



Northern Review

of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

July 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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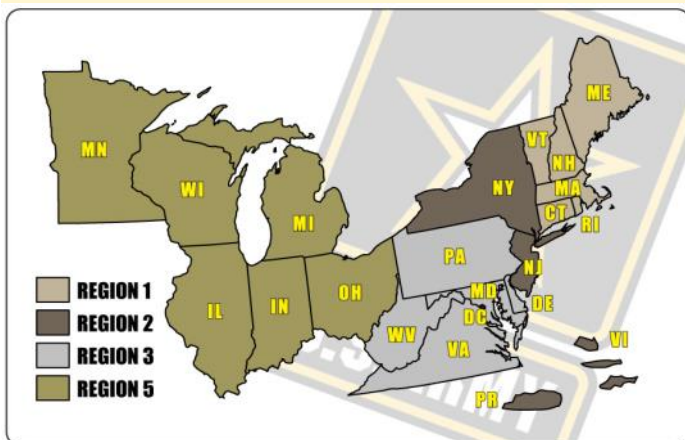


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POSSIBLE NEPA UPDATE

The White House [Council on Environmental Quality](#) (CEQ) [is considering](#) updating its implementing regulations for the procedural provisions of the National Environmental Policy Act (NEPA).

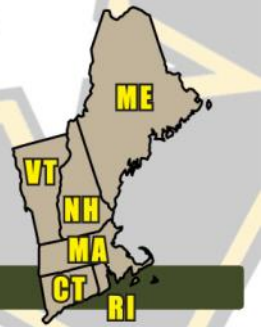
Over the past four decades, CEQ has issued numerous guidance documents but has amended its regulations substantively only once, in 1986. Given the length of time since its NEPA implementing regulations were issued, CEQ solicited public comment on potential revisions to update the regulations and provide a more efficient, timely, and effective process consistent with the national environmental policy stated in NEPA. In particular, CEQ requested comments in 20 general areas including:

- Coordination between multiple federal agencies;
- Better facilitating agency use of environmental studies and decisions by state, tribal, and local entities;
- NEPA document formats and time limits;
- How to better focus on significant issues that are relevant and useful to decision makers and the public;
- Appropriate range of alternatives;
- Public involvement;
- Revisions to definitions of key NEPA terms and new terms that need definitions;
- Agency responsibility and the preparation of NEPA documents by contractors and project applicants;
- Programmatic NEPA documents and tiering;
- Updating of regulatory provisions to reflect new technologies to increase efficiency;
- CEQ's NEPA regulations related to mitigation; and
- Applying NEPA regulations in a manner that reduces unnecessary burdens and delays.

Comments were due 20 JUL 18. If CEQ determines it will propose changes to NEPA requirements, a formal rulemaking will be initiated.

Region 1

For more information or to comment on any state issues in Region 1, contact [Kevin Kennedy](#), Region 1 Program Coordinator, (410) 278-6168.



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

FEDERAL ACTIVITY

VOC EMISSIONS FROM CONSUMER PRODUCTS AND AIM COATINGS. EPA has issued a proposed rule to approve a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([83 FR 25615](#)). The SIP revision amends requirements for controlling volatile organic compound (VOC) emissions from consumer products and architectural and industrial maintenance (AIM) coatings. The comment period closed 5 JUL 18.

REVISIONS TO PSD GHG PERMITTING AUTHORITY. The U.S. Environmental Protection Agency (EPA) has issued a proposed rule to approve a SIP revision submitted by the state of Connecticut ([83 FR 27936](#)). The revision affects provisions applicable to greenhouse gases (GHGs) in the EPA's Prevention of Significant Deterioration (PSD) permit program. Connecticut requested the revision in response to multiple court decisions. The revision clarifies that the state's PSD rules do not require a source to obtain a permit solely because the source emits or has the potential to emit GHGs: (1) above the PSD applicability thresholds for new major sources; or (2) for which there is a significant emissions increase from a modification. The comment period closed 16 JUL 18.



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

FEDERAL ACTIVITY

INFRASTRUCTURE SIP REQUIREMENTS. EPA has issued a final rule to approve elements of SIP revisions submitted by the state of Maine ([83 FR 28157](#)). The revisions address Clean Air Act (CAA) infrastructure requirements for the 2008 lead, 2008 ozone, and 2010 nitrogen dioxide (NO₂) National Ambient Air Quality Standards (NAAQS). EPA has also conditionally approved a sub-element of Maine's submittal relating to state boards and conflicts of interest. Finally, EPA has approved 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. The final rule became effective 18 JUL 18.

