



Northern Review

of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

April 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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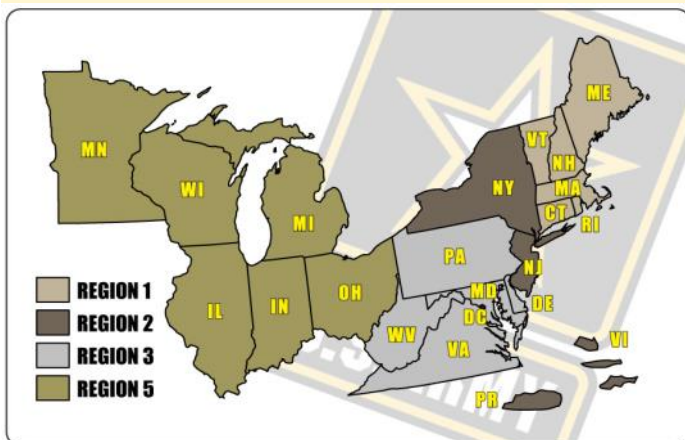


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ARMY RECOGNIZES

ENVIRONMENTAL SUCCESSSES

Each year the Army accepts nominations in nine categories and selects those installations and organizations that have excelled in program management, technical merit, supporting the military mission, transferring lessons learned and involving installation personnel, residents and local community in their environmental program.

The Secretary of the Army Environmental Awards Program winners within the Northern Region recognized for their successes during fiscal years 2016-2017 are:

- Minnesota Army National Guard's Camp Ripley—Cultural Resources Management, Large Installation: for protecting more than 300 historic and prehistoric sites along the Mississippi and a frontier cavalry fort listed on the National Register of Historic Places, as well as other cultural resources, while minimizing the impact on Army training.
- Ohio Army National Guard Restoration Program Team—Environmental Restoration, Individual/Team: for the resolution of a long-standing cleanup program obstacle and creation of two critical training resources on an aggressive schedule; and
- Pennsylvania Army National Guard Fort Indiantown Gap's Natural Resources Conservation Team—Natural Resources Conservation, Individual/Team: for endangered species and habitat protection, while protecting the Army's ability to train.

Winners from other regions are: Hawaii Army National Guard, Texas Army National Guard, North Carolina Army National Guard, and the Utah Army National Guard.

These Army winners will compete against other military services in the Secretary of Defense competition. Department of Defense winners will be announced later in April.

Excerpted from [March 2018 Army.mil article](#)

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

INFRASTRUCTURE SIP REQUIREMENTS. The U.S. Environmental Protection Agency (EPA) has issued a proposed rule to approve elements of State Implementation Plan (SIP) revisions submitted by the state of Connecticut ([83 FR 11933](#)). The revisions address infrastructure requirements of the Clean Air Act (CAA) for the 2012 fine particle (PM_{2.5}) National Ambient Air Quality Standards (NAAQS), and CAA interstate transport requirements for the 2006 PM_{2.5} NAAQS. Specifically, EPA has proposed approval for: (1) one statute included in the SIP for the 2012 PM_{2.5} NAAQS; (2) revisions that satisfy Connecticut's earlier commitment to adopt and submit provisions that meet certain requirements of the federal Prevention of Significant Deterioration (PSD) permit program; and (3) the conversion of a conditional approval for elements of the state's infrastructure SIP regarding PSD requirements to treat nitrogen oxides (NO_x) as a precursor to ozone and to establish a minor source baseline date for PM_{2.5} emissions. Comments are due 18 APR 18.



Maine

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

FEDERAL ACTIVITY

INFRASTRUCTURE SIP REQUIREMENTS. EPA has issued a proposed rule to approve elements of SIP revisions submitted by the state of Maine ([83 FR 12905](#)). The revisions address CAA infrastructure requirements for the 2008 lead, 2008 ozone, and 2010 nitrogen dioxide (NO₂) NAAQS. EPA has also proposed to conditionally approve one element of Maine's infrastructure SIP. Finally, EPA has proposed approval of several statutes submitted by Maine in support of its demonstrations that the CAA infrastructure requirements have been met. 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. Comments are due 25 APR 18.

FINAL LEGISLATION

LD 1784 AUTHORITY FOR MDEP TO ADOPT FEDERAL UNDERGROUND OIL STORAGE FACILITY RULES. Legislative Document (LD) 1784 (Public Act: 333) updates the laws governing the Maine Department of Environmental Protection's (MDEP) rulemaking authority concerning underground oil storage facilities to align with federal regulations. The bill directs MDEP to adopt several revisions to its statutory provisions and corresponding rules regarding underground oil storage facilities no later than October 2018 in order to maintain its delegated status. The bill was signed by the governor 7 MAR 18 and became effective upon signature.



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

FINAL RULES

AMENDMENTS TO AIR POLLUTION CONTROL RULES. The Massachusetts Department of Environmental Protection (MassDEP) has [adopted](#) amendments to the rules at [310 CMR 7.00](#), *Air Pollution Control*. The amendments are designed to reduce emissions that contribute to the formation of ground-level ozone and to meet federal CAA requirements. The amendments became effective 9 MAR 18.

AMENDMENTS TO REGULATIONS GOVERNING MUNICIPAL WASTE COMBUSTERS. MassDEP has [adopted](#) amendments to the state emission standards for large municipal waste combustors (MWCs) at 310 CMR 7.08(2), and small MWCs at 310 CMR 7.19(9). The [amendments](#): (1) make state regulations as stringent as federal regulations; (2) update Reasonably Available Control Technology (RACT) for MWCs; and (3) delete outdated regulations regarding oxides of nitrogen (NO_x) trading programs and variances. The amendments became effective 9 MAR 18.



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

FEDERAL ACTIVITY

APPROVAL OF RECORDKEEPING AND REPORTING REQUIREMENTS AND SINGLE SOURCE ORDER. EPA has issued a final rule approving SIP revisions submitted by the state of New Hampshire ([83 FR 13668](#)). The revisions establish recordkeeping and reporting obligations for sources of air pollution. Additionally, EPA approved an order limiting emissions of volatile organic compounds (VOCs) from a facility in the state. The final rule becomes effective 30 APR 18.

DELEGATION OF AUTHORITY FOR CERTAIN SEWAGE SLUDGE INCINERATION UNITS. EPA has issued a proposed rule to delegate authority to the New Hampshire Department of Environmental Services (NHDES) to implement and enforce the federal plan requirements for sewage sludge incineration units constructed on or before 4 OCT 10 ([83 FR 11652](#)). Comments are due 16 APR 18.

