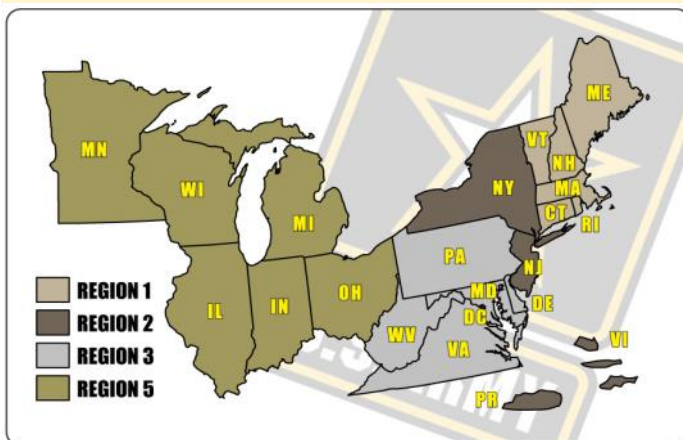




June 2018

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## EFFICIENT FEDERAL OPERATIONS

President Trump issued Executive Order [\(EO\) 13834, Efficient Federal Operations](#), 17 MAY 18. The new EO directs federal agencies to manage their buildings, vehicles, and overall operations to optimize energy and environmental performance, reduce waste, and cut costs. It revokes and replaces EO 13693 of March 2015, Planning for Federal Sustainability in the Next Decade.

The new EO establishes streamlined goals for federal energy and water efficiency, high performance buildings, renewable energy consumption, purchasing, and other aspects of managing agency operations.

"The Congress has enacted a wide range of statutory requirements related to energy and environmental performance of executive departments and agencies," the EO states, "including with respect to facilities, vehicles, and overall operations. It is the policy of the United States that agencies shall meet such statutory requirements in a manner that increases efficiency, optimizes performance, eliminates unnecessary use of resources, and protects the environment. In implementing this policy, each agency shall prioritize actions that reduce waste, cut costs, enhance the resilience of Federal infrastructure and operations, and enable more effective accomplishment of its mission."

Among the goals for federal agencies are to:

- Achieve and maintain annual reductions in building energy use and implement energy efficiency measures that reduce costs;
- Meet statutory requirements relating to the consumption of renewable energy and electricity;
- Reduce potable and non-potable water consumption;
- Implement waste prevention and recycling measures;
- Track and report on energy management activities, performance improvements, cost reductions, greenhouse gas emissions, energy and water savings, and other performance measures.

Guidance and resources for federal agencies from the Office of Federal Sustainability are available [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**

**1997 8-HOUR OZONE ATTAINMENT DEMONSTRATION.** EPA has issued a proposed rule to approve the ozone attainment portion of a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([83 FR 24259](#)). The rule proposes approval of Connecticut's demonstration of attainment of the 1997 8-hour ozone national ambient air quality standard (NAAQS) for the New York-Northern New Jersey-Long Island, NY-NJ-CT moderate 1997 8-hour ozone nonattainment area. In addition, EPA has proposed the approval of Connecticut's reasonably available control measures (RACM) analysis. Comments are due 25 JUN 18.



## Maine

**LEGISLATIVE SESSION: 3 JAN 18 THROUGH 2 MAY 18, SINE DIE**

### **FEDERAL ACTIVITY**

**INTERSTATE TRANSPORT REQUIREMENTS FOR 2010 PRIMARY NO<sub>2</sub> NAAQS.** EPA has issued a proposed rule to approve a SIP revision submitted by the state of Maine ([83 FR 24264](#)). The revision addresses the interstate transport requirements of the Clean Air Act (CAA) with respect to the 2010 primary nitrogen dioxide (NO<sub>2</sub>) NAAQS. The proposed rule approves Maine's demonstration that the state is meeting its obligations regarding the interstate transport of NO<sub>2</sub> emissions into other states. Comments are due 25 JUN 18.

### **FINAL RULE**

**WIND ENERGY ACT STANDARDS.** The Maine Department of Environmental Protection (MDEP) has [adopted](#) a new rule, [Chapter 382](#) — *Wind Energy Act Standards*. The new rule provides guidance and clarification on the review process and standards for five specific aspects of proposed wind energy projects under the Wind Energy Act. The rule became effective 30 APR 18.

### **PROPOSED RULE**

**INDUSTRIAL CLEANING SOLVENTS—VOC COATINGS.** MDEP has [proposed](#) a new rule, Chapter 166 — *Industrial Cleaning Solvents*. The new rule expands the types of volatile organic compounds (VOC) emissions controlled under reasonably available control technology (RACT) to include those from industrial cleaning solvents. A public hearing is scheduled for 19 JUN 18 and comments are due 29 JUN 18.

## ***OTHER REGULATORY ACTIVITY***

**DRAFT ANNUAL AIR MONITORING PLAN 2019.** MDEP has [requested comment](#) on the draft [Annual Air Monitoring Plan 2019](#). The state is federally required to annually develop an air monitoring network description plan for the next calendar year, post it for public review and comment, and then submit a finalized plan to EPA by 1 July. Comments are due 24 JUN 18.



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

### ***FEDERAL ACTIVITY***

**TEMPORARY MODIFICATION OF OCEAN-DREDGED MATERIAL PLACEMENT SITE IN MASSACHUSETTS BAY.** EPA has issued a final rule approving a temporary modification of the currently designated Massachusetts Bay Dredged Material Disposal Site (MBDS) ([83 FR 24408](#)). The temporary site modification allows for the environmental restoration of an area adjacent to the MBDS by temporarily expanding the boundaries of the existing MBDS. The temporary expansion encompasses a circular area that contains most of the historic industrial waste site. The modification will enable the U.S. Army Corps of Engineers (USACE) to place suitable dredged material from Boston Harbor generated during the Deep Draft Navigation Project at the newly expanded area in order to cover the barrels and other wastes placed there in the past. The expansion area will be permanently closed upon completion of the Boston Harbor maintenance and improvement projects, while the existing MBDS will remain open for the placement of suitable dredged material. Like the MBDS, however, the expansion will be subject to ongoing monitoring and management to ensure continued protection of the marine environment. A notice of the proposed rule was published in the October 2017 *Northern Review*. The final rule becomes effective 28 JUN 18.