FINAL RULES

AMENDMENTS TO MULTIPLE WASTE RULES. The Maine Department of Environmental Protection (MDEP) has [adopted](#) amendments to multiple state rules through the incorporation of revised and new regulations promulgated by EPA under *The Solid Waste Disposal Act*. The rulemaking amends: (1) Chapter 850 — *Identification of Hazardous Waste*; (2) Chapter 851 — *Standards for Generators of Hazardous Waste*; (3) Chapter 852 — *Land Disposal Restrictions*; and (4) Chapter 858 — *Universal Waste Rules*. A notice of the proposed amendments was published in the March 2018 *Northern Review*. The amendments became effective 11 JUN 18.

AMENDMENTS TO BENEFICIAL USE OF SOLID WASTES RULES. MDEP has [adopted](#) amendments to Chapter 418, *Solid Waste Management Rules: Beneficial Use of Solid Wastes*. The amendments include: (1) new exemptions addressing the beneficial use of several different waste streams (e.g., spent septic systems, catch basin grit, petroleum contaminated soil); (2) replacement of the constituent values in Appendix A (Screening Standards for Beneficial Use) with current, risk based values based on the *Regional Screening Levels for Chemical Contaminants at Superfund Sites*, as revised June, 2017; (3) additions and revisions to the permit-by-rule and reduced procedure licensing standards pertaining to tires and dredge material; and (4) reorganization and substantive updates of the fuel substitution provisions of the rule. The amendments became effective 8 JUL 18.



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

FEDERAL ACTIVITY

PLAN FOR CENTRAL NEW HAMPSHIRE SO₂ NONATTAINMENT AREA. EPA has issued a final rule approving a SIP revision submitted by the state of New Hampshire ([83 FR 25922](#)). The SIP revision addresses a plan for attainment of the 1-hour sulfur dioxide (SO₂) primary NAAQS for the Central New Hampshire Nonattainment Area. The plan includes the state's attainment demonstration and other elements required under the CAA. The nonattainment plan also addresses the requirements for meeting reasonable further progress (RFP) toward attainment of the NAAQS, implementation of reasonably available control measures and reasonably available control technology (RACM/RACT), base-year and projection-year emission inventories, enforceable emissions limitations and control measures, and contingency measures. EPA concluded that New Hampshire appropriately demonstrated that the nonattainment plan provisions provide for attainment of the 2010 1-hour primary SO₂ NAAQS by the applicable attainment date. The final rule became effective 5 JUL 18.

STATE GRANTED DELEGATION OF AUTHORITY FOR SSI FEDERAL PLAN. EPA has issued a final rule granting 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 14 OCT 10 (SSI Federal Plan) ([83 FR 29458](#)). The SSI Federal Plan addresses the implementation and enforcement of emission guidelines that are applicable to existing SSI units located in areas not covered by an approved and currently effective state plan. The SSI Federal Plan imposes emission limits and other control requirements for existing affected SSI facilities. The final rule becomes effective 25 JUL 18.

FINAL LEGISLATION

HB 1592 AMBIENT GROUNDWATER STANDARD FOR ARSENIC. HB 1592 (Pubic Act: 190) requires the commissioner of NHDES to review the ambient groundwater standard for arsenic to determine whether it should be lowered. The bill also states that any proposed change will require approval of the general court. A notice of the bill's introduction was published in the December 2017 *Northern Review*. The final bill contains significant changes from the originally proposed bill. The bill was signed by the governor 8 JUN 18 and became effective upon signature.

FINAL RULES

GROUNDWATER DISCHARGE PERMITS AND REGISTRATIONS. NHDES has [adopted](#) amendments to the rules governing groundwater discharge permits and registrations at Env-Wq 402. The rules being amended establish standards, criteria, and procedures for groundwater discharge permits, groundwater discharge registrations, and holding tank registrations to prevent pollution and protect groundwater. The amendments specifically address 1,4-dioxane, a water contaminant that is a likely human carcinogen. The amendments become effective 1 SEP 18.

