



Northern Review

of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

January 2018

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. For installations that implement an environmental management system in accordance with ISO 14001 specifications, the content of the *Review* may help them identify emerging requirements.

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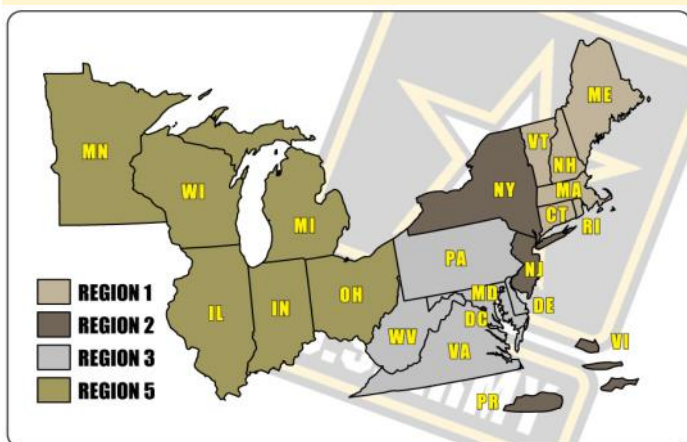


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EPA NAMES NEW REGIONAL ADMINISTRATORS

The U.S. Environmental Protection Agency (EPA) has named new regional administrators to oversee activities throughout its federal regions. In the REEO-Northern area of operations—Regions 1, 2, 3 and 5—the new administrators come to their offices from a variety of backgrounds.

EPA Region 1: Alexandra Dapolito Dunn most recently served as executive director and general counsel for the Environmental Council of the States (ECOS), a national nonprofit, nonpartisan organization. Since 2014, Ms. Dunn has worked with state governments to improve water infrastructure, air pollution control, site cleanup, and chemical management.

EPA Region 2: Pete Lopez served as a member of the New York State Assembly for over 10 years and six terms, prior to joining Region 2. As an Assemblyman, he was on the Environment Conservation Committee and addressed issues concerning flood recovery and drinking water quality.

EPA Region 3: Cosmo Servidio brings to his position experience at local, state, and federal levels, as well as from the private sector. His most recent position was with the Bucks County Water and Sewer Authority in Pennsylvania, where he oversaw operations and facility planning to identify improvements to maintain essential water and wastewater services.

EPA Region 5: Cathy Stepp was most recently principal deputy regional administrator for Region 7. She previously served as the secretary of the Wisconsin Department of Natural Resources and was responsible for state enforcement and protection of wildlife, fisheries, state parks, trails, forests, and environmental permitting.

For more information about EPA's Regional Administrators, click [here](#).

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: 7 FEB 18 THROUGH 9 MAY 18, SINE DIE

FEDERAL ACTIVITY

DECOMMISSIONING OF STAGE II VAPOR RECOVERY SYSTEMS. EPA has issued a final rule approving a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([82 FR 59519](#)). The revision includes regulatory amendments that require gasoline dispensing facilities (GDFs) to decommission their Stage II vapor recovery systems on or before 1 JUL 15, and a demonstration that such removal is consistent with the Clean Air Act (CAA) and EPA guidance. The SIP revision also includes amendments that strengthen Connecticut's requirements for Stage I vapor recovery systems at GDFs. The final rule approves Connecticut's revised vapor recovery regulations. The final rule becomes effective 16 JAN 18.



LEGISLATIVE SESSION: 3 JAN 18 THROUGH 2 JAN 19 (EST)

FEDERAL ACTIVITY

FAILURE TO SUBMIT AN INFRASTRUCTURE SIP FOR 2012 ANNUAL PM_{2.5} NAAQS. EPA has issued a final rule finding that Massachusetts failed to submit an infrastructure SIP to satisfy certain CAA interstate transport requirements with respect to the 2012 annual fine particulate (PM_{2.5}) national ambient air quality standard (NAAQS) ([82 FR 60870](#)). Specifically, these requirements pertain to significant contribution to nonattainment, or interference with maintenance, of the 2012 annual PM_{2.5} NAAQS in other states. This finding establishes a two-year deadline for EPA to promulgate a Federal Implementation Plan (FIP) to address these interstate transport SIP requirements. EPA must establish the FIP, unless the state submits, and EPA approves, a SIP that meets these requirements. The final rule becomes effective 25 JAN 18.

OTHER REGULATORY ACTIVITY

MULTIPLE DRAFT SIP REVISIONS. The Massachusetts Department of Environmental Protection has given [notice](#) of a public hearing regarding multiple draft revisions to the Massachusetts SIP. The draft SIP revisions: (1) issue certifications of adequacy for several different NAAQS; (2) address the state's *2011 Periodic Emissions Inventory* and *Regional Haze Progress Report*; and (3) incorporate certain sections of state regulations 310 CMR 7.00, *Appendix A: Emission Offsets and Nonattainment Review*, and 310 CMR 8.00, *The Prevention and/or Abatement of Air Pollution Episode and Air Pollution Incident Emergencies*, to address CAA infrastructure requirements. The public hearing is scheduled for 23 JAN 18, and comments are due 2 FEB 18.



LEGISLATIVE SESSION: 3 JAN 18 THROUGH 30 JUN 18, SINE DIE

PROPOSED LEGISLATION

HB 486 PROTECTION OF WETLANDS. HB 486 identifies and defines different types of wetlands protected under the *Wetlands Protection Act*. The bill was carried over from the 2017 legislative session and maintained the same bill number. The bill was referred to the Resources, Recreation and Development Committee.

HB 1797 PENALTIES FOR POLLUTION. HB 1797 adds a 50 percent charge to all amounts assessed to persons liable for the costs of containment, cleanup, and remediation of water, air, and soil pollution. The bill was referred to the Resources, Recreation and Development Committee.

PROPOSED RULES

AMENDMENTS TO AMBIENT GROUNDWATER QUALITY STANDARDS. The New Hampshire Department of Environmental Services (NHDES) has [proposed](#) (page 10) amendments to the regulations under Env-Or 603.03(c), Table 600-1. These regulations establish ambient groundwater quality standards (AGQS) for regulated contaminants that result from human operations or activities. The amendments to Table 600-1: (1) increase the AGQS for boron, 2-chlorophenol, ethylene glycol, and naphthalene; (2) decrease the AGQS for 2A-dichlorophenol, 1 A-dioxane, metribuzin/sencor 75DF, and phenol; (3) add an AGQS for non-radioactive strontium; and (4) correct the name of the compound with the acronym PFOS. A public hearing is scheduled for 25 JAN 18, and comments are due 2 FEB 18.