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

### ***FINAL RULES***

**ALIGNMENT FOR FEDERAL HAZARDOUS MATERIALS TRANSPORTATION RULES.** The New Hampshire Department of Safety has [readopted](#) with amendments the hazardous materials transportation rules at [Saf-C 601, 602, 603.3, 604 and 605](#). The rules are being amended to align with the current requirements of Title 49 (Transportation) of the Code of Federal Regulations (CFR). The previously existing rules were interim rules, scheduled to expire 27 FEB 18. A notice of the proposed re Adoption was published in the March 2018 *Northern Review*. The re Adoption became effective 23 APR 18.

**READoption WITH AMENDMENTS TO PUBLIC WATER SYSTEMS REQUIREMENTS.** The New Hampshire Department of Environmental Services (NHDES) has adopted two separate rulemakings to readopt and amend the public water system requirements under [Env-Dw 715, Disinfection Residuals, Byproducts, and Byproduct Precursors](#); and [Env-Dw 716, Filtration, Disinfection, and Waste Recycling](#). Both rulemakings are required for the state to retain primacy for the public drinking water program. The amendments clarify the rules and realign them with the federal requirements, as identified by EPA. Both regulations were scheduled to expire 1 JAN 18, but they remained in effect during the rulemaking process. A notice of the proposed rulemakings was published in the January 2018 *Northern Review*. Both rulemakings became effective 1 JUN 18.

## ***PROPOSED RULES***

**DRINKING WATER QUALITY STANDARDS FOR PUBLIC WATER SYSTEMS.** NHDES has [proposed](#) to readopt with amendments Env-Dw 702 through 706, which apply to public water systems (PWS). These rules establish maximum contaminant levels, maximum contaminant level goals, and secondary maximum contaminant levels for various contaminants, including bacteria, radionuclides, inorganic chemicals, and organic and synthetic organic chemicals. The amendments align the rules with the federal standards and are required to retain primacy. Most of the existing rules were scheduled to expire 1 MAY 18, but they will remain in effect throughout the rulemaking process. Comments are due 15 JUN 18.

**PWS—MONITORING REQUIREMENTS, LABORATORY ANALYTICAL METHODS, AND SAMPLE SCHEDULES.** NHDES has proposed two separate rulemakings to readopt with amendments [Env-Dw 707](#) and [Env-Dw 708](#), which apply to PWS. The rules in Env-Dw 707 establish general monitoring requirements and laboratory analytical methods. The amendments replace the term “owner” with “O/O” (Owner or Operator) to reflect the change in terminology required by EPA. The rules in Env-Dw 708 establish the parameters for sampling schedules for PWS, including: (1) sampling points; (2) sampling frequency for a variety of contaminants; (3) process and criteria for a PWS to request reductions in sampling frequency; and (4) actions required of PWS when contaminants are detected. The amendments to both rules align state rules with the federal requirements in order to maintain primacy. The majority of both rules were scheduled to expire 1 MAY 18, but they will remain in effect throughout the rulemaking process. Comments are due for both rulemakings 15 JUN 18.



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

**ENHANCED MOTOR VEHICLE INSPECTION AND MAINTENANCE PROGRAM.** EPA has issued a final rule approving a SIP revision submitted by the state of Rhode Island ([83 FR 24223](#)). The revision includes regulations that update the enhanced motor vehicle inspection and maintenance (I/M) program in Rhode Island. The revised program includes a test and repair network consisting of on-board diagnostic (OBD) testing for model year 1996 and newer vehicles, and tailpipe exhaust test using a dynamometer for model year 1995 and older vehicles. The final rule approves the revised program into the Rhode Island SIP. The final rule becomes effective 25 JUN 18.

## ***PROPOSED RULE***

**AMENDMENTS TO PUBLIC DRINKING WATER REGULATIONS.** The Rhode Island Department of Health has [proposed](#) amendments to 216-RICR-50-05-1, *Public Drinking Water*. The amendments incorporate federal requirements that are mandatory with respect to implementation of the Safe Drinking Water Act (SDWA). The amendments also make other changes primarily related to improving public water system emergency response, resilience to storms, and managing the risk of algal toxins. The comment period closed 9 JUN 18.





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

**OTHER REGULATORY ACTIVITY**

**DRAFT 2018 303(d) LIST AND STATE PRIORITY WATERS LISTS.** The Vermont Department of Environmental Conservation has [requested comment](#) on the draft 2018 List of Priority Waters, which includes the draft 303(d) List of Impaired Waters. Comments are due 29 JUN 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.



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

**FEDERAL ACTIVITY**

**REVISIONS TO MOTOR VEHICLE ENHANCED INSPECTION AND MAINTENANCE PROGRAM.** EPA has issued a final rule approving a SIP revision submitted by the state of New Jersey regarding the state enhanced I/M program ([83 FR 21174](#)). New Jersey has made several amendments to its I/M program to improve performance of the program and has requested that the SIP be revised to include these changes. The amendments include discontinuing: (1) idle tests on model years 1995 and older light-duty gasoline vehicles; (2) idle tests on heavy-duty gasoline vehicles; and (3) gas cap leak testing. In addition, heavy-duty gasoline vehicles equipped with on-board diagnostic (OBD) will be subject to OBD testing with this revision. The amendments help maintain consistency between the state-adopted rules and the SIP. The final rule became effective 8 JUN 18.

**INFRASTRUCTURE SIP REQUIREMENTS FOR 2012 PM<sub>2.5</sub> NAAQS.** EPA has issued a proposed rule to approve elements of a SIP revision submitted by the state of New Jersey regarding CAA infrastructure requirements for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) NAAQS ([83 FR 23402](#)). The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA. The proposed rule pertains specifically to infrastructure requirements concerning interstate transport provisions. Comments are due 20 JUN 18.

**INFRASTRUCTURE REQUIREMENTS FOR MULTIPLE NAAQS.** EPA has issued a final rule approving elements of a SIP revision submitted by the state of New Jersey ([83 FR 24661](#)). The SIP revision addresses infrastructure requirements of CAA section 110(a)(1) and (2) for the NAAQS of 2008 lead, 2008 ozone, 2010 NO<sub>2</sub>, 2010 sulfur dioxide (SO<sub>2</sub>), 2011 carbon monoxide, 2006 particulate matter of 10 microns or less (PM<sub>10</sub>), and 2012 PM<sub>2.5</sub>. EPA has also approved three infrastructure requirements of the 1997 ozone and the 1997 and 2006 PM<sub>2.5</sub> NAAQS. The final rule becomes effective 29 JUN 18.