ASBESTOS MANAGEMENT AND CONTROL RULE. EPA has issued a proposed rule to grant authority to NHDES to implement and enforce the amended state *Asbestos Management and Control Rule* in place of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for asbestos as it applies to certain asbestos-related activities ([83 FR 12917](#)). The authority would apply to all sources that otherwise would be regulated by the Asbestos NESHAP with the exception of inactive waste-disposal sites that ceased operation on or before 9 JUL 81. These inactive disposal sites are already regulated by state rules that were approved by EPA in 2013. The proposed action would make the state rule federally enforceable. Comments are due 25 APR 18.

FINAL RULE

AMENDMENTS TO APPLICATION REQUIREMENTS FOR LARGE GROUNDWATER WITHDRAWALS. NHDES has [readopted](#) with amendments the rules at Env-Wq 403, *Large Groundwater Withdrawals*. State statute RSA 485-C:21 requires approval to be obtained from NHDES prior to withdrawing more than 57,600 gallons of water in any 24-hour period from wells sited at a single property or place of business. The existing rules at Env-Wq 403 implement RSA 485-C:21 by identifying the additional information required for an application so NHDES can make the required determinations. The amendments: (1) clarify existing requirements and update cross-references; (2) require each application, report, or request filed under the rules to be signed and certified; and (3) require renewal applications to be filed no sooner than

six months prior to the expiration date. A notice of the proposed readoption was published in the November 2017 *Northern Review*. The readoption became effective 21 MAR 18.



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

FINAL RULE

AMENDMENTS TO AIR POLLUTION CONTROL PERMIT REGULATIONS. The Rhode Island Department of Environmental Management (RIDEM) has [adopted](#) revisions to Air Pollution Control (APC) Regulation No. 9, *Air Pollution Control Permits*. EPA had previously identified a number of provisions in APC Regulation No. 9 that were not consistent with current federal requirements. These provisions have been revised in order to maintain consistency with federal regulations and to obtain approval from EPA for the major source permitting requirements. The revisions became effective 5 APR 18.

PROPOSED RULE

AMENDMENTS TO HAZARDOUS WASTE MANAGEMENT RULES. RIDEM has [proposed](#) amendments to the hazardous waste management rules at 250-RICR-140-10-1. The proposed amendments reformat the rules in order to comply with the 2017 revisions to the Administrative Procedures Act. These rules are the state equivalent of the federal Resource Conservation and Recovery Act (RCRA). Comments are due 16 APR 18.



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

FEDERAL ACTIVITY

SIP REVISIONS ADDRESSING PSD AND NNSR PERMIT PROGRAM REVISIONS. EPA has issued a final rule to approve several different SIP revisions submitted by the state of Vermont ([83 FR 11884](#)). The SIP revisions address the state's earlier commitment to adopt and submit revisions that meet certain requirements of the federal PSD air permit program. The revisions also include amendments related to the federal nonattainment new source review (NNSR) permit program. The final 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. The final rule becomes effective 18 APR 18.

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

FEDERAL ACTIVITY

INFRASTRUCTURE REQUIREMENTS FOR MULTIPLE NAAQS. EPA has issued a proposed rule to approve elements of a SIP revision submitted by the state of New Jersey ([83 FR 8818](#)). The SIP revision addresses infrastructure requirements of CAA section 110(a)(1) and (2) for the NAAQS of 2008 lead, 2008 ozone, 2010 NO₂, 2010 sulfur dioxide (SO₂), 2011 carbon monoxide (CO), 2006 particulate matter of 10 microns or less (PM₁₀), and 2012 PM_{2.5}. EPA has also proposed to approve three infrastructure requirements of the 1997 ozone and the 1997 and 2006 PM_{2.5} NAAQS. The comments period closed 2 APR 18.

PROPOSED LEGISLATION

AB 3725 CREATION OF NEW JERSEY COASTAL COMMISSION. Assembly Bill (AB) 3725 establishes the New Jersey Coastal Commission. The bill sets forth the commission's powers and transfers certain functions now vested in the New Jersey Department of Environmental Protection (NJDEP) to the commission. The bill seeks to promote protection, preservation and restoration of a portion of the state's coastal area, designated as the "coastal commission area," through comprehensive planning, regulation, and intergovernmental cooperation. The powers and responsibilities for achieving these objectives are assigned to the commission. The bill also appropriates \$20 million from the General Fund to the commission for the purposes of this bill. The coastal commission area comprises land within the counties of Atlantic, Cape May, Ocean, Monmouth, and Middlesex. The bill was referred to the Environment and Solid Waste Committee.

SB 2104 CERTAIN PROHIBITIONS ON ANNUAL FEES FOR STORMWATER PERMITS AND INSPECTIONS. Senate Bill (SB) 2104 prohibits a municipality from charging an annual fee for stormwater permits and inspections, unless the annual fee is specifically required by federal or state law. The bill does not prohibit a municipality from charging a fee for a stormwater permit or inspection due to a change in conditions or development at a site. The bill was referred to the Environment and Energy Committee.

SB 2289 (AB 2911) STUDY OF BARNEGAT BAY WATER QUALITY. SB 2289 requires NJDEP to conduct a study and prepare a report that evaluates the water quality of Barnegat Bay to determine whether the bay is impaired as described pursuant to Clean Water Act (CWA) section 303(d). The study should examine whether the waters of Barnegat Bay meet state water quality standards, and focus on the impairments caused by phosphorus, nitrates, and excessive sediment. Upon a finding that the Barnegat Bay is impaired, the bill requires NJDEP to develop total maximum daily loads (TMDLs) for the bay. The bill also directs NJDEP to adopt nutrient standards for marine waters within 180 days after the bill's effective date. The bill was referred to the Environment and Energy Committee.

FINAL RULES

AMENDMENTS TO PINELANDS COMPREHENSIVE MANAGEMENT PLAN. The New Jersey Pinelands Commission has [adopted](#) amendments to multiple subchapters of the *Pinelands Comprehensive Management Plan* (PCMP). The amendments relate to fees, escrows, application requirements and procedures, public notice and mailing requirements, water quality

standards, landfill closure, signs, and the Pilot Program for Alternate Design Wastewater Treatment Systems. A notice of the proposed amendments was published in the October 2017 *Northern Review*. The amendments became effective 5 MAR 18.

