



# Northern Review

## of Legislative & Regulatory Actions

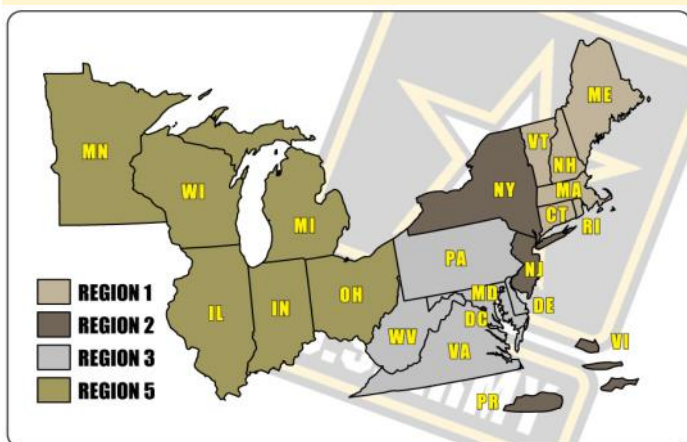
The U.S. Army Regional Environmental & Energy Office

February 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.

The *Review* is published under contract to the U.S. Army Corps of Engineers (USACE). The information in this publication is derived from a variety of sources and is not created by USACE.

To read back issues of this or other Army REEO *Reviews*, or to receive a monthly electronic copy, send an [email request](#).



## TABLE OF CONTENTS

Region 1 .....	2
Region 2 .....	4
Region 3 .....	6
Region 5 .....	8
Federal Activity .....	11
DOD Activity .....	15
Professional Development.....	15
Staff Directory .....	18

## STATE WATER GROUP ASKS FOR FEDERAL ACTION ON PFASs

The Association of State Drinking Water Administrators (ASDWA) says it has “serious concerns” with the growing health issues associated with per- and polyfluoroalkyl substances (PFASs) and is asking the U.S. Environmental Protection Agency (EPA) to work with state and federal agencies to develop a unified approach to PFASs.

“ASDWA urges EPA and CDC [Centers for Disease Control] to work in partnership with ASDWA and state drinking water programs, and with DOD, to address these growing public health concerns,” wrote Lisa Daniels, ASDWA president and director, in a 12 JAN 18 [letter to EPA Administrator Scott Pruitt and CDC Administrator Brenda Fitzgerald](#). Daniels also sent a copy to Maureen Sullivan, Deputy Assistant Secretary of Defense for Environment, Safety, and Occupational Health.

In the letter, Daniels outlined ASDWA’s two urgent recommendations: that a working committee be formed as soon as possible with ASDWA, EPA, CDC, and DOD leadership; and that the federal government develop a unified message to the public and state regulators on what to do about PFAS to minimize potential adverse effects to public health and the environment.

“Knowledge is continually evolving on a wide range of PFAS issues,” Daniels wrote, “and this new knowledge needs to be transferred to the public and state regulators in a coherent and cogent manner. Without this unified message and information, we’re concerned that several sets of differing risk numbers will be communicated from each agency, which will cause confusion, delay, or worse, no action at all.”

Daniels’ letter cites three states—Minnesota, New Jersey, and Vermont—that have proposed or established PFASs standards or guidelines that are lower than EPA’s health advisories. For more information about PFASs, 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.



## Connecticut

**LEGISLATIVE SESSION: 7 FEB 18 THROUGH 9 MAY 18, SINE DIE**

### FEDERAL ACTIVITY

**REVISIONS TO LOW EMISSION VEHICLES PROGRAM RULES.** EPA has issued a proposed rule to approve a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([83 FR 2097](#)). The SIP revision includes Connecticut's revised regulation for new motor vehicle emission standards. Connecticut has updated its rule to be consistent with various updates made to California's low emission vehicle (LEV) program. The Connecticut LEV regulations also include updates to the zero emission vehicle provision. Connecticut has adopted these revisions to reduce emissions of volatile organic compounds (VOC), particulate matter (PM), and nitrogen oxides (NO<sub>x</sub>) in accordance with the requirements of the Clean Air Act (CAA), as well as to reduce greenhouse gases (GHG). Comments are due 15 FEB 18.



## Massachusetts

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

### FEDERAL ACTIVITY

**REVISED FORMAT FOR MATERIALS INCORPORATED BY REFERENCE.** EPA has issued a final rule to revise the format for materials submitted by the commonwealth of Massachusetts that are incorporated by reference into the Massachusetts SIP ([83 FR 3965](#)). The regulations and other materials affected by this format change have all been previously submitted by Massachusetts and approved by EPA as part of the SIP. The final rule became effective 29 JAN 18.



## New Hampshire

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

### PROPOSED LEGISLATION

**HB 1737 CONCENTRATION OF MtBE IN WATER FOR PUBLIC WATER SYSTEMS.** HB 1737 prohibits the concentration of methyl tertiary butyl ether (MtBE) in water of public water systems to exceed 0.5 micrograms per liter (mg/L). The bill would apply to community, non-transient, and transient water systems. The current MtBE concentration standard, established by the state Commissioner of Environmental Services, is 13 mg/L. The bill was referred to the Resources, Recreation, and Development Committee.

**HB 1799 BLOOD TESTING FOR INDIVIDUALS EXPOSED TO PERFLUORINATED CHEMICALS.** HB 1799 requires the New Hampshire Department of Health and Human Services (NHDHHS) to offer and pay for blood testing for perfluorinated chemicals (PFCs) for individuals meeting at least one of several criteria established by the bill. Additionally, whenever a

municipality has been exposed to PFCs beyond a certain level defined by the bill, NHDHHS would be required to assess and report the prevalence of a variety of conditions associated with exposure to PFCs. The bill was referred to the Health, Human Services, and Elderly Affairs Committee.

**SB 240 MONITORING REQUIREMENTS FOR CONTAMINATED WELLS.** SB 240 establishes procedures that the New Hampshire Department of Environmental Services (NHDES) must follow when a contaminant is found in a well at levels below the ambient groundwater quality standard. The bill also requires that if the source of the contaminant(s) is identified, the responsible party shall either treat the water or provide an alternative source of drinkable water. The bill has passed the Senate and will be sent to the House.