## ***PROPOSED LEGISLATION***

**SB 1073 (AB 2694) AUTHORIZATION FOR ESTABLISHMENT OF STORMWATER UTILITIES.** SB 1073 authorizes municipalities, counties, and certain authorities to establish stormwater utilities. The bill permits municipalities and counties to finance the creation, operation, and maintenance of stormwater utilities through the imposition of user fees and the issuance of bonds. The bill also requires the New Jersey Department of Environmental Protection to create a stormwater utility guidance manual and to provide guidance to municipalities, counties, and authorities seeking to establish stormwater utilities. The bill was referred to the Budget and Appropriations Committee.



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

## ***FEDERAL ACTIVITY***

**EXTENSION OF DEADLINE FOR ACTION ON SECTION 126(B) PETITION FROM NEW YORK.** EPA has issued a final rule determining that 60 days is insufficient time to complete the technical and other analyses and public notice-and-comment process required for its review of a petition dated 12 MAR 18, submitted by the state of New York ([83 FR 21909](#)). The petition requests that EPA make a finding that emissions from the collection of identified sources in nine states (Illinois, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia, and West Virginia) significantly contribute to and interfere with maintenance of the 2008 and 2015 ozone NAAQS in New York State. EPA can grant a time extension for responding to a petition if certain conditions are met. The final rule extends the deadline for acting on the petition to 9 NOV 18. The final rule became effective 11 MAY 18.

## ***PROPOSED LEGISLATION***

**AB 10507 (SB 7747) REPAIR OF DAMAGED PESTICIDE CONTAINERS.** AB 10507 amends state law relating to the repair of damaged pesticide containers. To reduce the amount of products, such as fertilizers that contain pesticides, from becoming waste, the bill allows retailers and distributors to make minor repairs to containers in accordance with EPA policy. The bill passed the Assembly and was referred to the Senate Environmental Conservation Committee.

**AB 10593 REVOCATION OF PERMITS FOR VIOLATIONS OF STATE OR FEDERAL LAW.** AB 10593 requires the New York State Department of Environmental Conservation (NYSDEC) to promulgate rules and regulations that allow the department to revoke any permit it has issued if the permittee is in violation of any state or federal law. The bill was referred to the Environmental Conservation Committee.

**SB 1007 (AB 1427) CRIME OF ENVIRONMENTAL DAMAGE OF PROPERTY.** SB 1007 creates the crime of environmental damage of property if a person, in the course of the commission of another felony act, intentionally or recklessly causes any property damage that alters, contaminates, or destroys the quality of water, soil, or air, with said damages exceeding \$100,000 in remediation costs. The bill passed the Senate and was referred to the Assembly Codes Committee.

## ***FINAL RULE***

**REQUIREMENTS FOR LEAD TESTING IN SCHOOL DRINKING WATER.** The New York State Department of Health (NYSDH) has [adopted](#) (page 17) amendments to the lead poisoning prevention and control rules at 10 NYCRR Subpart 67-4, *Lead Testing in School Drinking Water*. The amendments require all school districts and boards of cooperative educational services, including those already classified as a public water system under 10 NYCRR Subpart 5-1, to test potable water for lead contamination and to develop and implement a lead remediation plan, where applicable. A notice of the proposed amendment was published in the June 2017 *Northern Review*. The amendments became effective 9 MAY 18.



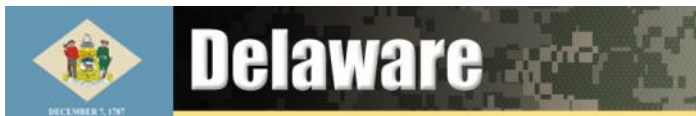
**LEGISLATIVE SESSION: 8 JAN 18 THROUGH 31 DEC 18 (EST)**

### **FINAL RULE**

**INTEGRATED RESOURCE PLAN (IRP) FOR PUERTO RICO ELECTRIC POWER AUTHORITY.** The Puerto Rico Energy Commission has [adopted](#) a rulemaking to ensure that the IRP serves as an adequate and useful tool to guarantee the orderly and integrated development of Puerto Rico's electric power system. The IRP will also improve the system's reliability, resiliency, efficiency, and transparency, as well as the provision of electric power services at reasonable prices. The rulemaking became effective 24 APR 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: 9 JAN 18 THROUGH 1 JUL 18 (EST)**

### **FEDERAL ACTIVITY**

**INTERSTATE TRANSPORT REQUIREMENTS FOR 2012 PM<sub>2.5</sub> STANDARD.** EPA has issued a proposed rule to approve a SIP revision submitted by the state of Delaware ([89 FR 22436](#)). The revision addresses the infrastructure requirement for interstate transport of pollution with respect to the 2012 PM<sub>2.5</sub> NAAQS. Comments are due 14 JUN 18.

### **PROPOSED LEGISLATION**

**SB 200 RESTRICTION ON OIL OR NATURAL GAS DRILLING IN COASTAL ZONE.** SB 200 amends Title 7 of the Delaware code relating to offshore drilling and the coastal zone. The bill prohibits drilling for oil or natural gas in Delaware's coastal zone and territorial waters. The bill also restricts the Delaware Department of Natural Resources and Environmental Control (DNREC) from issuing any permits in connection with the development of offshore drilling infrastructure, whether proposed for Delaware territorial waters or waters outside of the state. The bill was referred to the Environmental, Natural Resources & Energy Committee.

### **PROPOSED RULE**

**AMENDMENTS TO AIR REGULATIONS.** DNREC has [proposed](#) a rule to amend the air regulations at 7 DE Admin. Code 1101 and 1102 and add a new source category permit. The amendments revise Code 1102 to qualify that outdoor dry abrasive blasting of water tanks with lead-containing coatings are no longer exempt from obtaining a permit, and add supporting definitions to Code 1101. The rule also proposes to approve a source category permit for dry abrasive blasting for removal of lead-containing coatings from outdoor water tanks. The comment period closed 12 JUN 18. A public hearing is scheduled for 27 JUN 18.