OTHER REGULATORY ACTIVITY

UPDATE OF AIR PERMITTING TECHNICAL MANUALS. NJDEP has [requested comment](#) on two draft revised technical manuals. Technical Manual 1002, [Guidance on Preparing an Air Quality Modeling Protocol](#), specifies NJDEP procedures on using modeling to predict the ambient air quality impact of emissions from stationary sources. Technical Manual 1003, [Guidance on Preparing a Risk Assessment for Air Contaminant Emissions](#), specifies NJDEP procedures on risk screening and evaluation. The technical manuals provide guidance to air permit applicants on the preparation and implementation of protocols for air quality modeling evaluations and health risk assessments. NJDEP is required to review the technical manuals periodically, and update as necessary. Comments are due 18 APR 18.

VAPOR INTRUSION (VI) TECHNICAL GUIDANCE. NJDEP has [released Vapor Intrusion Technical Guidance](#), designed to help investigators comply with NJDEP requirements and properly assess the VI pathway. The guidance describes steps of receptor evaluation, petroleum VI screening, VI investigation, mitigation, monitoring, and ultimately termination.

CONSUMER PRICE INDEX PERCENTAGE ADJUSTMENTS TO AIR CONTAMINANT EMISSION FEES. NJDEP has [published](#) a notice of the annual percentage increase in the Consumer Price Index (CPI) and the resultant per-ton emission fee for fiscal year (FY) 2018. The CPI percentage increase is used to calculate the annual emission fee for major facilities, by applying the increase to the base amount of \$60 per ton. The FY 2018 annual emission fee is \$119.56. A facility subject to this fee must multiply \$119.56 by the quantity of regulated air contaminant emissions emitted in tons during calendar year 2016.



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

PROPOSED LEGISLATION

SB 7817 MILITARY BASE AND FARMLAND PRESERVATION ACT. SB 7817 authorizes the establishment and maintenance of an open-space preservation project initiative to provide compensation to qualified property owners who forego certain development on such property. A "qualified property owner" is defined as any farmer, logger, or forester who declines to develop any property or portion of property located within 45 miles of a military installation or national weather service facility, as long as certain conditions are met. The bill was referred to the Agriculture Committee.

AB 9740 (SB 8077) PROHIBITION ON MERCURY-ADDED LIGHT BULBS. AB 9740 amends the environmental conservation law, in relation to the reduction of mercury in mercury-added lamps. The bill prohibits the sale or distribution of mercury-added light bulbs that fail to meet mercury content standards adopted by the New York State Department of Environmental Conservation (NYSDEC) after 1 JAN 19. The bill also establishes maximum mercury content for general purpose lights, exclusions, and penalties. The bill was referred to the Codes Committee.

SB 1237 (AB 6167) AUTHORIZATION OF CERTAIN RULEMAKING NOTICES BY ELECTRONIC MEANS. SB 1237 authorizes state agencies to publish and transmit certain rulemaking notices by electronic means. The bill also provides for the provision of the state register by electronic means and authorizes the legislative administrative regulations review commission to accept data transmitted by electronic means. The bill passed the Senate and was referred to the Governmental Operations Committee.

SB 5908 (AB 5105) REQUIREMENT FOR A CLEAN ENERGY SYSTEM. SB 5908 requires the establishment of a 100-percent clean energy system by 2030. The bill also: (1) requires the adoption of a climate action plan; (2) establishes the

renewable energy revolving fund; and (3) provides for legal standing to sue for enforcement of the state clean energy plan. The bill was referred to the Energy and Telecommunications Committee.

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

INTERSTATE TRANSPORT REQUIREMENTS FOR 2008 OZONE STANDARD. EPA has issued a final rule approving a SIP revision submitted by the state of Delaware ([83 FR 12669](#)). The revision addresses interstate transport requirements for the 2008 ozone NAAQS in regard to the Good Neighbor Provision. The Good Neighbor Provision requires each state in its SIP to prohibit emissions that will significantly contribute to nonattainment, or interfere with maintenance, of a NAAQS in a downwind state. The final rule becomes effective 23 APR 18.



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

FEDERAL ACTIVITY

2011 BASE-YEAR INVENTORY FOR 2008 8-HOUR OZONE NAAQS. EPA has issued a final rule approving the 2011 base-year inventory for the Maryland portion of the Philadelphia-Wilmington-Atlantic City marginal nonattainment area for the 2008 8-hour ozone NAAQS ([83 FR 8752](#)). The state of Maryland submitted the emission inventory, which included the ozone precursors, NO_x, and volatile organic compounds (VOC), as well as several other pollutants, to meet the nonattainment requirements for marginal ozone nonattainment areas for the 2008 8-hour ozone NAAQS. The final rule became effective 2 APR 18.

FINAL RULE

CRITICAL AREA COMMISSION FOR CHESAPEAKE AND ATLANTIC COASTAL BAYS RULES. The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays has [adopted](#) (page 37) amendments to multiple sections of the commission's regulations. The 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. A notice of the proposed amendments was published in the January 2018 *Northern Review*. The amendments became effective 12 MAR 18.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 30 NOV 18

FEDERAL ACTIVITY

EMISSIONS STATEMENT REQUIREMENT FOR 2008 OZONE STANDARD. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Pennsylvania ([83 FR 10650](#)). The revision fulfills the state's emissions statement requirement for the 2008 ozone NAAQS. Comments are due 11 APR 18.

RACT REQUIREMENTS UNDER 1997 AND 2008 8-HOUR OZONE NAAQS. EPA has issued a proposed rule to approve most parts of a SIP revision submitted by the commonwealth of Pennsylvania ([83 FR 11155](#)). The revision consists of regulatory amendments intended to meet certain RACT requirements under the 1997 and 2008 8-hour ozone NAAQS. EPA has also proposed conditional approval for certain provisions of the SIP revision, based upon Pennsylvania's commitment to submit additional enforceable measures that meet RACT. Comments are due 13 APR 18.

FINAL RULE

AMENDMENTS TO LAND RECYCLING PROGRAM REGULATIONS. The Pennsylvania Environmental Quality Board has [adopted](#) amendments to the Land Recycling Program regulations under Chapter 250. The Land Recycling Program implements standards for the cleanup of soil and groundwater contamination from releases of various toxic and carcinogenic chemicals. The amendments correct errors in the transcription of toxicity values for aldrin, beryllium, and cadmium and their associated medium-specific concentrations that are a part of the statewide health standard and are calculated using these toxicity values. The amendments became effective 17 MAR 18.