READOPTION WITH AMENDMENTS TO PUBLIC WATER SYSTEMS REQUIREMENTS. NHDES has proposed two separate rulemakings to readopt and amend the public water system requirements under [Env-Dw 715](#) (page 4), *Disinfection Residuals, Byproducts, and Byproduct Precursors*; and [Env-Dw 716](#) (page 6), *Filtration, Disinfection, and Waste Recycling*. Both rulemakings are required for the state to retain primacy for the public drinking water program. The proposed amendments clarify the rules and realign them with the federal requirements, as identified by EPA. Both regulations were scheduled to expire 1 JAN 18, but they will remain in effect during the rulemaking process. A public hearing is scheduled 30 JAN 18 for both rulemakings, and comments are due 9 FEB 18.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 30 JUN 18 (EST), SINE DIE

FEDERAL ACTIVITY

INFRASTRUCTURE REQUIREMENTS FOR 2010 SO₂ AND 2010 NO₂ NAAQS. EPA has issued a final rule approving a SIP revision submitted by the state of Rhode Island ([82 FR 60121](#)). The revision addresses the CAA interstate transport requirements, referred to as the good neighbor provision, with respect to the 2010 primary sulfur dioxide (SO₂) and 2010 primary nitrogen dioxide (NO₂) NAAQS. The final rule approves Rhode Island's demonstration that the state is meeting its obligations regarding the transport of SO₂ and NO₂ emissions into other states. The final rule becomes effective 18 JAN 18.



LEGISLATIVE SESSION: 3 JAN 18 THROUGH 4 MAY 18 (EST), SINE DIE

FEDERAL ACTIVITY

REGIONAL HAZE FIVE-YEAR PROGRESS REPORT. EPA has issued a final rule approving a SIP revision submitted by the state of Vermont that addresses the state's regional haze progress report ([82 FR 59969](#)). 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 determination that the state's regional haze SIP is adequate to meet these RPGs for the first implementation period, which extends through 2018. The final rule becomes effective 17 JAN 18.

SIP REVISIONS ADDRESSING PSD AND NNSR PERMIT PROGRAM REVISIONS. EPA has issued a proposed rule to approve several different SIP revisions submitted by the state of Vermont ([82 FR 59997](#)). The SIP revisions address the state's earlier commitment to adopt and submit revisions that meet certain requirements of the federal Prevention of Significant Deterioration (PSD) air permit program. The revisions also include amendments related to the federal nonattainment new source review (NNSR) permit program. The proposed rule also: (1) fully approves specific infrastructure SIPs, which were conditionally approved by EPA 27 JUN 17; and (2) approves several other minor regulatory changes to the SIP. Comments are due by 17 JAN 18.

FINAL RULE

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION RULE. The Vermont Agency of Natural Resources has [adopted](#) a rule that establishes new processes and requirements for conducting an assessment of injuries to natural resources caused by a release of hazardous materials. The rule also establishes processes to assess expeditious and cost-effective alternatives for restoring injured natural resources and services lost, and to pursue implementation and funding of a restoration plan by potentially responsible parties. The rule became effective 21 NOV 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.



LEGISLATIVE SESSION: 9 JAN 18 THROUGH 8 JAN 19

FEDERAL ACTIVITY

FAILURE TO SUBMIT OZONE SIPs. EPA has found that three states, California, Illinois, and New Jersey, failed to submit timely revisions to their SIPs as required to implement the 2008 NAAQS ([82 FR 58118](#)). The states have overdue SIP revisions for nonattainment areas that were reclassified from Marginal to Serious because they failed to attain the Marginal area attainment by July 2015. EPA will develop a FIP for any state that does not submit the required SIP revision within the next two years. The finding became effective 10 JAN 18.

FINAL RULES

AMENDMENTS TO STATE FORESTRY PROGRAM RULES. The New Jersey Department of Environmental Protection (NJDEP) has [adopted](#) a rulemaking that adds new rules, repeals, and amends the Forestry Chapter of the New Jersey Administrative Code at N.J.A.C. 7:3. The rulemaking: (1) adds new Forest Stewardship Program rules and new rules governing the Forest Stewardship Advisory Committee; (2) amends the rules governing the list of approved foresters; and (3) repeals the rules governing certified tree experts. NJDEP has also adopted modifications to the chapter's general provisions by: (1) amending the list of defined terms; (2) revising the rules related to construction of the chapter and to severability; and (3) adding a new section that provides information on how to submit documents and other communications to the New Jersey Forest Service. The rulemaking became effective 18 DEC 17.

FRESHWATER WETLAND PROTECTION ACT AND FLOOD HAZARD AREA CONTROL ACT RULES. NJDEP has [adopted](#) comprehensive changes to the state land use management rules. The changes amend, repeal, and add new rules to reduce unnecessary regulatory burden, add flexibility, provide consistency with federal, local, and other state requirements, and address implementation issues. The changes are also part of NJDEP's effort to transform the operations of its land use permitting programs, including aligning various aspects of the *Flood Hazard Area Control Act*, *Coastal Zone Management Act*, and *Freshwater Wetland Protection Act* rules. A notice of the proposed changes was published in the June 2017 *Northern Review*. The adoption became effective 18 DEC 17.

OTHER REGULATORY ACTIVITY

STATE WILDLIFE ACTION PLAN UPDATE. NJDEP has [requested](#) public input on a draft major revision of the *State Wildlife Action Plan*. Previously known as the Comprehensive Wildlife Conservation Strategy, the *State Wildlife Action Plan* is a 10-year blueprint for protecting rare and declining wildlife species. To focus the plan and establish clear and reasonable implementation goals, the proposed revision identifies 107 Focal Species from a list of 656 Species of Greatest Conservation Need. These species will be the target of conservation actions, such as habitat identification and management as well as research efforts. This is the first revision of New Jersey's plan since 2006. Comments are due 19 JAN 18.