**SB 309 STANDARDS FOR PERFLUOROchemicals.** SB 309 addresses perfluorochemicals in drinking water, ambient groundwater, and surface water. The bill requires the commissioner of NHDES to adopt a state drinking water standard, ambient groundwater quality standards, and surface water quality standards relative to perfluorochemicals. The Senate has also introduced [SB 454](#), which requires NHDES to review existing scientific studies and implement a rulemaking for ambient water quality standards and maximum containment levels (MCLs) for specific perfluorinated chemicals. Both bills have been referred to the Energy and Natural Resources Committee.

## ***FINAL RULE***

**AMENDMENTS TO REGULATED TOXIC AIR POLLUTANTS RULES.** NHDES has [readopted](#) (page 16) with amendments [Env-A 1400](#), *Regulated Toxic Air Pollutants*. The amendments incorporate the latest scientific data and streamline the compliance determination and permitting processes. Specifically, the amendments: (1) add needed definitions; (2) add and clarify exemptions for certain sources and activities listed in Env-A 1402.02; and (3) align chemical classification criteria for health related assessments with EPA requirements. Most sections of Env-A 1400 were scheduled to expire 25 NOV 17, but they remained in effect through the rulemaking process. A notice of the proposed readoption was published in the November 2017 *Northern Review*. The readoption became effective 5 JAN 18.



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

## ***FEDERAL ACTIVITY***

**WITHDRAWAL OF DIRECT FINAL RULE—ENHANCED MOTOR VEHICLE I/M PROGRAM.** Due to adverse comment, EPA has withdrawn a [direct final rule](#), issued 14 NOV 17, approving a SIP revision submitted by the state of Rhode Island ([83 FR 984](#)). The revision updated the enhanced motor vehicle inspection and maintenance (I/M) program in Rhode Island. The withdrawal became effective 9 JAN 18.



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

## ***PROPOSED LEGISLATION***

**SB 197 LIABILITY FOR TOXIC SUBSTANCE EXPOSURES OR RELEASES.** SB 197 holds any person who releases a toxic substance strictly, jointly, and severally liable for any harm resulting from the release. The bill also proposes to establish a private right of action for medical monitoring damages incurred due to exposure to a toxic substance. The bill was referred to the Judiciary Committee.

# Region 2

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



## New Jersey

**LEGISLATIVE SESSION: 9 JAN 18 THROUGH 7 JAN 19**

### FINAL LEGISLATION

**AB 261 PROHIBITION OF MOTOR VEHICLE WHEEL WEIGHTS CONTAINING LEAD OR MERCURY.** AB 261 (Public Act: 257) prohibits the installation and sale of wheel weights containing lead or mercury. The bill also prohibits the sale of new motor vehicles equipped with wheel weights containing lead or mercury. Wheel weights are fastened to automobile rims in order to balance tires, and thereby prevent uneven tire wear and ensure a smooth ride. These weights often fall off cars and end up in waterways via storm sewers. The bill was signed by the governor 8 JAN 18 and the requirements have varying effective dates.

**AB 4540 LAND USE PLANNING FOR SMART GROWTH, STORM RESILIENCY, AND ENVIRONMENTAL SUSTAINABILITY.** AB 4540 (Public Act: 275) requires that the land use element of a municipal master plan include a statement of strategy concerning: (1) smart growth; (2) storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and (3) environmental sustainability. The bill was signed by the governor 8 JAN 18 and became effective upon signature.

### PROPOSED LEGISLATION

**AB 350 PROHIBITIONS ON PLACEMENT OF DREDGE SPOILS ON AND AROUND ISLANDS.** AB 350 prohibits placement of dredge spoils on and around islands without municipal approval. Specifically, the bill prohibits the New Jersey Department of Environmental Protection (NJDEP) from approving any placement of dredge spoils on any portion of a Delaware River island owned or controlled by the state or a political subdivision of the state, unless certain conditions are met. The prohibition includes riparian land, located on a Delaware River island controlled in whole or in part by a Board of Island Managers established by the Legislature. The bill was referred to the Environment and Solid Waste Committee.

**AB 354 MCL FOR TCP.** AB 354 requires NJDEP to establish a MCL for 1,2,3-trichloropropane (TCP) in drinking water. Specifically, the bill requires NJDEP, within 90 days after the effective date of the bill, to establish an MCL for TCP of 15 parts per trillion (ppt). The bill does allow NJDEP to adopt a more stringent standard, pursuant to existing law, upon a recommendation of the Drinking Water Quality Institute. The bill was referred to the Environment and Solid Waste Committee.

**AB 1652 USE OF ENERGY-EFFICIENT OUTDOOR LIGHTING FIXTURES.** AB 1652 requires the state to install, replace, or maintain outdoor lighting fixtures that comply with design requirements specified in the bill so as to minimize wasted light and state funds. The bill does not require the state to replace outdoor lighting fixtures that function properly as of the bill's effective date; it only applies to the replacement of deficient outdoor lighting fixtures. The bill was reported favorably from the Telecommunications and Utilities Committee and was referred to the Appropriations Committee.



## ***FINAL RULES***

**DISCHARGES OF PETROLEUM AND OTHER HAZARDOUS SUBSTANCES RULES.** NJDEP has [adopted](#) amendments to the groundwater quality standards at [N.J.A.C. 7:9C](#). The amendments replace or update existing interim specific groundwater quality criteria, interim practical quantitation levels (PQLs), and interim standards for 23 constituents with permanent standards. The amendments also allow NJDEP, in appropriate cases, to use alternative values and/or modified equations in the derivation of interim specific groundwater quality criteria. Finally, the amendments add perfluorononanoic acid (PFNA) to the List of Hazardous Substances at N.J.A.C. 7:1E Appendix A. A notice of the proposed amendments was published in the May 2017 *Northern Review*. The amendments became effective 16 JAN 18.

