)

**GUIDING PRINCIPLES FOR SUSTAINABLE FEDERAL BUILDINGS (ONLINE).** This training series from the Federal Energy Management Program (FEMP) provides updated guidance for complying with the 2016 Guiding Principles for Sustainable Federal Buildings. The series consists of five on-demand courses:

- [2016 Guiding Principle I: Employ Integrated Design Principles and Introduction](#)
- [2016 Guiding Principle II: Optimize Energy Performance](#)
- [2016 Guiding Principle III: Protect and Conserve Water](#)
- [2016 Guiding Principle IV: Enhance Indoor Environmental Quality](#)
- [2016 Guiding Principle V: Reduce Environmental Impact of Materials and Guiding Principle VI - Assess and Consider Climate Change Risks](#)

**EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY (ONLINE).** Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of [live and archived webinars](#). Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

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

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

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

**ENERGY STAR (ONLINE).** EPA's [Energy Star program](#) helps identify and promote energy efficiency in products, homes, and buildings. EPA hosts a [webinar series](#) that covers a range of topics, from how to benchmark in Portfolio Manager to financing energy efficiency improvements to how to engage building occupants.

**INTEGRATED SOLAR POWER AND ENERGY STORAGE SOLUTIONS (ONLINE).** This [webinar](#) is focused on how public and private sector organizations can benefit from an integrated solar and energy storage solution, resulting in increased savings of 20-50 percent on joint installations. Webinar participants will learn about the basics of commercial rate payer structures for energy use and how combined installations of solar and storage relate; how climate action plans and energy management objectives can be met with a combined installation; and financial incentive programs available to boost savings and generate revenues.

**ITRC TRAINING (ONLINE).** The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers [training courses](#) to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

**GENERAL CONFORMITY TRAINING MODULES (ONLINE).** The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. EPA's [online training conformity training program](#) covers all aspects of the rule and is divided into four modules.

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

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

**CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES (ONLINE).** This U.S. Geological Survey [webinar series](#) was developed 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.



# Staff Directory

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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 *Southern Review*, please contact the Regional Environmental Coordinator listed at the top of page two.

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

The *Review* is published under contract to the U.S. Army Corps of Engineers