LEGISLATIVE SESSION: 3 JAN 18 THROUGH 2 JAN 19 (EST)

FEDERAL ACTIVITY

SIP REVISION ADDRESSING CROSS-STATE AIR POLLUTION RULE. EPA has issued a final rule conditionally approving a SIP revision submitted by the state of New York addressing requirements of the Cross-State Air Pollution Rule (CSAPR) ([82 FR 57362](#)). Under the CSAPR, large electricity generating units in New York are subject to FIPs requiring the units to participate in CSAPR federal trading programs for annual nitrogen oxides (NO_x), ozone season emissions of NO_x, and annual emissions of SO₂. The final rule conditionally approves into New York's SIP the state's regulations that replace the default allowance allocation provisions of the CSAPR federal trading programs for annual NO_x and SO₂ emissions. EPA has conditionally approved the regulations because New York is in the process of making further revisions to its rules and has provided a commitment to finalize and submit them. Upon submittal, EPA will propose to convert the conditional approval to a full approval. The final rule became effective 5 DEC 17.

FINAL LEGISLATION

AB 8408 INCREASE TO MINIMUM PUBLIC COMMENT TIME PERIOD. AB 8408 (Public Act: 455) amends state law to increase the minimum time period for public comment from 45 days to 60 days. The provisions relate to either the period of time for which an agency must accept public comment on a proposed rule or the time period for accepting comment prior to the first required public hearings on a proposed rule. The bill was signed by the governor 13 DEC 17 and became retroactively effective 1 OCT 17.

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: 9 JAN 18 THROUGH 1 JUL 18 (EST)

FEDERAL ACTIVITY

RACT SIP UNDER 2008 OZONE NAAQS. EPA has issued a final rule approving a SIP revision submitted by the state of Delaware ([82 FR 57849](#)), addressing the reasonably available control technology (RACT) requirements under the 2008 8-hour ozone NAAQS. The SIP revision includes: (1) certification that, for certain categories of sources, RACT controls previously approved by EPA are based on currently available technically and economically feasible controls and continue to represent RACT for 2008 8-hour ozone NAAQS implementation purposes; (2) the adoption of new or more stringent regulations or controls that represent RACT control levels for certain other categories of sources; and (3) a negative declaration that certain categories of sources do not exist in Delaware. The final rule became effective 8 JAN 18.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 31 DEC 18

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — INTERSTATE TRANSPORT REQUIREMENTS FOR 2010 1-HOUR SO₂ STANDARD. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 18 OCT 17, approving a SIP revision submitted by the District of Columbia ([82 FR 57835](#)). The revision addressed the infrastructure requirement for interstate transport of pollution with respect to the 2010 1-hour SO₂ NAAQS. A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.



LEGISLATIVE SESSION: 10 JAN 18 THROUGH 9 APR 18 (EST), SINE DIE

FINAL RULE

AMENDMENTS TO VEHICLE EMISSIONS INSPECTION PROGRAM REGULATIONS. The Maryland Department of Environment (MDE) and the Maryland Motor Vehicle Administration have jointly [adopted](#) (page 10) amendments to Regulations .01, .03—.05, and .09 under COMAR 11.14.08 *Vehicle Emissions Inspection Program*. The [amendments](#) modernize and enhance the Vehicle Emissions Inspection Program (VEIP) to improve motorist convenience while minimizing the impact on air quality. The amendments will be submitted as a SIP revision to EPA for review and approval. A notice of the proposed amendments was published in the October 2017 *Northern Review*. The amendments became effective 1 JAN 18.

PROPOSED RULES

WATER QUALITY TRADING PROGRAM. MDE has [proposed](#) (page 19) the adoption of new Regulations .01 - .14, under a new chapter, COMAR 26.08.11 - *Maryland Water Quality Trading Program*. The new regulations establish a trading program that provides greater flexibility and reduces the cost of achieving the total maximum daily loads (TMDLs) established for the Chesapeake Bay while being protective of local water quality. The comment period closed 8 JAN 18.

CRITICAL AREA COMMISSION FOR CHESAPEAKE AND ATLANTIC COASTAL BAYS RULES. The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays has [proposed](#) (page 49) amendments to multiple sections of the commission's regulations. The proposed amendments incorporate the non-water dependent project provisions found in various other state rules, so that local planners and the public can find the requirement in one place in the regulations. Comments are due by 22 JAN 18.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 30 NOV 18

FINAL LEGISLATION

HB 1490 AUTHORITIES GRANTED TO PUBLIC UTILITY COMMISSION. HB 1490 (Public Act: 65) amends Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes to grant the Public Utility Commission oversight of water and sewer authorities in cities of the second class, beginning 1 APR 18. The bill states that the service provisions and regulations found under the title will apply to the authority, but it will not be defined as a "public utility." The bill grants authorities to the commission, including: (1) determining just and reasonable rates furnished or rendered by a municipal corporation or by the operating agencies of a municipal corporation providing service beyond its corporate limits; and (2) requiring an authority to maintain, repair, and replace facilities and equipment used to provide services to ensure that the equipment and facilities comply with existing law. The bill was signed by the governor 21 DEC 17 and became effective upon signature.

FINAL RULE

FINAL NPDES GP FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES (PAG-02). The Pennsylvania Department of Environmental Protection has [adopted](#) a final National Pollution Discharge Elimination System (NPDES) General Permit (GP) for Stormwater Discharges Associated with Construction Activities ([PAG-02](#)) for renewal for two years. A notice of the proposed PAG-02 and tentative decision to reissue was published in the December 2017 *Northern Review*. The PAG-02 GP became effective 8 DEC 17 and will expire 7 DEC 19.



LEGISLATIVE SESSION: 10 JAN 18 THROUGH 10 MAR 18 (EST)

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — AMENDMENT TO AMBIENT AIR QUALITY STANDARD FOR OZONE. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 16 OCT 17, approving a SIP revision submitted by the commonwealth of Virginia ([82 FR 57677](#)). The SIP revision incorporated by reference the most recent federal ambient air quality standard for ozone. A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 7 DEC 17.

REVISIONS TO REGULATORY DEFINITION OF VOC. EPA has issued a proposed rule to approve two SIP revisions (Revision C16 and Revision I16) submitted by the commonwealth of Virginia ([82 FR 61200](#)). These revisions pertain to amendments made to the definition of volatile organic compound (VOC) in the Virginia Administrative Code to conform

with EPA's regulatory definition of VOC. Specifically, these amendments remove the record keeping and reporting requirements for t-butyl acetate, also known as TBAC; and add 1,1,2,2-Tetrafluoro-1-(2,2,2-trifluoroethoxy) ethane, also known as HFE-347pcf2, as a compound excluded from the regulatory definition of VOC. Comment are due 26 JAN 18.