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

FEDERAL ACTIVITY

INCORPORATION OF FEDERAL AMBIENT AIR QUALITY STANDARD FOR OZONE. EPA has issued a final rule to approve a SIP revision submitted by the commonwealth of Virginia ([83 FR 10626](#)). The revision incorporates by reference the most recent federal ambient air quality standard for ozone. The final rule became effective 11 APR 18.

REVISIONS TO REGULATORY DEFINITION OF VOC. EPA has issued a final rule to approve two SIP revisions (Revision C16 and Revision I16) submitted by the commonwealth of Virginia ([83 FR 10788](#)). These revisions pertain to amendments made to the definition of 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. The final rule became effective on 12 APR 18.

REMOVAL OF CAIR TRADING PROGRAMS FROM SIP. EPA has issued a final rule approving a SIP revision submitted by the commonwealth of Virginia ([83 FR 10791](#)). The revision removes state regulations that established EPA-administered trading programs under the Clean Air Interstate Rule (CAIR). The EPA-administered trading programs under CAIR were discontinued in 2014 upon the implementation of the Cross-State Air Pollution Rule (CSAPR). CSAPR established federal implementation plans (FIPs) for 23 states, including Virginia. Specifically, the SIP revision seeks removal from the SIP of Virginia regulations that implemented the CAIR annual NO_x, ozone season NO_x, and SO₂ trading programs (as CSAPR has replaced CAIR). The final rule became effective 12 APR 18.

REGIONAL HAZE PLAN AND VISIBILITY FOR 2010 SO₂ AND 2012 PM_{2.5} STANDARDS. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Virginia ([83 FR 8814](#)). The revision changes reliance on the CAIR to reliance on the CSAPR to address certain regional haze requirements. EPA's approval of the SIP revision would convert the agency's limited approval/limited disapproval of Virginia's regional haze SIP to a full approval. EPA has also proposed approval of the visibility element of Virginia's infrastructure SIP submittals for the 2010 SO₂ and 2012 PM_{2.5} NAAQS. The proposed actions are supported by EPA's recent final determination that a state's participation in CSAPR continues to meet the Regional Haze Rule's criteria to qualify as an alternative to the application of best available retrofit technology (BART). The comment period closed 2 APR 18.

EMISSIONS STATEMENT RULE CERTIFICATION FOR 2008 OZONE NAAQS. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Virginia ([83 FR 10652](#)). The SIP revision provides the state's certification that its existing emissions statement program satisfies the CAA emissions statement requirements for the 2008 ozone NAAQS. The comment period closed on 11 APR 18.

FINAL LEGISLATION

HB 377 WATER PROTECTION PERMIT EXEMPTION OF CERTAIN STORMWATER MANAGEMENT FACILITIES. House Bill (HB) 377 (Public Act 114) amends the state rules regarding impacts to wetlands. The bill states that no Virginia Water Protection Permit shall be required for wetland and open-water impacts to a stormwater management facility that was created on dry land. The bill also directs the Virginia Department of Environmental Quality (VDEQ) to adopt guidance to ensure that projects claiming this exemption create no more than minimal ecological impact. The bill was signed by the governor 2 MAR 18 and becomes effective 1 JUL 18.

HB 925 INDUSTRIAL AND HIGH-RISK RUNOFF PROGRAMS. HB 925 (Public Act: 152) authorizes any locality that owns or operates a permitted municipal separate storm sewer system (MS4) to adopt and administer an industrial and high-risk runoff program. The bill authorizes any such locality to include in its program an industrial or commercial facility notwithstanding the fact that the facility is also subject to certain permits or the federal Emergency Planning and Community Right-to-Know Act. The bill limits the ability of the State Water Control Board (SWCB), unless it is required to do so by federal law, to impose certain regulatory conditions on any locality that administers such a program and prohibits SWCB from modifying existing MS4 permits to avoid such limitation. The bill also authorizes SWCB to require a locality to report an industrial or commercial facility if it becomes aware of a violation of an industrial stormwater management requirement. The bill was signed by the governor 5 MAR 18 and becomes effective 1 JUL 18.

HB 1093 MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY. HB 1093 (Public Act 326) authorizes the Middle Peninsula Chesapeake Bay Public Access Authority to use public funds and private donations and apply for permits to perform dredging projects on waterways and construct facilities and infrastructure within the region for which the authority exists. The bill requires such projects to enhance recreational or commercial public access. The bill was signed by the governor 19 MAR 18 and becomes effective 1 JUL 18.

HB 1095 AUTHORIZATION OF PUBLIC ACCESS AUTHORITIES TO UNDERTAKE DREDGING PROJECTS. HB 1095 (Public Act: 327) authorizes the Middle Peninsula Chesapeake Bay Public Access Authority and the Northern Neck Chesapeake Bay Public Access Authority to undertake dredging projects. The bill also authorizes those public access authorities and the Eastern Shore Water Access Authority to work together in any combination to undertake dredging projects in any of their jurisdictions. The bill was signed by the governor 19 MAR 18 and becomes effective 1 JUL 18.

HB 1096 DEVELOPMENT OF FAST-TRACK REGULATORY PERMITTING PROGRAM. HB 1096 (Public Act: 449) directs the Marine Resources Commission to develop a fast-track regulatory permitting program for the selection and use of appropriate sites in Tidewater Virginia for the placement of material dredged. The bill requires the permitting program to be effective by 1 JUL 19. The bill was signed by the governor 23 MAR 18 and becomes effective 1 JUL 18.

HB 1206 ONLINE SYSTEM FOR PUBLIC NOTICES RELATED TO VPDES PERMITS. HB 1206 (Public Act: 552) directs the SWCB to provide an online system for public notice related to Virginia Pollution Discharge Elimination System (VPDES) permits. The bill was signed by the governor 30 MAR 18 and becomes effective 1 JUL 18.

OTHER REGULATORY ACTIVITY

DRAFT 2018 WATER QUALITY ASSESSMENT GUIDANCE MANUAL. VDEQ has [released](#) the draft *2018 Water Quality Assessment Guidance Manual*. The manual contains the assessment procedures and methods to be used for the development of Virginia's 2018 §305(b)/ §303(d) Integrated (i.e., combined Water Quality Assessment and Impaired Waters) Report. The assessment guidance addresses key elements of EPA's 2006 Assessment Guidance and subsequent updates current to December 2017. The manual also addresses the assessment methodology for Chesapeake Bay Water Quality Standards established by EPA and adopted by Virginia (Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity, and Chlorophyll a for the Chesapeake Bay and Its Tidal Tributaries). Comments are due 19 APR 18.