**UPDATES TO AIR POLLUTION CONTROL REGULATIONS.** NJDEP has [adopted](#) new rules, repeals, and amendments to the air pollution control regulations at N.J.A.C. 7:27. The rulemaking consists of three major categories: (1) exemptions from air emission control and permitting requirements to improve resiliency in emergency and similar situations and provide flexibility for facilities to use low-emitting temporary and portable equipment; (2) updates to hazardous air pollutant (HAP) reporting thresholds using the most recent science-based methodologies; and (3) repeal of N.J.A.C. 7:27-30, *Clean Air Interstate Rule (CAIR) NO<sub>x</sub> Trading Program*, and N.J.A.C. 7:27-31, *NO<sub>x</sub> Budget Program*, which have been federally preempted. A notice of the proposed rulemaking was published in the September 2017 *Northern Review*. The rulemaking became effective 16 JAN 18.

**AMENDMENTS TO UNDERGROUND STORAGE TANK RULES.** NJDEP has [adopted](#) new rules and amendments affecting the requirements applicable to Underground Storage Tanks (USTs). The new rules and amendments relate to: (1) secondary containment; (2) operator training, designation, and duties; (3) partially regulated UST systems; (4) field constructed tanks and airport hydrant systems; (5) operation and maintenance walkthrough inspections; (6) UST registration; (7) notification; (8) UST service provider certifications; and (9) civil administrative penalties. The rules apply to tanks that store motor fuel, liquid petroleum products, waste oil, or other hazardous substances, and all heating oil tanks of 2,001 gallons or more for on-site consumption at businesses or commercial operations. A notice of the proposed rulemaking was published in the June 2017 *Northern Review*. The adoption became effective 16 JAN 18.

**AMENDMENTS TO RULES GOVERNING WELLS AND INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS.** NJDEP has [adopted](#) amendments to the rules governing well drilling materials, methods, and technologies. The amendments update the rules and include changes to reflect the increasing use of green energy systems, such as closed loop geothermal systems. The amendments also: (1) implement provisions that mandate the establishment of a continuing education program for all licensed well drillers and pump installers; (2) update enforcement provisions to address industry concerns, including increased oversight of individuals who are in violation, and to clarify the procedures by which NJDEP can suspend or revoke a license; and (3) update N.J.A.C. 7:9A, *Standards for Individual Subsurface Sewage Disposal Systems*, for consistency with the new requirements for well design. A notice of the proposed amendments was published in the July 2017 *Northern Review*. The amendments became effective 2 JAN 18.



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

## ***FINAL RULE***

**AMENDMENTS TO PUBLIC WATER SYSTEM RULES.** New York State Department of Health (NYSDOH) has [adopted](#) (page 9) amendments to the public water system rules at 10 NYCRR 5-1. The amendments are necessary for NYSDOH to maintain full primacy for delivery, oversight, and management of New York's public drinking water supply supervision program. The amendments also ensure consistency with federally enacted drinking water regulations promulgated by EPA, including: (1) amendments to the Lead and Copper Rule; (2) Long Term 2 Enhanced Surface Water Treatment Rule; (3) Stage 2 Disinfectant and Disinfection Byproducts Rule; and (4) Variances and Exemptions Rule. The amendments also incorporate requirements related to recent amendments to the New York State Public Health Law. A

notice of the proposed amendments was published in the March 2017 *Northern Review*. The amendments became effective 17 JAN 18.

## 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: 2 JAN 18 THROUGH 31 DEC 18**

### **FINAL RULE**

**AMENDMENTS TO DENTAL AMALGAM DISCHARGE MANAGEMENT REQUIREMENTS.** The District of Columbia Water and Sewer Authority has [adopted](#) amendments to the dental amalgam discharge management requirements and related definitions. A notice of the proposed amendments was published in the November 2017 *Northern Review*. The amendments became effective 19 JAN 18.



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

### **FEDERAL ACTIVITY**

**NONATTAINMENT NEW SOURCE REVIEW REQUIREMENTS FOR 2008 8-HOUR OZONE STANDARD.** EPA has issued a final rule approving a SIP revision submitted by the state of Maryland ([83 FR 3982](#)). The revision is in response to EPA's 3 FEB 17 Findings of Failure to Submit for various requirements relating to the 2008 8-hour ozone national ambient air quality standards (NAAQS). The SIP revision is specific to nonattainment new source review (NNSR) requirements. The final rule becomes effective 28 FEB 18.

### **PROPOSED LEGISLATION**

**SB 500 (HB 116) PROHIBITION ON USE OF CHLORPYRIFOS.** SB 500 prohibits, as of 1 JAN 19, the use of chlorpyrifos in the state, including any insecticide that contains chlorpyrifos. Chlorpyrifos is an organophosphate insecticide, acaricide, and miticide used primarily to control foliage and soil-borne insect pests. The bill was referred to the Education, Health, and Environmental Affairs Committee.



**LEGISLATIVE SESSION: 2 JAN 18 THROUGH 30 NOV 18**

### **PROPOSED LEGISLATION**

**SB 15 CLIMATE CHANGE MITIGATION ACT.** SB 15 requires the Pennsylvania Environmental Quality Board (PEQB) to establish a statewide GHG emissions limit, to be achieved by 2025. The bill also tasks the Pennsylvania Department of Environmental Protection (PADEP) with: (1) determining and publishing the level of baseline emissions; (2)

implementing and enforcing regulations promulgated by PEQB; and (3) beginning three years after the effective date of the bill, PADEP must include specific information in each climate change action plan submitted by the department. The bill was referred to the Environmental Resources and Energy Committee.

## ***OTHER REGULATORY ACTIVITY***

**REVISED TOTAL COLIFORM RULE GUIDANCE.** PADEP has [released](#) a draft technical guidance document: *Revised Total Coliform Rule Guidance*. The document provides guidance on revisions to Pennsylvania's Chapter 109, *Safe Drinking Water regulations*, which were made to conform to the federal Revised Total Coliform Rule (RTCR). The document focuses on changes to existing regulations and new mandates relating to assessments and seasonal water systems. One or more provisions of the RTCR may apply to all public water systems. The document was issued on 20 JAN 18.