FINAL RULES

GP FOR DISCHARGES FROM PETROLEUM CONTAMINATED SITES, GROUNDWATER REMEDIATION, AND HYDROSTATIC TESTS.

The Virginia Department of Environmental Quality (VDEQ) has [reissued](#) with amendments 9VAC25-120, *General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges from Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests*. The GP covers point source discharges of wastewaters from sites contaminated by petroleum products, chlorinated hydrocarbon solvents, and certain point source discharges of hydrostatic test wastewaters. The amendments make this GP similar to other general permits issued recently, were in response to Technical Advisory Committee suggestions, and clarify and update permit limits and conditions. The current GP is set to expire 25 FEB 18, and the new GP becomes effective 26 FEB 18.

VPDES PERMIT FOR NON-CONTACT COOLING WATER DISCHARGES

VDEQ has [reissued](#) with amendments 9VAC25-196, *General VPDES Permit for Noncontact Cooling Water Discharges of 50,000 Gallons per Day or Less*. The GP regulates point source discharges of 50,000 gallons per day or less of non-contact cooling water and cooling equipment blow down to surface waters. Amendments include updates to: (1) effluent limitations and monitoring requirements; (2) definitions; (3) municipal separate storm sewer system notification requirements; and (4) requirements for the development of an operations and maintenance manual for equipment or systems used to meet effluent limitations within 90 days of permit coverage. The current GP is set to expire 1 MAR 18; the new GP becomes effective 2 MAR 18.



LEGISLATIVE SESSION: 10 JAN 18 THROUGH 10 MAR 18 (EST), SINE DIE

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — UPDATE OF EFFECTIVE DATE FOR INCORPORATION BY REFERENCE OF NAAQS.

Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 16 OCT 17, approving SIP revisions submitted by the state of West Virginia ([82 FR 57362](#)). The revisions updated the effective date by which the West Virginia regulations incorporate by reference the NAAQS, additional monitoring methods, and additional equivalent monitoring methods. A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 5 DEC 17.

CROSS-MEDIA ELECTRONIC REPORTING

USEPA has approved the state of West Virginia's request to revise multiple state EPA-authorized programs to allow electronic reporting ([82 FR 57975](#)). The approval establishes electronic reporting as an acceptable regulatory alternative to paper reporting. The approval became effective 8 DEC 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.



Illinois

LEGISLATIVE SESSION: 10 JAN 18 THROUGH 9 JAN 19 (EST)

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — REGIONAL HAZE PROGRESS REPORT. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 18 OCT 17, approving the Illinois regional haze progress report as a SIP revision ([82 FR 57836](#)). A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.

WITHDRAWAL OF DIRECT FINAL RULE — REDESIGNATION OF CHICAGO AND GRANITE CITY AREAS TO ATTAINMENT OF 2008 LEAD STANDARD. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 18 OCT 17, approving a request to redesignate the Chicago and Granite City nonattainment areas to attainment for the 2008 NAAQS for lead ([82 FR 57853](#)). The withdrawal includes the state's maintenance plans for the areas, and rules applying emission limits and other control requirements to lead sources in the areas. A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.

REDESIGNATION OF ILLINOIS PORTION OF ST. LOUIS-ST. CHARLES-FARMINGTON, MO-IL AREA TO ATTAINMENT OF 2008 OZONE STANDARD. EPA has issued a proposed rule finding that the St. Louis-St. Charles-Farmington, MO-IL area, is attaining the 2008 ozone NAAQS based on 2014-2016 monitoring data ([82 FR 57892](#)). EPA has proposed redesignating the Illinois portion of the St. Louis area to attainment for the 2008 ozone NAAQS. The St. Louis area includes Madison, Monroe, and St. Clair counties in Illinois. EPA has also proposed approving a SIP revision submitted by the state of Illinois addressing the state's plan for maintaining the 2008 ozone standard through 2030 in the St. Louis area. Finally, EPA has issued a finding of adequacy ([82 FR 58195](#)) for the state's 2030 VOC and NO_x Motor Vehicle Emission Budgets (MVEBs) for the Illinois portion of the St. Louis area. As a result of this finding, the MVEBs from the submitted maintenance plan must be used by state and federal agencies in determining whether proposed transportation projects conform to the SIP. The comment period closed 8 JAN 18.

FAILURE TO SUBMIT OZONE SIPs. EPA found that three states, California, Illinois, and New Jersey, failed to submit timely revisions to their SIPs as required to implement the 2008 NAAQS ([82 FR 58118](#)). The states have overdue SIP revisions for nonattainment areas that were reclassified from Marginal to Serious because they failed to attain the Marginal area attainment by July 2015. EPA will develop a FIP for any state that does not submit the required SIP revision within the next two years. The finding became effective 10 JAN 18.

WITHDRAWAL OF DIRECT FINAL RULE — SIP REVISION AMENDING DEFINITION OF VOM/VOC. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 2 NOV 17, that incorporated changes to the Illinois Administrative Code (IAC) definition of volatile organic material (VOM), otherwise known as VOC ([82 FR 60545](#)). The revision removed recordkeeping and reporting requirements related to the use of t-butyl acetate (tertiary butyl acetate) as a VOC, and was in response to an EPA rulemaking that occurred in 2016. A notice of the direct final rule was published in the December 2017 *Northern Review*. The withdrawal became effective 21 DEC 17.



LEGISLATIVE SESSION: 8 JAN 18 THROUGH 21 MAR 18 (EST), SINE DIE

FEDERAL ACTIVITY

REGIONAL HAZE FIVE-YEAR PROGRESS REPORT. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Indiana that addresses the state's regional haze progress report ([82 FR 57694](#)). Indiana is federally required to submit periodic reports that describe the progress being made toward RPGs established for regional haze. EPA proposes that the state has satisfied the progress report requirements of the *Regional Haze Rule*. Indiana has also met the requirements for a determination of the adequacy of its regional haze plan with its negative declaration submitted with the progress report. The comment period closed 8 JAN 18.



LEGISLATIVE SESSION: 10 JAN 18 THROUGH 31 DEC 18 (EST)

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — REGIONAL HAZE PROGRESS REPORT. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 18 OCT 17, approving a SIP revision submitted by the state of Michigan ([82 FR 57835](#)). The SIP revision addressed the regional haze progress report requirements under CAA. A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.