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

### **FINAL LEGISLATION**

**SB 496 AUTHORIZATION FOR USE OF GRAYWATER FOR CERTAIN RESIDENTIAL PURPOSES.** SB 496 (Public Act: 705) authorizes a person to use graywater for certain residential purposes, including household gardening, composting, lawn watering, landscape irrigation, and toilet and urinal flushing under certain circumstances and in accordance with certain requirements. The bill defines the term graywater as, “used, untreated water generated by the use of and collected from a shower, bathtub, or lavatory sink.” The term does not include water from a toilet, kitchen sink, or dishwashing machine. The bill also requires the Maryland Department of the Environment (MDE) to adopt certain regulations. The bill was signed by the governor 15 MAY 18 and becomes effective 1 OCT 18.

### **FINAL RULE**

**AMENDMENTS TO RADIATION MANAGEMENT REGULATIONS.** MDE has [adopted](#) (page 18) amendments to: (1) Regulation .01 under COMAR 26.12.01—*Radiation Protection*; and (2) Regulation .02 under COMAR 26.12.02—*Inspection and Certification*. The amendments update reporting and recordkeeping requirements, and clarify state certification applicability. The amendments became effective 21 MAY 18.



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

### **FEDERAL ACTIVITY**

**BASE-YEAR EMISSION INVENTORIES FOR LEBANON COUNTY AND DELAWARE COUNTY NONATTAINMENT AREAS.** EPA has issued a proposed rule to approve two SIP revisions submitted by the commonwealth of Pennsylvania ([83 FR 19476](#)). The revisions pertain to base-year emission inventories for the Lebanon County and Delaware County nonattainment areas for the 2012 PM<sub>2.5</sub> NAAQS. States are federally required to submit a comprehensive, accurate, and current inventory of actual emissions from all sources of direct and secondary PM<sub>2.5</sub> for all PM<sub>2.5</sub> nonattainment areas. The comment period closed 4 JUN 18.



**LEGISLATIVE SESSION: 10 JAN 18 THROUGH 10 MAR 18**

### **FEDERAL ACTIVITY**

**SUPPLEMENT FOR REGIONAL HAZE PLAN AND VISIBILITY PROPOSED RULE.** EPA has issued a proposed supplement for its [1 MAR 18](#) proposed rule, *Regional Haze Plan and Visibility for the 2010 SO<sub>2</sub> and 2012 PM<sub>2.5</sub> Standards* ([83 FR 20002](#)). This proposed supplement clarifies the infrastructure elements EPA has proposed approving for the 2010 SO<sub>2</sub> NAAQS and proposes to remove EPA's 2012 federal implementation plan (FIP). EPA is seeking comment only on the issues raised in this proposed supplement and is not reopening for comment other issues raised in the prior proposed rule. A notice of the proposed rule was published in the April 2018 *Northern Review*. The comment period closed 6 JUN 18.



**INTERSTATE TRANSPORT REQUIREMENTS FOR 2012 PM<sub>2.5</sub> STANDARD.** EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Virginia ([83 FR 21233](#)). The revision addresses the infrastructure requirement for interstate transport of pollution with respect to the 2012 PM<sub>2.5</sub> NAAQS. The comment period closed 8 JUN 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.



### Illinois

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

#### **FEDERAL ACTIVITY**

**SIP REVISION AMENDING DEFINITION OF VOM/VOC.** EPA has issued a final rule approving a SIP revision submitted by the state of Illinois for ozone ([83 FR 24030](#)). The SIP revision incorporates changes to the Illinois Administrative Code (IAC) definition of volatile organic material (VOM), otherwise known as VOC. The revision removes recordkeeping and reporting requirements related to the use of t-butyl acetate (tertiary butyl acetate) as a VOC, and is in response to an EPA rulemaking that occurred in 2016. Illinois also added information to provide clarity to the list of compounds excluded from the definition of VOC. The final rule becomes effective 25 JUN 18.

**CORRECTION TO NONATTAINMENT PLANS FOR LEMONT AND PEKIN SO<sub>2</sub> NONATTAINMENT AREAS FINAL RULE.** EPA has issued a final rule to correct and amend a previously issued final rule ([83 FR 24406](#)). The amendment corrects an error in the amendatory instruction of the final rule, issued [1 FEB 18](#), pertaining to the SO<sub>2</sub> nonattainment plans for the Lemont and Pekin areas. The previously issued final rule was published in the March 2018 *Northern Review*. The final correcting amendment became effective 29 MAY 18.



### Indiana

**LEGISLATIVE SESSION: 8 JAN 18 THROUGH 14 MAR 18, SINE DIE**

#### **FEDERAL ACTIVITY**

**AIR QUALITY STANDARDS UPDATE FOR 2015 OZONE STANDARD.** EPA has issued a proposed rule to approve SIP revisions submitted by the state of Indiana ([83 FR 19194](#)). Indiana revised its ozone standard in order to be consistent with EPA's 2015 revisions to the 8-hour NAAQS. The state also revised the references to the monitoring test methods in its rules to the current EPA test methods. EPA has proposed approval for these revisions along with administrative revisions to regulations addressing other ambient air quality standards. The comment period closed on 1 JUN 18.

**FINDING OF ADEQUACY FOR INDIANA PORTION OF CHICAGO-NAPERVILLE, IL-IN-WI AREA.** EPA has announced that the motor vehicle emissions budgets (MVEBs) for VOCs and oxides of nitrogen (NO<sub>x</sub>) in the 15-Percent Rate of Progress Plan for the Indiana portion of the Chicago-Naperville, IL-IN-WI 2008 ozone standard nonattainment area (Lake and Porter counties) adequate for use in transportation conformity determinations ([83 FR 24799](#)). As a result of EPA's finding, the

area must use MVEBs from the submitted plan for future transportation conformity determinations. The finding became applicable 14 JUN 18.



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

### **FEDERAL ACTIVITY**

**REVISIONS TO PART 9 MISCELLANEOUS RULES.** EPA has issued a proposed rule to approve a SIP revision submitted by the state of Michigan ([83 FR 19497](#)). The revision incorporates changes to Michigan's air pollution control rules, *Emissions Limitations and Prohibitions—Miscellaneous*. The revision: (1) updates existing source-specific rule requirements for ferrous cupola operations by removing obsolete rule language; and (2) makes a minor change to correct the citation to a federal test method. The comment period closed 4 JUN 18.