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

## ***PROPOSED LEGISLATION***

**HB 345 (SB 265) SECRETARY OF COASTAL PROTECTION AND FLOODING ADAPTATION.** HB 345 creates the executive branch position of Secretary of Coastal Protection and Flooding Adaptation. The new secretary shall be responsible for consolidating into a single office the resources for protection against coastal flooding threats and flooding adaptation. The secretary will also be the lead in developing and in providing direction and ensuring accountability for a statewide coastal flooding adaptation strategy. The bill requires the secretary, in cooperation with the Virginia Secretary of Natural Resources, to identify sources of funding for implementation of strategies for coastal protection and flooding adaptation. The bill was referred to the Appropriations Committee.

**HB 1136 RESTRICTIONS ON ABOVEGROUND CHEMICAL STORAGE TANKS.** HB 1136 authorizes localities to adopt an ordinance that makes it unlawful for any person to construct, maintain, or use any aboveground chemical storage tank (ACST) having a capacity of 250 gallons or more without obtaining a permit from the local fire official. The bill directs the state Board of Housing and Community Development to adopt regulations requiring that the inspection, repair, alteration, or reconstruction of any such ACST comply with the API 653 Standard or an appropriate equivalent standard for any tank too small to be governed by API 653. The bill was referred to the Counties, Cities, and Towns Committee.

## ***FINAL RULES***

**AMENDMENTS TO WATER QUALITY MANAGEMENT PLANNING REGULATION.** The Virginia Department of Environmental Quality (VDEQ) has [adopted](#) amendments to 9VAC25-720, *Water Quality Management Planning Regulation*. The amendments adopt 12 new and three revised total maximum daily load (TMDL) wasteload allocations. The amendments became effective 21 FEB 18.

**GENERAL VPDES PERMIT FOR POTABLE WATER TREATMENT PLANTS.** The Virginia State Water Control Board (VSWCB) has [reissued](#) with amendments 9VAC25-860, *General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Potable Water Treatment Plants*. The amendments include: (1) removal of the requirement to submit a groundwater monitoring plan with the registration if the plan has been previously submitted and approved; (2) allowing electronic submittals of registration statements; (3) removal of the allowance for reduced monitoring for reverse osmosis plants; (4) new requirement for a corrective action plan when groundwater is contaminated; and (5) clarification throughout the regulation where the requirements apply to the process wastewater treatment or discharge versus the drinking water treatment. A notice that amendments were under consideration was published in the February 2017 *Northern Review*. The existing GP is scheduled to expire 30 JUN 18, and the newly reissued GP becomes effective 1 JUL 18.

**AMENDMENT TO NEW AND MODIFIED STATIONARY SOURCES REGULATION.** VDEQ has [adopted](#) an amendment to 9VAC5-50, *New and Modified Stationary Sources*. The amendment incorporates by reference certain federal regulations to reflect the Code of Federal Regulations (CFR) as published 1 JUL 17. The amendments became effective 21 FEB 18.

## ***PROPOSED RULE***

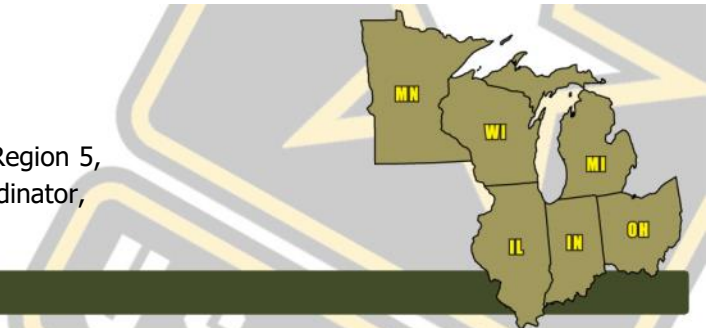
**VPDES GENERAL PERMIT REGULATION FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY.** VDEQ has [proposed](#) to reissue with amendments [9 VAC25-151](#), *General Virginia Pollutant Discharge Elimination System Permit For Discharges of Stormwater Associated With Industrial Activity*. The permit is scheduled to expire 30 JUN 19, and needs to be reissued so that industrial facilities with point source discharges to surface waters of stormwater from regulated industrial activities can continue to have general permit coverage. Comments are due 21 MAR 18.

## ***OTHER REGULATORY ACTIVITY***

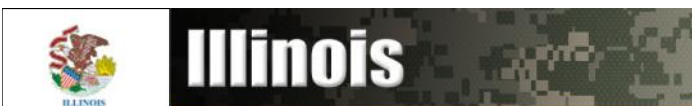
**WATER QUALITY MANAGEMENT PLANNING REGULATION FOR POTOMAC-SHENANDOAH RIVER BASIN.** VSWCB is [considering amendments](#) to the state's Water Quality Management Planning Regulation for the Potomac-Shenandoah River Basin (9VAC25-720-50 A). The amendments would include the adoption of six new TMDL wasteload allocations. Comments are due 21 FEB 18.

# **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.



**PUBLIC NOTIFICATION REQUIREMENTS FOR COMBINED SEWER OVERFLOWS TO GREAT LAKES BASIN.** EPA has issued a final rule that implements section 425 of the Consolidated Appropriations Act of 2016 ([83 FR 712](#)). This section requires EPA to work with the Great Lakes states to establish public notification requirements for combined sewer overflow (CSO) discharges to the Great Lakes. The requirements address signage, notification of local public health departments and other potentially affected public entities, notification to the public, and annual notice. The final rule includes a two-stage approach with requirements that apply directly to existing National Pollutant Discharge Elimination System (NPDES) permittees authorized to discharge from a CSO to the Great Lakes Basin, beginning 7 AUG 18. The rule requires the public notification provisions to be incorporated into NPDES permits when these permits are issued or reissued after 7 FEB 18, unless the permit has been proposed prior to 7 FEB 18, in which case the requirements would be incorporated into the next permit renewal. The final rule becomes effective 7 FEB 18.



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

## ***FINAL RULE***

**AMENDMENTS TO PRIMARY DRINKING WATER STANDARDS.** The Illinois Environmental Protection Agency (IEPA) has [adopted](#) (page 105) amendments to the state drinking water regulations at 35 Ill. Adm. Code 611, *Primary Drinking Water Standards*. The amendments correspond with amendments adopted by EPA to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations from 1 JUL 16 through 31 DEC 16. During this period, EPA did not amend the federal regulations, but it granted summary approval to 16 additional equivalent methods to analyze contaminants in drinking water. The amendments became effective 4 JAN 18.