PROPOSED RULE

CLEANUP CRITERIA REQUIREMENTS FOR RESPONSE ACTIVITY. The Michigan Department of Environmental Quality, Remediation and Redevelopment Division (RRD), has [proposed](#) (page 398) amendments to the cleanup criteria requirements for response activity rules. The amendments revise the generic cleanup criteria established under Section 20120a, which are also the risk-based screening levels for regulated substances under Section 21304a of the Natural Resources and Environmental Protection Act. A public hearing is scheduled for 18 JAN 18, and comments are due 24 JAN 18.



LEGISLATIVE SESSION: 20 FEB 18 THROUGH 21 MAY 18 (EST), SINE DIE

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — REGIONAL HAZE PROGRESS REPORT. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 18 OCT 17, approving a SIP revision submitted by the state of Minnesota ([82 FR 57848](#)). The SIP revision addressed the regional haze progress report requirements under CAA. A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.

APPROVAL OF 2008 OZONE TRANSPORT SIP REVISION. EPA has issued a final rule approving a SIP revision submitted by the state of Minnesota that demonstrates that the SIP meets certain CAA interstate transport requirements for the 2008 ozone NAAQS ([82 FR 58116](#)). EPA has approved the revision as containing adequate provisions to ensure that Minnesota emissions do not significantly contribute to nonattainment or interfere with maintenance of the 2008 ozone NAAQS in any other state. The final rule became effective 10 JAN 18.

OTHER REGULATORY ACTIVITY

REVISIONS TO UNDERGROUND STORAGE TANKS (UST) RULE. The Minnesota Pollution Control Agency has [announced](#) it will be conducting a series of informational meetings across the state to discuss proposed changes to Minnesota Rule 7150, *Underground Storage Tanks*. In 2015, EPA adopted new UST rules. Minnesota is in the process of incorporating these revised federal rules along with making changes to clarify existing state rules. The anticipated effective date for Minnesota's rule revision is October 2018. Public meetings are scheduled for multiple days from January to March 2018.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 31 DEC 18 (EST)

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 Ohio addressing CAA infrastructure requirements for the 2012 annual PM_{2.5} NAAQS ([82 FR 57689](#)). The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA. The proposed rule pertains specifically to infrastructure requirements concerning interstate transport provisions. The comment period closed 8 JAN 18.

WITHDRAWAL OF DIRECT FINAL RULE — REDESIGNATION OF FULTON COUNTY AREA TO ATTAINMENT OF 2008 LEAD STANDARD. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 18 OCT 17, approving a request from the state of Ohio to redesignate the Fulton County nonattainment area to attainment for the 2008 NAAQS for lead ([82 FR 57854](#)). A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.

REGIONAL HAZE PROGRESS REPORT. EPA has issued a final rule approving a SIP revision submitted by the state of Ohio ([82 FR 60543](#)). The revision addresses the CAA required regional haze progress report and satisfies the progress report requirements of the *Regional Haze Rule*. Ohio has met the requirements for submitting a periodic report describing its progress toward RPGs established for regional haze. Ohio's progress report notes that Federal Class I areas affected by emissions from Ohio are meeting or exceeding the RPGs for 2018. Ohio also determined that the state's regional haze SIP is adequate to meet these RPGs for the first implementation period and requires no substantive revision at this time. The final rule became effective 22 JAN 18.

REGIONAL HAZE PLAN AND VISIBILITY PRONG FOR MULTIPLE NAAQS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Ohio addressing regional haze ([82 FR 60572](#)). The proposed rule is based on a final determination by EPA that a state's participation in the CSAPR program continues to meet the Regional Haze Rule's criteria to qualify as an alternative to the application of Best Available Retrofit Technology. EPA has proposed five actions: (1) approve the portion of Ohio's SIP revision seeking to change reliance from the Clean Air Interstate Rule (CAIR) to CSAPR for certain regional haze requirements; (2) convert EPA's limited approval/limited disapproval of Ohio's 2011 regional haze SIP to a full approval; (3) withdraw the FIP provisions that address the limited disapproval; (4) approve the visibility prong of Ohio's infrastructure SIP submittals for the 2012 annual and 2006 24-hour PM_{2.5}, 2010 NO₂, and 2010 SO₂ NAAQS; and (5) convert EPA's disapproval of the visibility portion of Ohio's infrastructure SIP submittal for the 2008 ozone NAAQS to approval. Comments are due by 22 JAN 18.

FINAL RULES

AMENDMENTS TO UNIVERSAL WASTE MANAGEMENT RULES. The Ohio Environmental Protection Agency (OEPA) has [adopted](#) amendments to the rules regarding universal waste management. The [amendments](#) designate hazardous non-empty aerosol containers, hazardous antifreeze, and hazardous paint and paint-related wastes as universal wastes to promote the proper handling, recycling, or disposal of the hazardous waste. A notice of the proposed amendments was

published in the October 2017 *Northern Review*. The amendments became effective 21 DEC 17.

ALTERNATIVE FUEL VEHICLE GRANT PROGRAM RULES. OEPA has [adopted](#) rules to implement a new grant program for converting or replacing diesel and gasoline-powered large vehicles to run on alternative fuels. The new rules closely mirror the program requirements enacted in the 2016 statute that authorizes the grant program. A notice of the draft rules was published in the June 2017 *Northern Review*. The rules became effective 31 DEC 17.

PROPOSED RULE

AMENDMENTS TO DAM SAFETY PROGRAM RULES. The Ohio Department of Natural Resources has [proposed](#) new and amended rules under Chapter 1501:21, *Division of Soil and Water Resources — Dam Safety*. Significant changes to the rules include amendments related to changing the division name, removing low-risk levees from regulation, modifying construction permit and inspection exemptions, increasing the construction permit file fee, and increasing the annual fee. The [comment period](#) closed 4 JAN 18.



LEGISLATIVE SESSION: 16 JAN 18 THROUGH 6 JAN 19 (EST)

FEDERAL ACTIVITY

WITHDRAWAL OF DIRECT FINAL RULE — REGIONAL HAZE PROGRESS REPORT. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 20 OCT 17, approving the Wisconsin regional haze progress report as a SIP revision ([82 FR 57836](#)). A notice of the direct final rule was published in the November 2017 *Northern Review*. The withdrawal became effective 8 DEC 17.