### **PROPOSED LEGISLATION**

**HB 6081 TESTING OF WATER AT STATE VETERANS' FACILITIES.** HB 6081 requires the water at state veterans' facilities to be sampled and tested on an annual basis for the presence of lead and all other substances for which there is a state drinking water standard established under SDWA. A similar bill has also been introduced, [HB 6082](#). Both bills have been referred to the Natural Resources Committee.



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

### **FEDERAL ACTIVITY**

**PSD INFRASTRUCTURE SIP REQUIREMENTS.** EPA has issued a proposed rule to approve elements of a SIP revision submitted by the state of Minnesota ([83 FR 22913](#)). The approved elements address infrastructure requirements of CAA section 110 relating to Prevention of Significant Deterioration (PSD) for the 1997 ozone, 1997 PM<sub>2.5</sub>, 2006 PM<sub>2.5</sub>, 2008 lead, 2008 ozone, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2012 PM<sub>2.5</sub> NAAQS. Comments are due 18 JUN 18.



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

### **FEDERAL ACTIVITY**

**APPROVAL OF MULTIPLE SIP REVISIONS.** EPA has issued a final rule addressing the Regional Haze Plan and Prong 4 (Visibility) for the 2006 and 2012 PM<sub>2.5</sub>, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2008 ozone NAAQS ([83 FR 21719](#)). The final rule takes the following five actions: (1) approves the portion of a Ohio SIP revision seeking to change from reliance on the Clean Air Interstate Rule (CAIR) to reliance on Cross-State Air Pollution Rule (CSAPR) for certain regional haze requirements; (2) converts EPA's limited approval/limited disapproval of Ohio's 2011 regional haze SIP to a full approval; (3) withdraws the FIP provisions that address the limited disapproval; (4) approves the visibility prong of Ohio's infrastructure SIP submittals for the 2012 annual and 2006 24-hour PM<sub>2.5</sub>, 2010 NO<sub>2</sub>, and 2010 SO<sub>2</sub> NAAQS; and (5) converts EPA's disapproval to approval of the visibility portion of Ohio's infrastructure SIP submittal for the 2008 ozone NAAQS. The final rule became effective 11 JUN 18.

## ***FINAL RULES***

**REVISIONS TO DRINKING AND GROUNDWATER RULES.** The Ohio Environmental Protection Agency (OEPA) has [adopted](#) revisions to the Division of Drinking and Ground Water rules located in Ohio Administrative Code (OAC) Chapters [3745-81—Lead and Copper Rule](#); [3745-89—Laboratory Certification Rule](#); and [3745-96—Consumer Confidence Rule](#). The revisions impact the following sections of Ohio’s lead and copper rule: (1) definitions; (2) administrative penalties; (3) applicability of corrosion control treatment steps to small, medium, and large water systems; (4) public education, supplemental monitoring requirements, and consumer notification results; (5) response to lead monitoring results; (6) monitoring requirements for water quality parameters; (7) analytical methods; and (8) reporting and recordkeeping requirements. The revisions also update analysis and reporting requirements in Chapter 3745-89, and amend the consumer confidence report requirements in Chapter 3745-96. The revisions became effective 1 MAY 18.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM.** OEPA has [adopted](#) revisions to [NPDES Permit Program rules](#), as part of the five-year rule review. The major revisions in the rulemaking include: (1) formalizing a long-standing treatment additive policy by incorporating the policy into rule; (2) inclusion of monitoring limits based on treatment additive approval as a minor modification; and (3) movement of variance language from OAC Chapter 3745-33 to Chapter 3745-1. A notice of the proposed revisions was published in the March 2018 *Northern Review*. The revisions became effective 1 JUN 18.

**AMENDMENTS TO WATER QUALITY TRADING PROGRAM RULES.** OEPA has [adopted](#) amendments to the water quality trading program rules at [OAC Chapter 3745-5](#). The water quality trading program is a voluntary program that allows a NPDES permit holder (point source) to meet its regulatory obligations by using pollutant reductions generated by another wastewater point source or non-point source. The amendments affect 14 rules within the program. A notice of the proposed amendments was published in the March 2018 *Northern Review*. The amendments became effective 11 MAY 18.

**AMENDMENTS TO WETLAND WATER QUALITY STANDARDS.** OEPA has [adopted](#) amendments to three rules in OAC Chapter 3745-1, *Water Quality Standards*. The rules being amended are: (1) 3745-1-50—*Wetland definitions and availability of documents*; (2) 3745-1-51—*Wetland narrative criteria*; and (3) 3745-1-54—*Wetland antidegradation*. The amendments allow the state to create an in-lieu-fee mitigation program and allow an in-lieu-fee to be used as mitigation for Section 401 Water Quality Certifications and Isolated Wetlands permits. The amendments also set a defined mitigation hierarchy preference for Section 401 Water Quality Certifications and Isolated Wetlands Permits and require OEPA to adopt this hierarchy in rule. Minor updates and style revisions were also adopted along with revisions that will align OEPA's regulations closer to U.S. Army Corps of Engineers' regulations. A notice of the proposed amendments was published in the March 2018 *Northern Review*. The amendments become effective 30 JUL 18.

## ***OTHER REGULATORY ACTIVITY***

**DRAFT 2018 ANNUAL SO<sub>2</sub> EMISSIONS REVIEW.** OEPA has [requested comment](#) on the draft [Ohio's 2018 Annual Sulfur Dioxide \(SO<sub>2</sub>\) Emissions Review](#). The state is federally required to conduct an annual review of emissions data and submit a report recommending whether updated modeling is necessary due to emissions increases. The annual emissions review is due to EPA by 1 July annually. Comments are due 14 JUN 18.



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

## **FEDERAL ACTIVITY**

**SIP REVISIONS ADDRESSING PARTICULATE MATTER STANDARD.** EPA has issued a proposed rule to approve a SIP revision submitted by the state of Wisconsin ([83 FR 24256](#)). The SIP revision incorporates the state's: (1) ambient air quality standards for PM<sub>2.5</sub> to be consistent with EPA's 2012 revisions to the PM<sub>2.5</sub> NAAQS; and (2) incorporation-by-reference rule to update references to the EPA monitoring methods. Comments are due 25 JUN 18.