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

**PROPOSED LEGISLATION**

**SB 361 WATER INFRASTRUCTURE TASK FORCE.** SB 361 creates a Water Infrastructure Task Force and establishes the membership criteria. The bill requires the task force to: (1) study drinking water systems and wastewater management systems; (2) develop a long term plan for addressing drinking water and wastewater needs in Indiana; and (3) submit a report containing certain recommendations to the general assembly and the governor by 1 DEC 18. The bill also requires the Indiana Finance Authority to provide staff support to the task force. The bill passed the Senate and was referred to the House Utilities, Energy, and Telecommunications Committee.



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

**PROPOSED RULES**

**PROPOSED AMENDMENTS TO RULES GOVERNING HEALTH RISK LIMITS FOR GROUNDWATER.** The Minnesota Department of Health (MDH) has [proposed](#) (page 5) amendments to the Health Risk Limit (HRL) rules for groundwater. The amendments add or replace HRL values developed by MDH between 2014 and mid-2017. The amendments also add (to Minnesota Rules, part 4717.7860) health-based guidance values for four chemicals that have not been in HRL rules for groundwater previously. In addition, outdated HRL values for 18 chemicals will be repealed and replaced by new HRL values. Comments are due 21 FEB 18.

**PROPOSED CWA SECTION 401 WATER QUALITY CERTIFICATION FOR USACE GENERAL PERMITS.** The Minnesota Pollution Control Agency (MPCA) has made a [preliminary decision](#) (page 10) to provide Clean Water Act (CWA) Section 401 [Water Quality Certification](#) for U.S. Army Corps of Engineers (USACE) General Permits (GP) for the state of Minnesota. The draft 401 Water Quality Certification identifies conditions that, when finalized by MPCA, must be incorporated into the GPs for the certification to be valid. Once finalized, MPCA will issue the Water Quality Certification of the GPs, which will then be in effect throughout the duration of the GP (through 18 FEB 20). The comment period closed 26 JAN 18.



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

**FINAL RULES**

**AMENDMENTS TO IDENTIFICATION OF HAZARDOUS CHEMICALS RULES.** The Ohio Environmental Protection Agency (OEPA) has [adopted](#) amendments to Ohio Administrative Code (OAC) [3750-30-25](#), *Identification of Hazardous Chemicals*. The amendments address EPA's recently revised hazardous chemical reporting regulations. EPA revised its regulations to conform to the Occupational Safety and Health Administration's (OSHA's) revisions to the Hazard Communication Standard. OSHA's revisions adopted the Global Harmonizing System classification and labeling of chemicals. A notice of the proposed amendments was published in the November 2017 *Northern Review*. The amendments became effective 15 JAN 18.

**INVASIVE PLANT SPECIES.** The Ohio Department of Agriculture (ODA) has [adopted](#) rules ([901:5-30-01](#)) to establish a list of invasive plants in the state of Ohio. The rules prohibit the sale and distribution of invasive plants in the state of Ohio. Further, the rules establish a committee that will advise ODA on matters regarding invasive plants. The rules became

effective 7 JAN 18.

**RESCINDING LOW REID VAPOR PRESSURE (RVP) FUEL REQUIREMENTS.** OEPA has [rescinded](#) the rules in OAC Chapter 3745-72, *Low Reid Vapor Pressure Fuel Requirements*. The rules control emissions of VOCs to help the Cincinnati and Dayton areas in their attainment of the ozone NAAQS. These rules are no longer necessary, as EPA approved the removal of the low RVP fuel requirements in the Cincinnati and Dayton areas on 7 APR 17. A notice of early stakeholder outreach for the rulemaking was published in the July 2017 *Northern Review*. The rescission of these rules became effective 20 JAN 18.

**AMENDMENTS TO WATER QUALITY STANDARDS PROGRAM RULES.** OEPA has [adopted](#) amendments to OAC Chapter 3745-1, *Water Quality Standards*. The amendments revise: (1) [3745-1-01](#), *Purpose and applicability*; and (2) [3745-1-04](#), *Criteria applicable to all waters*. The amendments add criteria covering harbor or navigation maintenance activities in support of the law banning open lake placement by 2020, and revise language covering pesticide applications. A notice of the proposed amendments was published in the August 2017 *Northern Review*. The amendments became effective 2 JAN 18.

## ***PROPOSED RULES***

**AMENDMENTS TO OPEN BURNING PROGRAM RULES.** OEPA has [proposed](#) amendments to OAC Chapter [3745-19](#), *Open Burning Standards*, which assist the state in attainment and maintenance of NAAQS for PM. These rules regulate the type of fire, size of fire, and materials that may be burned. The rules also establish requirements for obtaining permission to open burn and penalties for violations of the open burning regulations. Along with various minor changes for clarification and to fix typographical errors, OEPA is changing the status of fires for recognized horticultural, silvicultural, and prairie management purposes from permission required to notification required. The comment period closed 9 JAN 18.

**REGISTRATION OF UST SYSTEMS.** The Ohio Division of the State Fire Marshall has [proposed](#) an amendment to the UST program rules. Specifically, the amendment revises [1301:7-9-04](#), *Registration of UST systems*, which requires owners of USTs to register them on annual basis, require newly installed USTs to be registered, and require transfers of ownership to be reported. The documentation for the registrations and transfers is accompanied by a fee. The proposed amendment increases that fee from \$50 to \$100 in order to financially support the state's UST program. Governmental entities are exempt from the fee. A public hearing is scheduled for 14 FEB 18 and comments are due the same day.