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

FINAL LEGISLATION

SB 290 AMENDMENTS TO WATER QUALITY AND EFFLUENT LIMITATIONS STANDARDS. SB 290 readopts with amendments §22-11-6 of the Code of West Virginia, *Requirement to comply with standards of water quality and effluent limitations*. The bill allows the West Virginia Department of Environmental Protection (WVDEP) to: (1) issue water pollution control permits containing water quality-based net limits; (2) not set stormwater benchmarks more stringent than the acute aquatic life water quality criterion, the federal benchmark, the chronic aquatic life water quality criterion, or the ambient aquatic life advisory concentration; (3) upon an applicant's request, establish effluent limits for stormwater that are developed in accordance with mixing zones that are appropriate for relevant conditions; and (4) develop guidance for determining how benchmarks in permits demonstrate the adequacy of stormwater best management practices. A notice of the bill's Senate passage was published in the March 2018 *Northern Review*. The bill was signed by the governor 27 MAR 18 and becomes effective 6 JUN 18.

FINAL RULES

DIVISION OF AIR QUALITY ADOPTION OF LEGISLATIVE RULES. WVDEP's Division of Air Quality has adopted multiple air quality legislative rules. The adopted rules include: (1) [45CSR8](#) – *Ambient Air Quality Standards*; (2) [45CSR16](#) – *Standards of Performance for New Stationary Sources*; (3) [45CSR25](#) – *Control of Air Pollution from Hazardous Waste Treatment, Storage, and Disposal Facilities*; and (4) [45CSR34](#) – *Emission Standards for Hazardous Air Pollutants*. All of the adopted rules amend the current rules by incorporating by reference the updated federal counterpart regulations that were adopted by and effective as of 1 JUN 17. A notice of the proposed rules was published in the July 2017 *Northern Review*. All of the adopted rules become effective 1 JUN 18.

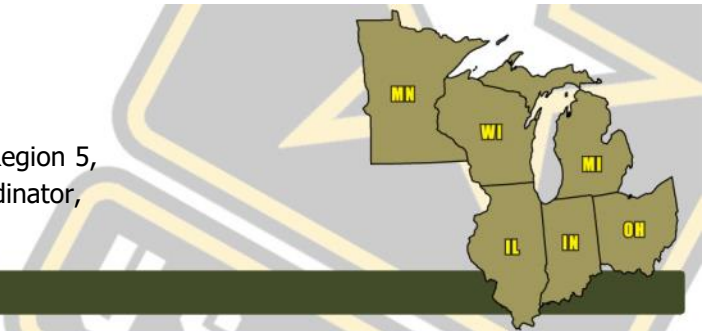
DIVISION OF WATER AND WASTE MANAGEMENT ADOPTION OF LEGISLATIVE RULES. WVDEP's Division of Water and Waste Management (DWWM) has adopted separate amendments to two legislative rules. DWWM has amended [33CSR20](#), *Hazardous Waste Management System*, by incorporating by reference the federal regulations located in 40 CFR Parts 260 through 279 that were in effect as of 1 JUL 17. DWWM has also amended [33CSR30](#), *Underground Storage Tanks*. The UST amendments: (1) incorporate by reference 40 CFR 280 (federal UST regulations); (2) remove sections of the state rule associated with the Energy Policy Act of 2005 because these are now included in the current federal regulations; and (3) update certain aspects of the UST Worker Certification Program. A notice of the proposed amendments was published in the July 2017 *Northern Review*. Both amendments become effective 1 JUN 18.

ADDITION OF JAPANESE BARBERRY TO LIST OF STATE NOXIOUS WEEDS. The West Virginia Department of Agriculture has [adopted](#) an amendment to 61CSR14A, *Rules Dealing With Noxious Weeds*. The amendment adds, effective 1 JUL 20, the Japanese Barberry to the list of West Virginia's noxious weeds. The amendment becomes effective 22 APR 18.

AMENDMENTS TO PUBLIC WATER SYSTEMS REGULATIONS. The West Virginia Bureau for Public Health has adopted amendments to [64CSR03](#), *Public Water Systems*. The amendments establish state standards and procedures and adopt the national drinking water standards for public water systems and public water utilities. Specifically, the amendments establish standards for the production and distribution of bottled drinking water, and adopt federal standards for the certification of laboratories performing analyses of drinking water. A notice of proposed amendments was published in the August 2017 *Northern Review*. The amendments became effective 22 MAR 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.



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

FEDERAL ACTIVITY

REDESIGNATION OF ILLINOIS PORTION OF ST. LOUIS-ST. CHARLES-FARMINGTON, MO-IL AREA TO ATTAINMENT OF 2008 OZONE STANDARD. EPA has issued a final rule finding that the St. Louis-St. Charles-Farmington, MO-IL area, is attaining the 2008 ozone NAAQS based on 2014-2016 monitoring data ([83 FR 8756](#)). EPA has redesignated the Illinois portion of the St. Louis area (the Metro-East area) to attainment for the 2008 ozone NAAQS. The St. Louis area includes Madison, Monroe, and St. Clair counties in Illinois. EPA has also approved a SIP revision addressing the state's plan for maintaining the 2008 ozone standard through 2030 in the St. Louis area. Finally, EPA has approved, as a SIP revision, the state's 2030 VOC and NO_x Motor Vehicle Emission Budgets (MVEBs) for the Metro-East area. The final rule became effective 1 MAR 18.

REDESIGNATION OF CHICAGO AND GRANITE CITY AREAS TO ATTAINMENT OF 2008 LEAD STANDARD. EPA has issued a final rule approving a request to redesignate the Chicago and Granite City nonattainment areas to attainment for the 2008 NAAQS for lead ([83 FR 13198](#)). EPA has also approved, as SIP revisions: (1) maintenance plans for the 2008 lead NAAQS in the areas for a period of 10 years following the redesignations; (2) emissions inventories; and (3) rules applying emission limits and other control requirements to lead sources in the areas. EPA previously issued a direct final rule approving the request, but the rulemaking was withdrawn due to adverse comments. The final rule became effective 28 MAR 18.