**SIP REVISION TO MODIFY GREENHOUSE GAS LANGUAGE.** EPA has issued a proposed rule to approve a SIP revision submitted by the state of Wisconsin ([83 FR 24258](#)). The revision makes modifications to the language associated with how greenhouse gases (GHG) are evaluated in the PSD program. These revisions were made to reflect changes required by a 23 JUN 14 U.S. Supreme Court decision. Comments are due 25 JUN 18.

**VOC DEFINITION UPDATE AND REMOVAL OF OBSOLETE GASOLINE VAPOR RECOVERY REGULATIONS.** EPA has issued a proposed rule to approve a SIP revision submitted by the state of Wisconsin ([83 FR 24267](#)). The revision includes amendments to the Wisconsin Administrative Code (WAC) updating the definition of VOC to add eight compounds to the list of exempted compounds. These amendments are based on EPA rulemakings in 2012, 2013, and 2014, which added these compounds to the list of chemical compounds that are excluded from the federal definition of VOC. In addition, the SIP revision withdraws several previously approved provisions of the WAC from the SIP concerning the state's Stage II vapor recovery program that ended in 2012. EPA approved the removal of the Stage II program as a component of the Wisconsin SIP in 2013, including the approval of a demonstration under CAA section 110(I) that addressed emissions impacts associated with the removal of the program. Comments are due 25 JUN 18.

## **OTHER REGULATORY ACTIVITY**

**SIP REVISION FOR 1997 AND 2008 OZONE NONATTAINMENT AREAS.** The Wisconsin Department of Natural Resources has [requested comment](#) on a proposed [SIP revision](#) for the 1997 and 2008 ozone nonattainment areas. The revision requests EPA to approve a document defining and listing Wisconsin's 1997 and 2008 ozone nonattainment areas, which includes the applicability of Nonattainment New Source Review (NNSR) permitting requirements in those areas. The SIP revision also addresses the requirement for Wisconsin to submit a certification of the state's NNSR program. A public hearing is scheduled for 25 JUN 18 and comments are due 26 JUN 18.

# **Federal Activity**

## **AIR**

**NAAQS REVIEW PROCESS/POLICY SHIFT.** EPA Administrator Scott Pruitt signed a [memorandum](#) outlining a "Back-to-Basics" process for reviewing NAAQS. The memorandum calls for EPA to: (1) meet statutory deadlines; (2) address all CAA provisions; (3) streamline and standardize the process for development and review of key policy-relevant information; (4) differentiate science and policy judgments; and (5) issue timely implementation regulations and guidance. The memorandum indicates a policy shift whereby EPA intends, when setting new or revised NAAQS, to consider adverse economic effects, as provided by the Clean Air Scientific Advisory Committee. A press release announcing the memorandum is available [here](#).



**RISK MANAGEMENT PROGRAM.** EPA has issued a proposed rule [reconsidering](#) 2017 final Risk Management Plan Amendments (83 FR 24850). EPA has proposed to rescind amendments relating to safer technology and alternatives analyses, third-party audits, incident investigations, information availability, and several other minor regulatory changes. EPA has also proposed to modify amendments relating to local emergency coordination and emergency exercises, and to change the compliance dates for these provisions.

**SULFUR OXIDES.** EPA has announced the availability of two final documents, [Risk and Exposure Assessment \(REA\) for the Review of the Primary NAAQS for Sulfur Oxides](#), and [Policy Assessment \(PA\) for the Review of the Primary NAAQS for Sulfur Oxides](#) (83 FR 22479). The REA describes the quantitative analyses of SO<sub>2</sub> exposures and health risks in the NAAQS review. Building on the [2017 Integrated Science Assessment for Sulfur Oxides—Health Criteria](#), the PA serves to “bridge the gap” between the scientific information and the judgments required in determining whether to retain or revise the existing primary NAAQS for SO<sub>2</sub>. For more information about the SO<sub>2</sub> standards, click [here](#).

**REGULATORY DEFINITION OF VOC.** EPA has issued a proposed rule to revise the regulatory definition of VOC under the CAA (83 FR 19026). The revision add cis-1,1,1,4,4,4-hexafluorobut-2-ene (also known as HFO-1336mzz-Z) to the list of compounds excluded from the regulatory definition of VOC on the basis that this compound makes a negligible contribution to tropospheric ozone formation.

**PROTECTION OF STRATOSPHERIC OZONE.** EPA has announced the release of the draft document, [The U.S. Phaseout of HCFCs: Projected Servicing Demand in the U.S. Air Conditioning, Refrigeration, and Fire Suppression Sectors \(2020-2030\)](#) (83 FR 19757). The document contains information that revises estimates of potential future market demand for HCFC-123 and HCFC-124 based on current uses in air-conditioning, refrigeration, and fire suppression equipment and considers the availability of recovered hydrochlorofluorocarbons (HCFCs). This information may be relevant to an upcoming rulemaking regarding allowances for consumption and production of HCFC-123 and HCFC-124 for the 2020-2029 regulatory period.

## **CLEANUP**

**MEMORANDUM—CLEANUP AND REUSE OF SUPERFUND SITES.** In April, EPA and the U.S. Department of Justice (DOJ) [issued a memorandum](#) to EPA Regional Offices encouraging them to consider more frequent use of site-specific agreements with third parties at sites on the Superfund National Priorities List. EPA and DOJ are reviewing two types of site-specific model agreements to identify provisions in those agreements that should be revised. EPA is also streamlining processes to encourage use of site-specific agreements and other tools that address site-specific liability concerns of third parties interested in cleaning up and reusing contaminated property. These actions are in response to EPA’s [2017 Superfund Task Force Recommendations](#).

## **CLIMATE CHANGE**

**CLIMATE CHANGE STUDY.** In May, the National Park Service released a final report, [Sea Level Rise and Storm Surge Projections for the National Park Service](#). The report provides sea level rise and storm surge projections for coastal area national parks using information from the United Nations Intergovernmental Panel on Climate Change (IPCC) and storm surge scenarios from National Oceanic and Atmospheric Administration (NOAA) models. The research is the first to analyze IPCC and NOAA projections of sea level and storm surge under climate change scenarios for U.S. national parks. Results illustrate potential inundation and storm surge under four GHG emissions scenarios and multiple time scenarios (2030, 2050, and 2100). These results are intended to inform park planning and adaptation strategies for resources managed by the National Park Service. The report indicates that sea level change and storm surge pose considerable risks to infrastructure, archeological sites, lighthouses, forts, and other historic structures in coastal units of the national park system. To learn more, click [here](#).