***LEGISLATIVE SESSION: 16 JAN 18 THROUGH 7 JAN 19 (EST)***

## ***PROPOSED LEGISLATION***

**AB 881 (SB 739) NOTIFICATION REQUIREMENTS FOR CERTAIN WATER POLLUTION VIOLATIONS.** AB 881 requires the Wisconsin Department of Natural Resources (WDNR), if it finds that the holder of a Wisconsin Pollutant Discharge Elimination System permit has violated certain provisions of the permit, to notify well owners and counties that may be negatively affected by the violation. The bill requires WDNR to provide these notices within 30 days after finding that a violation has occurred and within 24 hours if WDNR determines that the violation poses a serious risk to public health. The bill also requires WDNR to establish, by rule, procedures for providing the required notice. The bill was referred to the Environment and Forestry Committee.

# Federal Activity

## AIR

**PERMITTING FOR MAJOR SOURCES—ONCE IN, ALWAYS IN.** In January, EPA [issued](#) a [policy memorandum](#) reversing a long-standing policy for major sources. Under the so-called [once in, always in](#) policy, facilities considered major sources of HAPs were always regulated as such, even if the facilities' owners took measures to reduce pollution. With the new guidance, sources previously classified as major sources may be reclassified as area sources at any time, provided the facility limits its potential to emit below major source thresholds. CAA defines a major source as one that emits, or has the potential to emit, 10 tons per year of any hazardous air pollutant, or 25 tons per year or more of any combination of hazardous air pollutants. Sources with emissions below this threshold are classified as area sources. Different control standards apply to the source depending on whether or not it is classified as a major or as an area source. For more information, click [here](#).

**ROUND THREE AIR QUALITY AREA DESIGNATIONS—SULFUR DIOXIDE.** EPA has issued a final rule establishing initial air quality designations for certain areas in the U.S. for the 2010 sulfur dioxide (SO<sub>2</sub>) primary NAAQS ([83 FR 1098](#)). EPA has designated areas as either Nonattainment, Attainment/Unclassifiable, or Unclassifiable. In this third round of designations for the 2010 SO<sub>2</sub> NAAQS, six areas are being designated Nonattainment; 23 areas are being designated Unclassifiable; and the rest of the areas covered by this round in all states, territories, and tribal lands are being designated Attainment/Unclassifiable. EPA has established a [website](#) for the initial SO<sub>2</sub> designation rulemakings that lists counties or air districts and indicates their attainment status. The round one and two designations are represented in map form [here](#). The round three final designations become effective 9 APR 18.

**EMISSION STANDARDS FOR OFF-SITE WASTE AND RECOVERY OPERATIONS.** EPA has issued a final rule amending the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Off-Site Waste and Recovery Operations (OSWRO) ([83 FR 3986](#)). The final amendments address continuous monitoring on pressure relief devices (PRDs) on containers. The rulemaking, in response to a petition for reconsideration of the 2015 amendments to the OSWRO NESHAP, removes additional monitoring requirements for PRDs on containers that resulted from the 2015 amendments. Categories and entities potentially regulated by this action include, but are not limited to, businesses or government agencies that operate any of the following: (1) hazardous waste treatment, storage and disposal facilities; (2) Resource Conservation and Recovery Act (RCRA) exempt hazardous wastewater treatment facilities; (3) nonhazardous wastewater treatment facilities other than publicly owned treatment works; (4) used solvent recovery plants; (5) RCRA exempt hazardous waste recycling operations; and (6) used oil re-refineries. The final rule became effective 29 JAN 18.

**TESTING REGULATIONS FOR AIR EMISSION SOURCES.** EPA has issued a proposed rule to make corrections and updates to regulations for source testing of emissions ([83 FR 3636](#)). The proposed rule includes corrections to testing provisions that contain inaccuracies, updates to outdated procedures, and approved alternative procedures that provide testers enhanced flexibility.

## CLEAN UP

**HAZARD RANKING SYSTEM—CORRECTION TO SUBSURFACE INTRUSION COMPONENT.** EPA has made a correction to the Subsurface Intrusion Component to the Hazard Ranking System ([83 FR 4430](#)). The correction makes changes to [Appendix A to 40 CFR 300](#) by revising the names of certain sections and figures, and adding a number of tables. In a separate but related action, EPA revised the definition of the term "source" in the same appendix ([83 FR 4431](#)). Source is now defined as any area where a hazardous substance has been deposited, stored, disposed, or placed, plus those soils that have become contaminated from migration of a hazardous substance. Sources do not include those volumes of air, ground water, surface water, or surface water sediments that have become contaminated by migration; except, in the case of either a ground water plume with no identified source or contaminated surface water sediments with no

identified source, the plume or contaminated sediments may be considered a source. The corrections were published 31 JAN 18.

## ***ENERGY***

**DOE REGULATORY AGENDA.** The U.S. Department of Energy (DOE) has released its Semiannual Regulatory Agenda ([83 FR 1854](#)). Among the items on the agenda are energy conservation standards for a variety of products, use of a market-based approach to identifying energy conservation standards, and a final rule on natural gas exports.

**GRID SECURITY—EMERGENCY ORDERS.** DOE has issued a final rule establishing procedural regulations to implement temporary emergency measures in the event of a grid security emergency ([83 FR 1174](#)). A grid security emergency could result from a physical attack, a cyber-attack using electronic communication, an electromagnetic pulse, or a geomagnetic storm event damaging certain electricity infrastructure assets and impairing the reliability of the nation's power grid. The procedures established by the final rule are intended to ensure the expeditious issuance of emergency orders under the Federal Power Act. The procedures are effective 10 JAN 18.

## ***MISCELLANEOUS***

**EPA SEMIANNUAL REGULATORY AGENDA.** EPA has released its Semiannual Regulatory Agenda ([83 FR 1932](#)). Among the items on the agenda are a review of lead-based paint activities, training, and certification for renovation and remodeling; review of vapor degreasing activities under the Toxic Substances Control Act (TSCA); and TSCA review of n-methylpyrrolidone and methylene chloride in paint and coating removal in commercial processes, consumer products, and residential settings.

## ***NATURAL RESOURCES***

**CLIMATE AND MITIGATION POLICIES RESCINDED.** In December, the U.S. Department of Interior (DOI) issued [Secretarial Order 3360](#), which rescinds the DOI's climate and mitigation policies, including the Departmental Manual on Climate Change Policy, Departmental Manual on Landscape-Scale Mitigation Policy, the Bureau of Land Management (BLM) Mitigation Manual, and BLM Mitigation Handbook. The DOI order also directs BLM to review the Draft Regional Mitigation Strategy for the National Petroleum Reserve-Alaska and begin revisions to ensure it is consistent with the administration's energy dominance goals. The order is aimed at implementing President Trump's [Executive Order on Promoting Energy Independence and Economic Growth](#).