PROPOSED RULE

AMENDMENTS TO WASTEWATER PRETREATMENT RULES. The Illinois Environmental Protection Agency (IEPA) has [proposed](#) (page 97) amendments to the Illinois wastewater pretreatment rules to correspond with amendments adopted by EPA as published in the Federal Register during calendar year 2017. Federal actions being incorporated include: (1) pretreatment standards for dental dischargers, including corrections issued separately; and (2) postponement of certain compliance dates for the effluent limitations guidelines and standards for the steam electric power generating point source category. Comments are due 30 APR 18.

OTHER REGULATORY ACTIVITY

FINDING OF FAILURE TO SUBMIT CERTAIN REQUIRED SIP ELEMENTS FOR 2008 OZONE STANDARD. IEPA has [released](#) (page 450) a draft document, *Illinois' Compliance with Nonattainment New Source Review Requirements for the 2008 Ozone Standard*. In February 2017, EPA issued a finding of failure of various states, including Illinois, to submit SIP revisions that satisfy requirements applicable to nonattainment areas for the 2008 ozone standard. EPA determined that Illinois failed to submit NNSR rules pertaining to the Chicago and Metro-East St. Louis marginal ozone nonattainment areas. The draft document addresses this finding and demonstrates that existing state regulations fully satisfy the federal NNSR requirements. Once finalized, IEPA will submit the document to EPA for review and approval as a SIP revision. Comments are due 16 APR 18.



LEGISLATIVE SESSION: 8 JAN 18 THROUGH 14 MAR 18 (EST), SINE DIE

FINAL LEGISLATION

SB 178 RESTRICTIONS ON TAKING SAND FROM LAKE MICHIGAN. SB 178 (Public Act: 51) provides that sand taken from the bed or from under the bed of Lake Michigan pursuant to a permit from the Michigan Department of Natural Resources (WDNR) can only be deposited on the beach of Lake Michigan and cannot be removed to any other place or used for any other purpose. The bill also established certain exemptions from the requirements. The bill was signed by the governor 13 MAR 18 and becomes effective 1 JUL 18.

OTHER REGULATORY ACTIVITY

POSSIBLE UPDATES TO STATE WATER QUALITY STANDARDS. The Indiana Department of Environmental Management (IDEM) has [requested comment](#) on amendments to the state's Water Quality Standards (WQS) that are under consideration. IDEM is federally required to develop, review, revise, and adopt WQS. Amendments under consideration include: (1) revisions to the aquatic life ambient water quality criteria (WQC) and human health ambient WQC for metals; (2) removal of the limited-use waters classification and waters classified for limited use in 327 IAC 2-1 and 327 IAC 2-1.5; (3) update to Indiana's procedures for calculating aquatic life ambient WQC and human health ambient WQC to reflect current EPA guidance and to implement consistent statewide procedures; (4) update to, or adoption of new, human health ambient WQC for 94 chemical pollutants that are National Recommended Water Quality Criteria (NRWQC) at CWA Section 304(a); and (5) update current state WQS variance rules to include a 2015 EPA rule that establishes a regulatory framework for the adoption of WQS variances to implement adaptive management approaches to improve water quality. Comments are due 26 APR 18.



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

FEDERAL ACTIVITY

REVISIONS TO VOC RULES. EPA has issued a proposed rule to approve SIP revisions submitted by the state of Michigan ([83 FR 13710](#)). The main revision specifies VOC limits for cutback and emulsified asphalts as well as the test methods for determining the VOC content of these products. Michigan also moved the adoption by reference citations from Part 6 (*Emission Limitations and Prohibitions—Existing Sources of Volatile Organic Emissions*) to Part 9 (*Emission Limitations and Prohibitions—Miscellaneous*) and updated references to federal test methods in several of its Part 6 rules. Comments are due 30 APR 18.



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

OTHER REGULATORY ACTIVITY

IN-LIEU FEE WETLAND MITIGATION PROGRAM. The Minnesota Board of Water and Soil Resources (WBWSR) has [requested comments](#) (page 39) on its proposal to develop a state in-lieu-fee (ILF) mitigation program. An ILF is an alternative mechanism for the public to satisfy wetland replacement requirements under the Wetland Conservation Act (WCA) and CWA Section 404. An ILF program involves the restoration, creation, enhancement, and/or preservation of wetlands through funds paid to a governmental entity to satisfy a replacement requirement. Similar to a wetland mitigation bank, an ILF program sells wetland credits to applicants/permittees whose replacement obligation is then transferred to the program sponsor. WBWSR recently completed a prospectus and draft compensation planning framework for the ILF program and submitted it to the U.S. Army Corps of Engineers for review. Comments are due 18 APR 18.



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

FEDERAL ACTIVITY

REDESIGNATION OF FULTON COUNTY AREA TO ATTAINMENT OF 2008 LEAD STANDARD. EPA has issued a final rule approving a request from the state of Ohio to redesignate the Fulton County nonattainment area (Delta area) to attainment for the 2008 NAAQS for lead ([83 FR 10796](#)). EPA has also approved the: (1) maintenance plan and related elements of the redesignation; and (2) reasonably available control measure (RACM)/RACT measures and a comprehensive emissions inventory. EPA previously issued a direct final rule approving the request, but the rulemaking was withdrawn due to adverse comments. The final rule became effective 13 MAR 18.

NSR PM_{2.5} PRECURSORS. EPA has issued a proposed rule to approve SIP revisions submitted by the state of Ohio ([80 FR 13457](#)). The revisions implement certain EPA regulations for PM_{2.5} for nonattainment areas by establishing definitions related to PM_{2.5} and defining PM_{2.5} precursors. The revisions also incorporate the findings of a comprehensive precursor demonstration performed by the Ohio Environmental Protection Agency (OEPA), which determined that VOC and ammonia (NH₃) are insignificant sources of PM_{2.5} for the purpose of new source review (NSR) in nonattainment areas in Ohio. Comments are due 30 APR 18.

FINAL RULE

REGISTRATION OF UST SYSTEMS. The Ohio Division of the State Fire Marshal has [adopted](#) 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, requires newly installed USTs to be registered, and requires 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 notice of the proposed amendments was published in the February 2018 *Northern Review*. The amendments became effective 1 APR 18.

OTHER REGULATORY ACTIVITY

2018 INTEGRATED WATER QUALITY MONITORING AND ASSESSMENT REPORT. OEPA has [requested comment](#) regarding the [Ohio 2018 Integrated Water Quality Monitoring and Assessment Report](#). The report includes the total maximum daily load (TMDL) priority list for 2018 as required by CWA Section 303(d). The list indicates the waters of Ohio that are

currently impaired and may require TMDL development in order to meet water quality standards. The list satisfies the CWA requirements for both Section 305(b) water quality reports and Section 303(d) lists. Comments are due 4 MAY 18.