## ***ENERGY***

**DOE RELEASES 2018 BETTER BUILDINGS PROGRESS REPORT.** The U.S. Department of Energy (DOE) has [released](#) the [2018 Better Buildings Progress Report](#). Now in its seventh year, DOE's Better Buildings Initiative helps private and public sector organizations capture important benefits of energy efficiency. Through participation in the initiative more than 900 public and private-sector organizations are driving energy efficiency in the U.S. economy. The newly released report highlights this progress in the commercial, industrial, residential and public sectors to improve energy productivity.

**REFORM OF GENERATOR INTERCONNECTION PROCEDURES AND AGREEMENTS.** The Federal Energy Regulatory Commission has issued a final rule amending the pro forma Large Generator Interconnection Procedures and the pro forma Large Generator Interconnection Agreement, applicable to generators with a capacity of more than 20 megawatts ([83 FR 21342](#)). The amendments are intended to improve certainty, promote more informed interconnection, and enhance interconnection processes. The final rule becomes effective 23 JUL 18.

**WIND ENERGY DATASET UPDATE.** The National Renewable Energy Laboratory (NREL) has [released](#) a major update to its [Wind Integration National Dataset](#), also known as the WIND Toolkit. The NREL data can be used to understand how strong breezes tend to blow across a particular area and how energy from the wind can be integrated into the electrical grid. The WIND Toolkit provides barometric pressure, wind speed and direction, relative humidity, temperature, and air density data from 2007 to 2013. These seven years of data provide a detailed view of the U.S. wind resource and how it varies minute-to-minute and year-to-year.

## ***HAZARDOUS MATERIALS***

**EMERGENCY RESPONSE GUIDEBOOK.** The Pipeline and Hazardous Materials Safety Administration (PHMSA) has requested input on ways to improve the Emergency Response Guidebook as it develops the 2020 edition ([83 FR 23996](#)). PHMSA is particularly interested in input from emergency services personnel who have experience using the 2012 and 2016 versions of the Emergency Response Guidebook to respond to hazardous materials transportation incidents.

## ***MISCELLANEOUS***

**STRENGTHENING TRANSPARENCY IN REGULATORY SCIENCE.** EPA has extended the public comment period on its 30 APR 18 [proposed rule](#), Strengthening Transparency in Regulatory Science ([83 FR 24255](#)). The comment period is extended to 16 AUG 18. A public hearing is scheduled for 17 JUL 18 in Washington, D.C.

**EPA REGULATORY AGENDA CHANGES.** EPA has withdrawn several proposed pesticide rules identified in the Regulatory Agenda ([83 FR 20004](#)). The agency no longer intends to pursue these regulatory efforts. The withdrawn rules are: (1) Plant-Incorporated Protectants—In 1994 EPA proposed two rules to exempt certain plant incorporated protectants from Federal Insecticide, Fungicide, and Rodenticide Act regulation; (2) Groundwater and Pesticide Management Plan Rule—In 1996 EPA proposed, through the use of State Management Plans, to provide states with the flexibility to restrict use of certain pesticides to protect groundwater; and (3) Registration for Antimicrobial Pesticide Products—In 1999 EPA proposed registration and labeling requirements for antimicrobial pesticides.

**FIRST ANNUAL NATIONAL FEDERAL FACILITY EXCELLENCE IN SITE REUSE AWARDS.** EPA has [announced](#) its first annual Federal Facility Site Reuse awards. According to EPA, the awards recognize "the hard work, innovative thinking, and cooperation among federal agencies, states, tribes, local partners, and developers to encourage restoration of federal sites for beneficial reuses." Cleaning up contaminated sites at federal facilities can serve as a catalyst for economic growth and community revitalization. Awards were provided in four categories: National Priorities List (NPL) Base Realignment and Closure (BRAC) sites; NPL sites, non-NPL sites; and non-NPL BRAC sites. Winners within the REEO-N area of responsibility include: (1) NPL-awardee Joliet Army Ammunition Plant, Illinois; and (2) Non-NPL BRAC-awardee Naval Air Station Glenview, Illinois.

## ***NATURAL RESOURCES***

**MIGRATORY BIRD INCIDENTAL TAKE PERMITS.** The U.S. Fish and Wildlife Service (FWS) has announced that it is no longer considering preparation of a Programmatic Environmental Impact Statement pursuant to the National Environmental Policy Act to evaluate the potential environmental impacts of a proposed rule to authorize incidental take of migratory birds under the Migratory Bird Treaty Act ([83 FR 24080](#)). The announcement was made 24 MAY 18.

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

**SOUTHEASTERN SPECIES.** FWS has initiated five-year status reviews for 35 species in the Southeast ([83 FR 20092](#)). FWS is requesting any new information concerning the status of any of the 35 species. Information is due 6 JUL 18.

## ***TOXICS***

**PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS).** In May, EPA held a two-day [meeting](#) on per- and polyfluoroalkyl substances (PFAS). The meeting included representatives from more than 40 states, tribes, and territories; 20 federal agencies; congressional staff; associations; industry groups; and non-governmental organizations. According to a [press release](#) issued after the meeting, EPA will:

- Initiate steps to evaluate the need for a maximum contaminant level for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS); and
- Begin the necessary steps to propose designating PFOA and PFOS as hazardous substances through one of the available statutory mechanisms, including potentially under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 102.

In addition, EPA maintains a [website](#) that identifies actions the agency has taken or intends to take regarding PFAS. According to the website, EPA intends to:

- Develop human health toxicity values for GenX and perfluorobutanesulfonic acid (PFBS) in summer 2018;
- Update EPA Drinking Water Treatability Database for multiple PFAS in July 2018;
- Develop groundwater cleanup recommendations for PFOA/PFOS in September 2018; and
- Develop a PFAS Management Plan in fall 2018.

In a related matter, the intergovernmental Organization for Economic and Co-operation and Development [released](#) an updated database of PFAS, identifying 4,730 PFAS that have at least one perfluoroalkyl moiety.