**NEPA COMPLIANCE ON FOREST SERVICE LANDS.** The U.S. Forest Service has proposed revisions to its National Environmental Policy Act (NEPA) procedures with the goal of increasing efficiency of environmental analysis and has released an Advance Notice of Proposed Rulemaking ([83 FR 302](#)). The service is seeking comment on how, under NEPA, it can: (1) increase efficiency in moving through the NEPA process; (2) improve application of the NEPA process on landscape-scale restoration projects; (3) determine which types of activities could undergo an abbreviated NEPA review because they pose minimal effects on natural resources, such as certain restoration projects, special use authorizations, and activities to maintain and manage sites, facilities, and associated infrastructure; and (4) improve coordination with other agencies on multi-agency projects. A news release is available [here](#).

**REPORT—WILDERNESS ISSUES AND LEGISLATION.** The Congressional Research Service released a report, [Wilderness: Issues and Legislation](#) (R41610). The report provides an overview of the National Wilderness Preservation System and how lands are designated as wilderness. The report also explores some of the controversies associated with wilderness designations, authorized land uses within wilderness areas, and access to wilderness areas for specific uses or purposes.

**INVASIVE SPECIES ADVISORY COMMITTEE.** The advisory committee to the National Invasive Species Advisory Council is holding a three-day meeting 27 FEB to 1 MAR 18 ([83 FR 4241](#)). The first day of the meeting will include two public listening sessions with input from private sector, academic, and non-governmental perspectives (Session 1), as well as from state, territory, and tribal perspectives (Session 2).



## ***SUSTAINABILITY***

**NATIONAL MITIGATION INVESTMENT STRATEGY.** The Federal Emergency Management Agency (FEMA) released the draft [National Mitigation Investment Strategy](#) for public comment. The draft strategy, developed by the Mitigation Framework Leadership Group (MitFLG) as a part of FEMA's National Mitigation Framework, makes a series of recommendations organized by six desired outcomes which—if met—could result in a nation better equipped for, and less vulnerable to, natural hazards. The draft strategy provides a national approach to investments in mitigation activities and risk management across federal, state, local, tribal, and territorial governments, and private and non-profit sectors. MitFLG is specifically seeking comment on what incentives could be used to encourage more non-federal investments. A fact sheet and draft strategy are available from FEMA's [MitFLG website](#). For more information about the National Mitigation Framework, including the draft strategy, click [here](#).

## ***THREATENED AND ENDANGERED SPECIES***

**MONITO GECKO.** The U.S. Fish and Wildlife Service (FWS) has issued a proposed rule to remove the Monito gecko from the Federal List of Endangered and Threatened Wildlife ([83 FR 1223](#)). The species is found in Puerto Rico. The service is requesting comment on the proposed delisting.

**GIANT MANTA RAY.** The National Marine Fisheries Service (NMFS) has issued a final rule listing the [giant manta ray](#) as threatened ([83 FR 2916](#)). The service concluded that critical habitat is not determinable because data sufficient to perform the required analyses is lacking. Information on habitat features and areas in U.S. waters that may meet the definition of critical habitat for the giant manta ray may be submitted at any time. The giant manta ray can be found in all ocean basins. Within the Northern Hemisphere, the species has been documented as far north as southern California and New Jersey on the U.S. west and east coasts. Within its range, the giant manta ray inhabits tropical, subtropical, and temperate bodies of water and is commonly found offshore, in oceanic waters, and near productive coastlines. The final rule becomes effective 21 FEB 18.

**OCEANIC WHITETIP SHARK.** NMFS has issued a final rule listing the [oceanic whitetip shark](#) as threatened ([83 FR 4153](#)). The service concluded that critical habitat is not determinable at this time due to a lack of data. Comments on habitat features and areas in U.S. waters that may meet the definition of critical habitat for the species may be submitted at any time. Oceanic whitetip sharks are found worldwide in warm tropical and subtropical waters between 20° north and 20° south latitude, but can be found up to about 30° north and south latitude during seasonal movements to higher latitudes in the summer months. The final rule becomes effective 1 MAR 18.

**EASTERN PUMA.** FWS has issued a final rule to determine that the [eastern puma](#), a subspecies of puma, is extinct and to remove the species from the Federal List of Endangered and Threatened Wildlife ([83 FR 3086](#)). The species historical range included Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia. The last confirmed sighting was in 1938. The final rule becomes effective 22 FEB 18.

## ***TOXICS***

**PESTICIDE REGISTRATION—ENDANGERED SPECIES CONSULTATION.** According to an EPA [news release](#), EPA Administrator Scott Pruitt signed a Memorandum of Agreement (MOA) between EPA, DOI, and the Department of Commerce. The MOA establishes an interagency working group to evaluate and improve the Endangered Species Act (ESA) consultation process for pesticide registration. Through the MOA EPA, FWS, and NMFS will request the U.S. Department of Agriculture, the Council on Environmental Quality (CEQ) and the Office of Management and Budget join the interagency working group and that CEQ serve as its chair. The working group will coordinate and support agencies in meeting their obligations for pesticide consultation at the nexus of the Federal Insecticide, Fungicide and Rodenticide Act and ESA.

**2016 TRI NATIONAL ANALYSIS.** In January, EPA [announced](#) the release of the [2016 Toxic Release Inventory \(TRI\) National Analysis](#). The publicly available database shows that industrial facilities continue to reduce the releases of TRI

chemicals through pollution reduction activities. The database includes easily accessible tools to learn more about the practices implemented to both manage waste and reduce pollution at nearly 22,000 facilities that submitted TRI data for calendar year 2016. For more information, click [here](#).