EARLY STAKEHOLDER OUTREACH: AMBIENT AIR QUALITY RULE. OEPA has [requested comment](#), as part of the early stakeholder outreach rulemaking stage, on a potential rulemaking concerning OAC Rule 3745-25-02, *Ambient Air Quality Standards*. The standards in this rule are intended to adopt the current NAAQS into the Ohio Administrative Code (OAC) and fulfill CAA requirements as a part of Ohio's SIP for the attainment and maintenance of the NAAQS. Amendments being considered include the adoption of the 2015 NAAQS for ozone and some minor changes to correct typographical errors or update the rule to state and agency grammatical standards. Comments are due 24 APR 18.

EARLY STAKEHOLDER OUTREACH: SURFACE WATER TREATMENT RULES. OEPA has [requested comment](#), as part of the early stakeholder outreach rulemaking stage, on a potential rulemaking concerning surface water treatment rules in OAC Chapter 3745-81. The rules establish the monitoring, filtration, disinfection, and record-keeping requirements for public water systems using a surface water source. Amendments being considered include: (1) clarifying public notice requirements following failure to collect source water monitoring samples; (2) elaborating on current language that requires treatment processes to be installed and operated properly; and (3) adding the requirement for public water systems using direct filtration treatment to demonstrate consistent and reliable log reduction. Comments are due 20 APR 18.

Federal Activity

AIR

VOC EMISSIONS FACTORS FOR FLARES. EPA has issued a notice of final action regarding its review of the existing VOC emissions factor for flares at natural gas production sites pursuant to CAA section 130 ([83 FR 9313](#)). While the review did not result in a revision to this existing VOC emissions factor, EPA has issued new total hydrocarbon (THC) emissions factors for enclosed ground flares based on the available flare data. The new THC emissions factors were applicable 5 MAR 18.

WITHDRAWN: PROTECTION OF STRATOSPHERIC OZONE. Due to adverse comment, EPA has withdrawn the [11 DEC 17 direct final rule](#), "Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector to Incorporate Latest Edition of Certain Industry, Consensus-based Standards" ([83 FR 9703](#)). EPA will address all significant comments in any subsequent final action, which would be based on the parallel [proposed rule](#) also published on 11 DEC 17. There will not be a second comment period on this action. The withdrawal became effective 7 MAR 18.

IMPLEMENTATION OF 2015 NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE. EPA has issued a final rule establishing air quality thresholds that define the classifications assigned to all nonattainment areas for the 2015 ozone NAAQS. ([83 FR 10376](#)). The final rule also established the timing of attainment dates for each nonattainment area classification. The final rule becomes effective 8 MAR 18.

GUIDANCE MEMORANDUM ON NEW SOURCE REVIEW PRECONSTRUCTION PERMITTING. EPA has issued the [guidance memorandum](#), "Project Emissions Accounting under the New Source Review Preconstruction Permitting Program," 13 MAR 18 ([83 FR 13745](#)). The memorandum addresses the accounting of emissions changes resulting from a project under Step 1 of the NSR applicability process in the EPA regulations. Step 1 of the NSR applicability process requires a determination of whether a proposed project will, by itself, result in a significant emissions increase.

MISCELLANEOUS

EPA STRATEGIC PLAN. In February, EPA [released](#) its [FY 2018-2022 Strategic Plan](#). According to the plan, EPA intends to focus on accelerating the cleanup pace for Superfund sites and meeting its statutory requirements and mandatory deadlines in the Toxic Substances Control Act (TSCA) to ensure agency reviews are efficient, effective, and transparent, among other efforts.

NATURAL RESOURCES

INVASIVE MUSSELS. The U.S. Department of Interior (DOI) released a [report highlighting the progress made in the fight against invasive zebra and quagga mussels](#), which can impair the delivery of water and power, diminish boating and fishing, and devastate ecosystem health. DOI is working on more than four dozen actions to address invasive mussels including preventing the spread of the species to uninfested waters, such as those in the Columbia River Basin in the Pacific Northwest, and containing and controlling them where they are established, such as in Lake Powell and the Lower Colorado River region. To read a press release about the report and DOI efforts to control invasive zebra and quagga mussels, click [here](#).

FIVE-YEAR STATUS REVIEWS ON ENDANGERED AND THREATENED WILDLIFE AND PLANTS. The U.S. Fish and Wildlife Service (FWS) has initiated five-year status reviews of eight species under the Endangered Species Act ([83 FR 10737](#)). A five-year review is an assessment of the best scientific and commercial data available at the time of the review, and FWS is requesting information that has become available since the last reviews of the following species: (1) Coqui llanero (frog species); (2) Carolina heelsplitter (freshwater mussel species); (3) Hell Creek Cave crayfish; (4) *Aristida chaseae*; (5) Pelos del diablo; (6) Smooth coneflower; (7) Cooley's meadowrue; and (8) Louisiana quillwort.

THREATENED AND ENDANGERED SPECIES

BIOLOGICAL OPINION ON CHLORPYRIFOS, DIAZINON, AND MALATHION. EPA has released the final Biological Opinion issued under the Endangered Species Act (ESA) by the National Marine Fisheries Service (NMFS) regarding the potential effects of chlorpyrifos, malathion, and diazinon on federally listed threatened or endangered species and their designated critical habitats ([83 FR 12754](#)).

TOXICS

NATIONAL LEADERSHIP SUMMIT—PFAS. EPA has [announced](#) it will convene a National Leadership Summit to take action on per- and polyfluoroalkyl substances (PFAS) in Washington, D.C., 22-23 MAY 18. During the summit, participants will work together to:

- Share information on ongoing efforts to characterize risks from PFAS and develop monitoring and treatment/cleanup techniques;
- Identify specific near-term actions, beyond those already underway, that are needed to address challenges currently facing states and local communities; and
- Develop risk communication strategies to address public concerns with PFAS.

Following the summit, EPA will travel to states with communities impacted by PFAS to further engage on ways the agency can best support the work being done at the state, local, and tribal levels. Using information from the National Leadership Summit and community engagement, EPA plans to develop a PFAS Management Plan for release later in 2018.