WITHDRAWAL OF DIRECT FINAL RULE — SIP REVISION AMENDING AIR POLLUTION CONTROL RULES. Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 7 NOV 17, approving a SIP revision submitted by the state of Wisconsin addressing amendments to state air pollution control rules ([82 FR 60545](#)). The revision: (1) replaced the definition of "emergency electric generator" with a broader definition of "restricted internal combustion engine"; (2) amended procedures for revoking construction permits as well as language changes; and (3) removed from the SIP two Wisconsin Administrative Code provisions that affect eligibility of coverage under general and construction permits. A notice of the direct final rule was published in the December 2017 *Northern Review*. The withdrawal became effective 21 DEC 17.

FINAL RULE

INCORPORATION OF PM_{2.5} NAAQS. The Wisconsin Department of Natural Resources has [adopted](#) revisions to Chapters NR 404 (Ambient Air Quality) and 484 (Incorporation by Reference) relating to incorporation of the PM_{2.5} NAAQS into the Wisconsin Administrative Code. The revisions promulgate state standards for PM_{2.5} and related supporting requirements consistent with those promulgated by EPA. The revisions became effective 1 JAN 18.

Federal Activity

AIR

INTEGRATED SCIENCE ASSESSMENT FOR SO_x HEALTH CRITERIA. EPA has announced the availability of the final Integrated Science Assessment for Sulfur Oxides—Health Criteria ([82 FR 58601](#)). The integrated science assessment (ISA) was prepared by EPA as part of the review of the primary (health-based) NAAQS for sulfur oxides (SO_x). The agency is

developing a separate ISA as part of an independent review for the secondary (welfare-based) NAAQS for NO_x and sulfur.

UPDATED USE CONDITIONS FOR FLAMMABLE REFRIGERANTS. EPA has issued a direct final rule modifying the use conditions for three flammable refrigerants under the Significant New Alternatives Policy program ([82 FR 58122](#)). The refrigerants are isobutane (R-600a), propane (R-290), and R-441A in new household refrigerators, freezers, and combination refrigerators and freezers. The rule updates a reference to UL Standard 60335-2-24 and adopts the safety-based use conditions of that standard. Barring adverse comment the direct final rule becomes effective 12 MAR 18.

CLEAN UP

REVISIONS TO 2016 NATIONAL PREPAREDNESS FOR RESPONSE EXERCISE PROGRAM GUIDELINES. The Coast Guard has announced proposed changes to the 2016 Preparedness for Response Exercise Program (PREP) Guidelines ([82 FR 60693](#)). The Preparedness for Response Exercise Program Compliance, Coordination, and Consistency Committee (PREP 4C) published the 2016 PREP Guidelines on [11 APR 16](#). The proposed revisions constitute the first change to the 2016 PREP Guidelines, and are referred to as the "2016.1 PREP Guidelines." One significant revision is to the Remote Assessment and Consultation drill frequency. The existing frequency will be decreased from one drill per vessel per year, to one drill per plan holder per triennial cycle.

CLIMATE CHANGE

UNITED STATES CLIMATE ALLIANCE. In response to the U.S. federal government's decision to withdraw from the Paris Agreement on climate change, Governors Andrew Cuomo, Jay Inslee, and Jerry Brown have created the [United States Climate Alliance](#). This bi-partisan coalition of states is committed to the goal of reducing greenhouse gas (GHG) emissions consistent with the goals of the Paris Agreement. Current membership includes California, Colorado, Connecticut, Delaware, Hawaii, Massachusetts, Minnesota, New York, North Carolina, Oregon, Puerto Rico, Rhode Island, Vermont, Virginia, and Washington. A copy of the alliance 2017 Annual Report is available [here](#). Information on member state best-practices is available [here](#).

REPORT ON EPA'S CLEAN POWER PLAN FOR EXISTING POWER PLANTS. In December 2017, the Congressional Research Service (CRS) updated its [report](#) to Congress (R44341), [EPA's Clean Power Plan for Existing Power Plants: Frequently Asked Questions](#). The report discusses the history of the Clean Power Plan, EPA's proposed repeal of the plan, the statutory authority under which EPA promulgated the rule, ongoing litigation and recent court actions, and potential actions the agency might take to replace the plan. In addition, the report summarizes provisions of the Clean Power Plan, as finalized in August 2015, and discusses options that Congress has to influence EPA's action.

STATE GUIDELINES FOR GHG EMISSIONS FROM EXISTING ELECTRIC UTILITY GENERATING UNITS. EPA has issued an advance notice of proposed rulemaking to solicit information from the public as the agency considers proposing a future rule ([82 FR 61507](#)). EPA is considering proposing emission guidelines to limit GHG emissions from existing electric utility generating units (EGUs) and is soliciting information on the proper respective roles of the state and federal governments in that process. EPA has also requested information on: (1) systems of emission reduction that are applicable at or to an existing EGU; (2) compliance measures; and (3) state planning requirements under CAA section 111(d). EPA's advance notice of proposed rulemaking does not propose any regulatory requirements. For more information, click [here](#).

COMPLIANCE

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET. EPA has updated the Federal Agency Hazardous Waste Compliance Docket ([82 FR 57976](#)). The docket is used to identify federal facilities that should be evaluated to determine if they pose a threat to public health or welfare and the environment, and to provide a mechanism to make this information available to the public. The update includes 21 additions, 10 deletions, and seven corrections since the previous update in June 2017. For DOD facilities, the update includes 10 additions, three deletions, and four corrections.

ENERGY

RENEWABLE FUEL STANDARD: PROGRAM REVIEW. As part of its periodic review of certain aspects of the Renewable Fuel Standard (RFS) program, EPA has announced the availability of [Periodic Reviews for the Renewable Fuel Standard Program](#) (82 FR 58364). The document describes EPA's interpretation of the statutory requirement to conduct periodic reviews of the RFS and prior actions that EPA has taken to fulfill its obligations to conduct such reviews. The Docket ID is EPA-HQ-OAR-2017-0627. The Renewable Fuel Standard program website is available [here](#).

RENEWABLE FUEL STANDARD: 2018, 2019. EPA has established the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel that apply to gasoline and diesel transportation fuel produced or imported in 2018 (82 FR 58486). The volume requirements for cellulosic biofuel, advanced biofuel, and total renewable fuel are below the statutory volume targets, as provided for when projected production volumes are less than the amount specified in the statute. In addition, EPA has established the volume of biomass-based diesel for 2019. The final rule becomes effective 12 FEB 18.