AMENDMENTS TO AMBIENT GROUNDWATER QUALITY STANDARDS. NHDES has [adopted](#) amendments to the regulations under Env-Or 603.03(c), Table 600-1. These regulations establish ambient groundwater quality standards (AGQS) for regulated contaminants that result from human operations or activities. The amendments to Table 600-1: (1) increase the AGQS for boron, 2-chlorophenol, ethylene glycol, and naphthalene; (2) decrease the AGQS for 2A-dichlorophenol, 1 A-dioxane, metribuzin/sencor 75DF, and phenol; (3) add an AGQS for non-radioactive strontium; and (4) correct the name of the compound perfluorooctane sulfonic acid with the acronym PFOS. A notice of the proposed amendments was published in the January 2018 *Northern Review*. The amendments become effective 1 SEP 18.



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

FEDERAL ACTIVITY

SIP REVISION ADDRESSING CONTROL OF VOC AND NO_x EMISSIONS, AND SULFUR CONTENT OF FUELS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Rhode Island ([83 FR 25981](#)). The revision updates state air pollution control regulations for volatile organic compound (VOC) emissions, nitrogen oxide (NO_x) emissions, sulfur content in fuel requirements, and associated general definitions. The comment period closed 5 JUL 18.

CROSS-MEDIA ELECTRONIC REPORTING. EPA has approved the state of Rhode Island's request to revise multiple state EPA-authorized programs to allow electronic reporting ([83 FR 26683](#)). The approval establishes electronic reporting as an acceptable regulatory alternative to paper reporting. The approval became effective 8 JUN 18.



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

FEDERAL ACTIVITY

INFRASTRUCTURE SIP REQUIREMENTS FOR 2012 PM_{2.5} NAAQS. EPA has issued a proposed rule to approve elements of a SIP revision submitted by the state of Vermont ([83 FR 30598](#)). The revision addresses CAA infrastructure requirements, including the interstate transport provisions for the 2012 fine particle (PM_{2.5}) NAAQS. 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 30 JUL 18.

PROPOSED RULE

AMENDMENTS TO UNDERGROUND STORAGE TANK (UST) RULES. The Vermont Department of Environmental Conservation has [proposed](#) amendments to the UST rules. The amendments allow state rules to mirror federal regulations so the state can maintain delegation of the program. These rules regulate the installation and operation of UST systems that store gasoline, diesel fuel, heating oil, kerosene, used oil, and other hazardous materials. The amendments clarify and update several sections, and add new requirements that critical components be tested at least once every three years. The comment period closed 20 JUL 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

PROPOSED LEGISLATION

AB 1093 (SB 1333) UPDATE TO NEW JERSEY SHORE PROTECTION MASTER PLAN. AB 1093 requires the New Jersey Department of Environmental Protection (NJDEP), within 24 months after enactment of the bill, to prepare a comprehensive update to the New Jersey Shore Protection Master Plan. The state's current plan was issued in October 1981. The bill establishes topics that must be addressed by the update. The bill also requires NJDEP to consult with and engage experts in coastal zone and shoreline management in the development of the plan update. The bill passed the Assembly and was referred to the Senate Budget and Appropriations Committee.

OTHER REGULATORY ACTIVITY

FISCAL YEAR (FY) 2019 ANNUAL SITE REMEDIATION REFORM ACT (SRRA) PROGRAM FEE CALCULATION REPORT. NJDEP has provided [notice](#) of permit fee changes. The notice addresses the Annual SRRA Program Fee Calculation Report for FY 2019. The notice was issued 18 JUN 18.



New York

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

FEDERAL ACTIVITY

MVEBS FOR NEW YORK PORTION OF NY-NJ-CT 2008 8-HOUR OZONE NONATTAINMENT AREA. EPA has found that the 2017 motor vehicle emissions budgets (MVEBs) for VOCs and NO_x submitted by the state of New York for the 2008 ozone NAAQS are adequate for transportation conformity purposes for the New York portions of the NY-NJ-CT 8-hour ozone nonattainment area ([83 FR 26597](#)). As a result of this finding, upon the effective date of this notification of adequacy, the New York Metropolitan Transportation Council must use these budgets in future transportation conformity determinations. The budgets are contained in New York's 10 NOV 17 SIP submittal for the 2008 ozone NAAQS and are associated with the reasonable further progress milestone demonstration. The finding became effective 25 JUN 18.