PFAS FACT SHEETS. The Interstate Technology and Regulatory Council (ITRC) has developed six fact sheets to summarize the latest science and emerging technologies for PFAS. The fact sheets are tailored to the needs of state regulatory program personnel who are tasked with making informed and timely decisions regarding PFAS-impacted

sites. The content is also useful to consultants and parties responsible for the release of these contaminants, as well as public and tribal stakeholders. The fact sheets in the series are:

- Naming Conventions and Physical and Chemical Properties;
- Regulations, Guidance, and Advisories;
- History and Use;
- Environmental Fate and Transport;
- Site Characterization Tools, Sampling Techniques, and Laboratory Analytical Methods; and
- Remediation Technologies and Methods.

Click [here](#) to view links for the ITRC PFAS fact sheets.

OCCUPATIONAL EXPOSURE TO BERYLLIUM. The Occupational Safety and Health Administration (OSHA) has [announced](#) it will start enforcement of the [final rule on occupational exposure to beryllium](#) in general industries, construction, and shipyards. This timeframe will ensure that stakeholders are aware of their obligations, and that OSHA provides consistent instructions to its inspectors. In [January 2017](#), OSHA issued new comprehensive health standards addressing exposure to beryllium in all industries. In response to feedback from stakeholders, the agency is considering technical updates to the January 2017 general industry standard, which will clarify and simplify compliance with requirements.

CERTAIN NEW CHEMICALS OR SIGNIFICANT NEW USES. EPA has presented statements of findings on TSCA section 5(a) notices from 1 DEC 17 to 31 DEC 17 ([83 FR 10476](#)) and 1 JAN 18 to 31 JAN 18 ([83 FR 13126](#)). Section 5(g) of TSCA requires EPA to publish a statement of findings after its review of TSCA section 5(a) notices when EPA finds that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to premanufacture notices (PMNs), microbial commercial activity notices (MCANs), and significant new use notices (SNUNs) submitted to EPA under TSCA section 5.

TSCA ALTERNATIVE TESTING METHODS DRAFT STRATEGIC PLAN. Pursuant to TSCA section 4(h)(2)(A), EPA is developing a strategic plan to promote the development and implementation of alternative test methods and strategies to reduce, refine, or replace vertebrate animal testing ([83 FR 10717](#)). The draft strategic plan will be available for comment until 26 APR 18; EPA also held a public meeting 10 APR 18 to obtain input on the draft strategic plan. Information obtained will be considered in EPA's development of the final strategic plan, which is required to be completed and published in June 2018.

WASTE

AEROSOL CANS AS UNIVERSAL WASTE. EPA has issued a proposed rule to add hazardous waste aerosol cans to the universal waste program under the federal Resource Conservation and Recovery Act regulations ([83 FR 11654](#)). The proposed change is intended to provide a clear, protective system for managing discarded aerosol cans. EPA expects the streamlined universal waste regulations to ease regulatory burdens on retail stores and others that discard aerosol cans, promote the collection and recycling of these cans, and encourage the development of municipal and commercial programs to divert these wastes from municipal solid waste landfills or combustors.

Department of Defense Activity

REPI REPORT TO CONGRESS. The DOD's Readiness and Environmental Protection Integration (REPI) Program [announced](#) that the [2018 REPI Report to Congress](#) is now available. The report summarizes and reviews the achievements of the REPI Program through FY 2017. According to the report, in its 15-year lifespan, the REPI Program has protected 516,413 acres in 93 locations across 31 states. In conjunction with the release of the report, the program also updated the [state fact sheets](#), which provide an overview of REPI activities, installation case studies, and DOD economic impact within states that have REPI projects.

DOD RESTRUCTURES ITS ACQUISITION, TECHNOLOGY, AND LOGISTICS ORGANIZATION. DOD has [announced](#) it has restructured its [acquisition, technology and logistics organization](#) into two organizations: Acquisition and Sustainment, and Research and Engineering, each with an under secretary. The reorganization was mandated by Congress in the FY 2017 National Defense Authorization Act. As legislated by Congress, in addition to its primary responsibilities, the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, has oversight responsibilities for military installations and their environment and operational energy plans and programs.

Professional Development

DOD TRAINING SOURCES

(NEW) 13–16 AUG 18, ST. LOUIS, MO: 2018 SUSTAINING MILITARY READINESS CONFERENCE. The conference provides a forum in which to explore the interdisciplinary nature of sustaining military capabilities. Multiple DOD offices are jointly sponsoring the conference, and the installation, testing, training, and environmental communities will be represented. Conference attendees will share lessons learned and best practices and attend a broad spectrum of training workshops.

2018 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 Strategic Environmental Research and Development Program (SERDP) and Environmental Security Technology Certification Program (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 the U.S. Department of Energy (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.

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) 21–23 AUG 18, CLEVELAND, OH: ENERGY EXCHANGE AND BETTER BUILDINGS SUMMIT. DOE is bringing together the Energy Exchange and the Better Buildings Summit, creating the largest DOE training, trade show, and peer event of the year. The summit will feature technical training sessions, interactive panels, and learning opportunities from public and private sector market leaders.

WATER/WASTEWATER UTILITY ALL-HAZARDS BOOTCAMP TRAINING (ONLINE). Hosted by EPA, this training course is designed for water and wastewater employees responsible for emergency response and recovery activities. It also explains why and how to implement an all-hazards program, and will cover prevention and mitigation, preparedness, response, and recovery.

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). DOE's Federal Energy Management Program (FEMP) is offering a five-course training series that provides updated guidance for complying with the 2016 Guiding Principles for Sustainable Federal Buildings. The series is web-based and offered on demand.

SMALL DRINKING WATER AND WASTEWATER SYSTEMS WEBINAR SERIES (ONLINE). EPA's Office of Research Development and Office of Water are hosting a monthly webinar series to communicate EPA's current small systems research along with agency priorities. The site also includes an archive of past webinars.

ENERGY MANAGEMENT BASIC TRAINING: TOOLS AND RESOURCES FOR RESULTS (ONLINE). FEMP offers this course to provide civilian and military personnel with a concise overview of federal energy management, and the most current tools and resources for success. The instructors for this seminar are Randall Smidt, Army Program Manager for Alternative Financing, and Thomas B. Delaney, Jr., PE, Army Energy Conservation Investment Program Manager. Both instructors serve within the Army's Facilities Policy Division of the Office of the Assistant Chief of Staff for Installation Management.

USACE PROSPECT TRAINING (CLASSROOM). USACE released the 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 TMDLs and National Pollutant Discharge Elimination System (NPDES) permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded 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). The FEMP Training Search, is 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.

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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](#).