ENERGY RELIABILITY REPORT. The [North American Electric Reliability Corporation](#) (NERC) has released its [2017 Long-Term Reliability Assessment](#) of the nation's bulk electricity generation and transmission system. As the independent organization given federal oversight over grid reliability, NERC found that, despite the rising closures of coal and nuclear power plants, "new resources, which are primarily natural gas and renewable generation, should collectively provide the bulk power system with the same level of voltage support, frequency response, and other essential reliability services as conventional generators."

ENERGY-RELATED CARBON EMISSIONS DECLINE. In December 2017, the Energy Information Administration (EIA) released its latest data on [state-level energy-related carbon dioxide \(CO₂\) emissions](#). EIA's analysis measures emissions released at the location where fossil fuels are consumed. When fuels are used in one state to generate electricity that is consumed in another state, for example, emissions are attributed to the state where the generation occurs. According to EIA, between 2005 and 2015, energy-related CO₂ emissions decreased in 43 states, including the District of Columbia, and increased in eight states. On a per capita basis, energy-related CO₂ emissions decreased in 49 states, including the District of Columbia, and increased in two states (Louisiana and Nebraska) between 2005 and 2015.

WIND ENERGY PARTNERSHIP SUMMIT. The U.S. Department of Energy (DOE) Wind Energy Technologies Office (WETO) will hold a Wind Industry Partnership Summit on 24 JAN 18 (82 FR 59594). WETO invests in energy science research and development activities that enable innovation, advance U.S. wind systems, reduce the cost of electricity, and accelerate the deployment of wind power. In an effort to ensure that DOE's research and development priorities continue to benefit the wind energy industry, WETO is hosting the summit to share innovative technologies and engage industry leaders in a dialogue about future research and development investments. Summit sessions, informed by DOE's [Wind Vision roadmap](#), will address three categories of research and development activities, including turbine technology innovation and extreme scale turbines.

NATURAL RESOURCES

DOI LEGAL MEMO ADDRESSING INCIDENTAL TAKES UNDER MIGRATORY BIRD TREATY ACT. The U.S. Department of the Interior (DOI) has posted a [legal memo](#) clarifying the agency's interpretation on the Migratory Bird Treaty Act's prohibition against taking of migratory birds. The memo states that DOI's position is that the prohibition only applies to purposeful actions that kill migratory birds, not to incidental take from otherwise lawful activities.

FINAL EVALUATION FINDINGS OF STATE COASTAL PROGRAMS AND NATIONAL ESTUARINE RESEARCH RESERVES. The National Oceanic and Atmospheric Administration (NOAA) has released final evaluation findings of state Coastal Zone Management Programs (CZMP) and National Estuarine Research Reserves (NERR) (82 FR 61542). The NOAA Office for Coastal Management has completed review of the CZMP evaluations for the states of New York, New Hampshire, Washington, and Maine. The states were found to be implementing and enforcing their federally approved CZMP, addressing the national coastal management objectives identified in Coastal Zone Management Act Section 303(2)(A)-

(K), and adhering to the programmatic terms of their financial assistance awards. NOAA's Office for Coastal Management has also completed review of the NERR evaluations for South Slough, Ore.; Jacques Cousteau, N.J.; Wells, Maine; and Narragansett Bay, R.I. The reserves were found to be adhering to programmatic requirements of the NERR System. Copies of the final evaluation findings may be found [here](#).

THREATENED AND ENDANGERED SPECIES

90-DAY FINDINGS FOR FIVE SPECIES. The U.S. Fish and Wildlife Service (FWS) has announced 90-day findings on several petitions to list or reclassify wildlife or plants under the Endangered Species Act of 1973, as amended (ESA) ([82 FR 60362](#)). FWS plans to initiate a review of the status for five species to determine if the petitioned actions are warranted. The species under review are the [oblong rocksnail](#), [Sturgeon chub](#), [sicklefin chub](#), tricolored bat, and Venus flytrap. FWS has requested scientific and commercial data and other information regarding these species. After completing the status reviews, FWS will issue 12-month findings on the petitions to address whether or not the petitioned action is warranted. In addition, FWS has announced a correction to information contained in the 90-day petition finding for the leopard, which clarifies the range and entity that is being evaluated in the status review of the species. The findings were issued on 20 DEC 17.

LEATHERBACK TURTLE. In response to a petition to identify the Northwest Atlantic subpopulation of the leatherback turtle as a distinct population segment and to list it as threatened under ESA, the National Marine Fisheries Service found the petitioned action may be warranted ([82 FR 57565](#)). The petition defines the Northwest Atlantic leatherback turtle subpopulation as those turtles that hatch on nesting beaches along the western Atlantic Ocean, north of the Equator, and the Caribbean Sea. Their marine habitat extends throughout the North Atlantic Ocean.

TOXICS

MINIMUM AGE REQUIREMENTS UNDER CERTIFICATION OF PESTICIDE APPLICATORS RULE. EPA has initiated a rulemaking process to revise the minimum age requirements in the *Certification of Pesticide Applicators* rule ([82 FR 60195](#)). EPA expects to publish a Notice of Proposed Rulemaking in 2018 to solicit public input on the proposed revisions to the rule. EPA has also announced that the implementation dates for certifying authorities to submit revised certification plans and for EPA to act on those plans, as identified in the 4 JAN 17 [final rule](#), remain in effect. EPA has no plans to change the implementation dates.

ADOPTION OF 2017 NAICS CODES FOR TRI REPORTING. EPA has issued a 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 Office of Management and Budget 2017 NAICS code revision ([82 FR 60906](#)). Facilities will be required to use 2017 NAICS codes beginning with TRI reporting forms that are due 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. EPA had issued an August 2017 [direct final rule](#) to update the list, but due to adverse comment the rule was [withdrawn](#). This final rule promulgates the update and addresses the comment received. The final rule became effective 1 JAN 18.

CROSS-AGENCY EFFORT ON PFAS. In December 2017, EPA [announced](#) a cross-agency effort to address per- and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), as well as GenX, a substance developed as a replacement for the older chemicals. As part of the initiative, EPA will: (1) identify a set of near-term actions that EPA will take to help support local communities; (2) enhance coordination with states, tribes, and federal partners to provide communities with critical information and tools to address PFAS; (3) increase ongoing research efforts to identify new methods for measuring PFAS and filling data gaps; and (4) expand proactive communication efforts with states, tribes, partners, and the American public about PFAS and their health effects. EPA's efforts will build on its work to establish non-regulatory drinking water health advisories for PFOA and PFOS. The agency's water and research offices will lead these efforts and they will bring together expertise from across EPA. In addition, EPA is tapping its regional offices to enhance cooperation with partners at the state and local levels and to provide on-the-ground knowledge about specific issues, and address PFAS nationwide.