**EMERGING CONTAMINANTS AND FEDERAL FACILITY CONTAMINANTS OF CONCERN.** EPA has updated its [website](#) for emerging contaminants and federal facility contaminants of concern. The website identifies and provides fact sheets for chemicals that present unique issues and challenges at federal facility sites. The fact sheets for chemical compounds provide a brief summary of each contaminant, including physical and chemical properties, environmental and health impacts, existing federal and state guidelines, and detection and treatment methods.

**HOUSEHOLD LEAD PAINT, LEAD DUST.** In December, the United States Court of Appeals for the Ninth Circuit [ordered](#) EPA to propose a new standard for lead inside homes within 90 days, and to promulgate a final rule within one year of the proposed rule. The agency has been working on new standards for lead in household paint, dust, and soil since 2011. EPA estimated to the court that it needed another six years to promulgate a final rule.

**CHLOROFORM IRIS ASSESSMENT.** EPA has released the [Systematic Review Protocol for the Integrated Risk Information System \(IRIS\) Chloroform Assessment \(Inhalation\)](#) for public comment ([83 FR 4480](#)). The protocol describes the systematic review procedures and other methodology planned for use in developing the chloroform assessment. For more information about the chloroform toxicological review, click [here](#).

## **WASTE**

**HAZARDOUS WASTE E-MANIFEST.** EPA has issued a final rule to establish the methodology by which it will determine and revise the user fees applicable to electronic and paper manifests that will be submitted to the national electronic manifest system (e-Manifest system), currently under development ([83 FR 420](#)). After the e-Manifest system's implementation date, certain users of the hazardous waste manifest will be required to pay a prescribed fee for each electronic and paper manifest they use and submit to the national system so that EPA can recover the costs of developing and operating the national e-Manifest system. Once the final rule becomes effective, EPA will begin accepting manifest submissions and collecting the corresponding manifest submission fees. In addition, EPA also announced final decisions and regulations relating to several non-fee related matters. These decisions and regulations address modifying existing regulations to: (1) allow changes to the transporters designated on a manifest while the shipment is en route; (2) describe how data corrections may be made to existing manifest records in the system; and (3) amend the previous e-Manifest regulation (the One Year Rule) to allow the use, in certain instances, of a mixed paper and electronic manifest to track a hazardous waste shipment. The final rule becomes effective 30 JUN 18.

## **WATER**

**SUPREME COURT RULING ON WATERS OF THE U.S.** In a [unanimous decision](#), the Supreme Court ruled that challenges to the Obama-era Waters of the U.S. (WOTUS) jurisdiction rule should start in federal district courts. According to [INSIDEEPA](#), the ruling sets an important precedent that says the EPA and U.S. Army Corps of Engineers rule defining the scope of the CWA's reach does not qualify as one of the specified types of water policies that the water law says can be challenged directly in appellate court. Instead, the court agreed with states, industry groups, environmentalists, and others that suits over the rule must, under the Administrative Procedure Act, be heard in district court. The decision reverses a nation-wide stay, and revives pending district court challenges to the Obama-era rule, even as the Trump Administration plans to [reconsider the WOTUS Rule](#). The case is [National Association of Manufacturers, v. Department of Defense, et al.](#)

**WATERS OF THE U.S. RULE—APPLICABILITY DATE.** EPA and the U.S. Army Corps of Engineers have jointly issued a final rule that adds an applicability date of 6 FEB 20 to the 2015 WOTUS rule, also referred to as the Clean Water Rule ([83 FR 5200](#)). During the next two years both agencies will continue the process of reconsidering the 2015 WOTUS rule. This final rule is separate from the two-step process the agencies are currently taking to reconsider the 2015 rule. The public comment period for the Step 1 rule proposing to rescind the 2015 rule closed in September 2017, and those

comments are currently under review by the agencies. EPA and the Army are also in the process of reviewing input from state, local, and tribal governments and other stakeholders as they work to develop a proposed Step 2 rule that would revise the definition of "waters of the United States." The final rule became effective 6 FEB 18.

# Department of Defense Activity

**ENVIRONMENTAL AND ENERGY TECHNOLOGY SOLICITATION.** DOD's Environmental Security Technology Certification Program (ESTCP) released a [solicitation](#) requesting proposals for demonstration of environmental and installation energy technologies. Fiscal Year 2019 funds will be awarded through a competitive process to federal and private organizations for the following topic areas: (1) Environmental Restoration; (2) Munitions Response Underwater; (3) Resource Conservation and Resiliency; (4) Weapons Systems and Platforms; (5) Energy Efficiency Technology Demonstrations Integrated with Utility Energy Services Contracts; (6) Effective Use of Utility and Facility Data to Improve the Management, Operation and Maintenance of Facilities; and (7) Large Scale Energy Storage and Microgrids. Proposals are due 8 MAR 18.

## Professional Development

### *DOD TRAINING SOURCES*

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

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

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

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

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

**AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING (CLASSROOM/ONLINE).** The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil

Engineer School are available to all military and civilian employees of the U.S. government. Fees vary according to personnel status (i.e., active duty Air Force/civilian, other U.S. government employee, contractor).

## ***FEDERAL TRAINING SOURCES***

**(NEW) 21 FEB 18—HOW TO TRACK WASTE AND MATERIALS IN PORTFOLIO MANAGER (ONLINE).** EPA's EnergyStar program is hosting a one-hour webinar on how to use the waste tracking feature in [Portfolio Manager](#). Learn how to measure and track building waste and materials. Registration required.

**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.

**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.

**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) 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 SO<sub>2</sub>, NO<sub>x</sub>, and CO<sub>2</sub> emissions in the continental United States. The tool can be used to evaluate county, state, and regional level emissions displaced by energy efficiency and renewable energy programs without the need of specialized resources or electricity system expertise.

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

**CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES (ONLINE).** The U.S. Geological Survey's National Climate Change and Wildlife Science Center is partnering with the National Conservation Training Center to offer the webinar series to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife, and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

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

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

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

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

# Staff Directory

Director/DOD Region 5 REC	(410) 278-6991
REEO-N Counsel	(443) 310-7081
Regions 1 & 5 Army REC	(410) 278-6168
Regions 2 & 3 Army REC	(410) 278-6165
Regulatory Affairs Specialist	(410) 278-6143

## 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](#).