**NUCLEAR REGULATORY COMMISSION—RETROSPECTIVE REVIEW.** The Nuclear Regulatory Commission (NRC) has initiated a retrospective review of administrative requirements to identify outdated or duplicative administrative requirements that may be eliminated without adverse effect on public health or safety, common defense and security, protection of the environment, or regulatory efficiency and effectiveness ([83 FR 19464](#)). NRC has requested public comment on the criteria it will use to identify administrative regulations for possible elimination.

**BERYLLIUM STANDARDS—CLARIFYING AMENDMENTS.** The Occupational Safety and Health Administration (OSHA) issued a direct final rule to clarify its [2017 general industry standard](#) for exposure to beryllium and beryllium compounds ([83 FR 19936](#)). The final rule clarifies OSHA's intent with respect to certain terms in the standard, including the definition of Beryllium Work Area, the definition of emergency, and the meaning of the terms dermal contact and beryllium contamination. The rule also clarifies OSHA's intent regarding provisions for disposal and recycling and provisions that the agency intends to apply only where skin can be exposed to materials containing at least 0.1 percent beryllium by weight. Barring adverse comment the final rule becomes effective 6 JUL 18.

**BIOLOGICAL OPINION ON CHLORPYRIFOS, DIAZINON, AND MALATHION.** EPA has extended the public comment period on the National Marine Fisheries Service [biological opinion](#) on chlorpyrifos, diazinon, and malathion ([83 FR 22480](#)).

## **WASTE**

**DEFINITION OF SOLID WASTE.** EPA has issued a final rule revising regulations associated with the definition of solid waste under the Resource Conservation and Recovery Act (RCRA) ([83 FR 24664](#)). The revisions: (1) remove the 2015 Verified Recycler Exclusion and reinstate the 2008 Transfer-Based Exclusion, with modifications; and (2) remove the 2015 Factor Four in the definition of "Legitimate Recycling" and reinstate the 2008 Factor Four. The revisions implement vacatur ordered by the U.S. Court of Appeals for the District of Columbia Circuit on 7 JUL 17, as modified on 6 MAR 18. The final rule is effective 30 MAY 18.

**FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET.** EPA has released the 33<sup>rd</sup> update to the Federal Agency Hazardous Waste Compliance Docket ([83 FR 20813](#)). The docket contains information on federal facilities that manage hazardous waste or from which a reportable quantity of hazardous waste has been released. The update includes five additions, two deletions, and one correction.

## **WATER**

**FINAL 2016 EFFLUENT GUIDELINES PROGRAM PLAN.** EPA has released the [Final 2016 Effluent Guidelines Program Plan](#), which identifies new or existing industrial categories selected for effluent guideline rulemakings and provides a schedule for the rulemakings ([83 FR 19281](#)). The plan discusses the results of EPA's annual review of effluent limitation guidelines and pretreatment standards, and includes EPA's evaluation of indirect discharge categories that do not have categorical pretreatment standards. The final plan identifies one new rulemaking and its schedule for the Steam Electric Power Generating Point Source Category. The plan also announces that EPA is initiating three new studies. One study will evaluate the management of oil and gas extraction wastewater from onshore facilities; the other studies will address nutrients and PFAS. EPA's near-term goal of these studies is to identify the extent to which the pollutants are discharged from industrial categories. For more information, click [here](#).

**FRESHWATER SUSTAINABILITY TRENDS.** A new [study](#), published in the Nature International Journal of Science, quantified 34 trends in terrestrial water storage observed by National Atmospheric and Space Administration (NASA) satellites during 2002–2016. "This is the first time we've ever had a global map of how freshwater availability is changing," said lead author Matthew Rodell of NASA's Goddard Space Flight Center. He said the results show a "clear human fingerprint" on global freshwater availability. Of the 34 areas with prominent changes in freshwater availability, 14 were attributed to human activities, such as pumping groundwater for crops; eight were attributed to climate change; and the remaining 12 areas with changes were attributed to natural variability. A news article about the study is available [here](#).

**FIVE-YEAR REVIEW OF 2012 RWQC.** EPA has [released](#) its five-year review of the 2012 Recreational Water Quality Criteria (RWQC), as federally required. The review report describes the state of the science since the release of the 2012 RWQC, related to the protection of human health in water bodies designated for primary contact recreation (e.g., swimming). Based on the agency's review of the existing criteria and developments in the available science, EPA has decided not to revise the 2012 RWQC during this review cycle.



# Department of Defense Activity

**PROTECTING MILITARY BASES FROM RECURRING FLOODS.** U.S. Senate Bill [S. 2766](#), Protecting Our Military Installations from Recurrent Floods Act of 2018, was introduced in April 2018. According to a [press release](#) from the bill sponsors, the bill would protect military bases from flooding by making sure facility planners are aware of recurrent flood risks in certain areas and consider those risks when building or designing facilities. The bipartisan legislation would:

- Require DOD to disclose when a proposed military construction project will be sited within or partially within a 100-year floodplain, according to the most recent Federal Emergency Management Agency (FEMA) flood hazard data;
- Require DOD to establish a process for delineating the 100-year floodplain using the same risk analysis and standards that FEMA uses when there is no flood hazard data for a proposed military construction site; and
- Require DOD to exceed the baseline elevation of the 100-year floodplain when designing a facility to mitigate future flood risk. This requirement would codify how DOD already complies with a prior EO, which recognized that storm surge and compound flood events often result in flood waters that are higher than what facility planners anticipate based on the 100-year floodplain maps.

According to a [January 2018 DOD infrastructure vulnerability survey](#) of more than 3,500 worldwide sites, nearly 1,000 reported vulnerability due to flooding, including non-storm surge-related flooding, such as rain, snow, sleet, river overflow, and flooding due to storm surge.

**CHEMICAL SURETY.** The Army has released a major revision of [Army Regulation \(AR\) 50-6](#), *Chemical Surety*. The regulation sets policies and procedures for the Army Chemical Surety Program. It applies to Schedule 1 chemicals (also called chemical agents) as defined by the Chemical Weapons Convention (CWC). Appendix B identifies the specific applicability of the regulation to the types of Schedule 1 chemicals. Also, the regulation pertains to chemical stockpile storage facilities.

## Professional Development

### ***DOD TRAINING SOURCES***

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

**SERDP AND ESTCP WEBINAR SERIES (ONLINE).** The DOD environmental research and development funding programs 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 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***

**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 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 2019 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 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 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).** 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.

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

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



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## How the Regional Offices Work for You

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

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

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

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