RISK ASSESSMENT FOR GYLPHOSATE. EPA has [announced](#) the release of the [draft human health and ecological risk assessments for glyphosate](#), a widely used herbicide. The draft human health risk assessment concludes that glyphosate is not likely to be carcinogenic to humans. The agency's assessment found no other meaningful risks to human health when the product is used according to the pesticide label. EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. The ecological risk assessment indicates that there is potential for effects on birds, mammals, and terrestrial and aquatic plants. Full details on the potential effects as well as the EPA's methods for estimating them, are found within the ecological risk assessment. EPA intends to open a 60-day comment period for the draft risk assessments in early 2018.

RISK ASSESSMENTS FOR NEONICOTINOIDS. EPA has [announced](#) the release of the preliminary ecological and human health risk assessments for three neonicotinoid insecticides and a preliminary ecological risk assessment for one neonicotinoid insecticide. Ecological and human health risk assessments were developed for clothianidin, thiamethoxam, and dinotefuran and the ecological risk assessment was developed for imidacloprid.

WASTE

TEST PROCEDURES AND LABELING STANDARDS FOR RECYCLED OIL. The Federal Trade Commission (FTC) has requested public comment on the overall costs, benefits, and regulatory and economic impact of its rule specifying Test Procedures and Labeling Standards for Recycled Oil (*Recycled Oil Rule*) ([82 FR 60334](#)). The request is part of the commission's systematic review of all current FTC rules and guides. The rule is mandated by the Energy Policy and Conservation Act.

WATER

LEAD AND COPPER RULE REVISIONS. In advance of revisions to the federal Lead and Copper Rule, EPA has [announced](#) it has sent letters to state partners requesting their input on the rule revision. The [letter](#) from the Office of Ground Water and Drinking Water invites partner organizations to an 8 JAN 18 meeting followed by discussions on the proposed rule. The Lead and Copper Rule is applicable to all community public water systems. It requires water systems to sample water from households with plumbing materials that contain lead or copper and take action to reduce exposure to the harmful metals in drinking water.

PERCHLORATE IN DRINKING WATER. EPA has announced a public peer review meeting and final list of panelists for external peer review of the agency's [Draft Report: Proposed Approaches to Inform the Derivation of a Maximum Contaminant Level Goal \(MCLG\) for Perchlorate in Drinking Water](#), referred to as the draft MCLG Approaches Report ([82 FR 56235](#)). The public peer review meeting is scheduled for 29-30 JAN 18. The public comment period for the draft MCLG Approaches Report closed in November. In addition, the public comment period on draft peer review charge questions closed in October. The peer review charge questions are available at [regulations.gov](#) (Docket ID No. EPA-HQ-OW-2016-0439).

REPORT ON FEDERALLY SUPPORTED WATER SUPPLY AND WASTEWATER TREATMENT PROGRAMS. CRS has issued a report to Congress describing federally supported water supply and wastewater treatment programs ([RL30478](#)). The report describes how programs operated by the U.S. departments of Agriculture, Commerce, Housing and Urban Development; EPA, Bureau of Land Management, and U.S. Army Corps of Engineers vary in scope and mission. The report describes how agency funding mechanisms (individual project or standing program authorization) affect how the programs operate. The report also discusses how federal expenditures have changed over time.

Department of Defense Activity

DOD ISSUANCES PROGRAM. The Office of the Deputy Chief Management Officer of the Department of Defense reissued [Department of Defense Instruction \(DODI\) 5025.01](#), DOD Issuances Program. The DODI: (1) establishes policy, assigns responsibilities, and provides procedures for the development, coordination, approval, publication, and review of DOD

issuances; (2) discontinues Secretary's policy memorandums as a type of DOD issuance used in the DOD Issuances Program; (3) establishes the DOD Issuances Website at <http://www.esd.whs.mil/DD/> (unclassified) and <https://www.dtic.smil.mil/whs/directives> (classified) as the official DOD source for issuances and processing guidance; and (4) establishes the Directives Portal System at <https://jsp.sp.pentagon.mil/sites/dodips/Pages/Site/Home.aspx> (unclassified) and <https://entapps.osd.smil.mil/site/dodips/Pages/Site/Home.aspx> (classified) as the official site for requesting and obtaining issuance coordination and legal review. Effective 22 DEC 17, the DODI cancels and reissues the 6 JUN 14 version.

REPORT: DOD CLIMATE CHANGE ADAPTATION PLANNING. The Government Accountability Office (GAO) has issued a report examining DOD planning for climate change impacts to overseas bases and infrastructure ([GAO-18-206](#)). GAO examined the extent to which DOD (1) identified operational and budgetary risks posed by weather effects associated with climate change on overseas infrastructure; (2) collected data to effectively manage risks to infrastructure; (3) integrated climate change adaptation into planning and design efforts; and (4) collaborated with host nations on adapting infrastructure and sharing costs. GAO reviewed DOD data and documents on climate change, planning, and cost-sharing and visited or contacted a sample of 45 overseas installations reporting climate change impacts. GAO recommends that DOD:

- Require overseas installations to systematically track costs associated with climate impacts;
- Re-administer its vulnerability assessment survey to include all relevant sites;
- Integrate climate change adaptation into relevant standards; and
- Include climate change adaptation in host-nation agreements.

DOD did not concur with the first two recommendations and partially concurred with the others.

Professional Development

DOD TRAINING SOURCES

2017 REPI WEBINAR SERIES (ONLINE). 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

(NEW) COOPERATIVE FEDERALISM WEBINAR (ONLINE). The Environmental Council of the States (ECOS) released a webinar, available on demand, highlighting ECOS' [paper](#) on Cooperative Federalism 2.0 and offering a deeper look into the EPA-state relationship.

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.

- 25 JAN 18: Decision Support Tools and a Framework for Climate-smart Restoration.

INTERAGENCY CONSULTATION FOR ENDANGERED SPECIES (CLASSROOM). Hosted by FWS, 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). 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 FY 2018 PROSPECT (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 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.

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How the Regional Offices Work for You

The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations.

The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services' interests are represented.

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

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