FUEL COMPOSITION AND USE — SULFUR LIMITATIONS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of New York concerning sulfur-in-fuel limits ([83 FR 29723](#)). The revision adds a regulatory mechanism for meeting the existing obligations related to regional haze. The SIP revision: (1) amends Title 6 of the New York Codes, Rules and Regulations Subpart 225-1, *Fuel Composition and Use—Sulfur Limitations*, and Section 200.1, *Definitions*; and (2) removes an obsolete provision from the Code of Federal Regulations (CFR) related to facility specific sulfur-in-fuel limits. Comments are due 26 JUL 18.

PROPOSED LEGISLATION

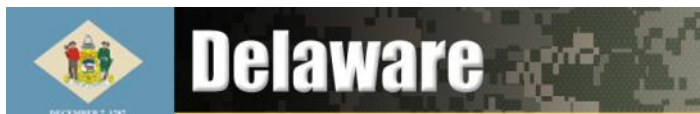
SB 2837 SOLAR PANEL COLLECTION ACT. SB 2837 enacts the "Solar Panel Collection Act" to require manufacturers of solar panels to establish and maintain a program for the collection, transportation, and recycling of out-of-service solar panels. The bill also: (1) requires manufacturers to develop and conduct educational outreach relating to the importance of collection and recycling of solar panels; (2) establishes collection goals; and (3) requires reporting of collection efforts. The bill has passed the Senate and was referred to the Environmental Conservation 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.



RESPONSE TO CAA SECTION 126(B) PETITIONS FROM DELAWARE AND MARYLAND. EPA has issued a notice proposing the denial of four petitions submitted by the state of Delaware and one petition submitted by the state of Maryland ([83 FR 26666](#)). Each of Delaware's four petitions requested that EPA make a finding that emissions from individual sources in Pennsylvania or West Virginia are significantly contributing to Delaware's nonattainment of the 2008 and 2015 8-hour ozone NAAQS. Maryland's petition requested that EPA make a finding that emissions from 36 electric generating units in Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia are significantly contributing to ozone levels that exceed the 2008 8-hour ozone NAAQS in Maryland, and, therefore, are interfering with nonattainment and maintenance of the 2008 ozone NAAQS. EPA has proposed denials for all five petitions because Delaware and Maryland have not met their burden to demonstrate that the sources emit or would emit in violation of the CAA's "good neighbor" provision. Comments are due 23 JUL 18.



LEGISLATIVE SESSION: 9 JAN 18 THROUGH 1 JUL 18 (EST)

FINAL LEGISLATION

SB 153 CREATION OF DELAWARE NATIVE SPECIES COMMISSION. SB 153 creates the Delaware Native Species Commission, which is one of the recommendations of the Statewide Ecological Extinction Task Force, created by Senate Concurrent Resolution No. 20 of the 149th General Assembly. The commission is charged with reflecting a balance of interests between environmental professionals, government, and other stakeholders in order to implement the recommendations of the task force. The bill establishes the commission's membership criteria, regulatory authorities, and reporting requirements. The commission will terminate 10 years from enactment unless extended by the General Assembly. The bill was signed by the governor 7 JUN 18 and became effective upon signature.

PROPOSED RULE

AMENDMENTS TO DELAWARE RADIATION CONTROL REGULATIONS. The Delaware Department of Health and Social Services has [proposed](#) changes to repeal and replace Parts F and H of the Delaware Radiation Control Regulations. The amendments update the requirements so that they are in concert with current healthcare and industry standards, and to align them more closely with current state administrative code and federal requirements. The regulations will apply to: (1) any facility or person that receives, possesses, uses, transfers, sells, owns, or acquires ionizing radiation sources; (2) providers of radiation services to such radiation source facilities; or (3) those who administer machine-generated radiation to human patients in the healing arts. Additional changes to formatting, numbering, and definitions have been made throughout the regulations. The comment period closed 16 JUL 18.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 31 DEC 18

FEDERAL ACTIVITY

PROPOSED AUTHORIZATION OF DC HAZARDOUS WASTE MANAGEMENT PROGRAM REVISIONS. EPA has issued a proposed rule to grant final authorization to the District of Columbia's revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA) ([83 FR 26917](#)). EPA reviewed DC's application, and determined that the revisions satisfy all requirements needed to qualify for final authorization. The comment period closed 11 JUL 18.



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

FINAL RULES

ACCREDITATION AND TRAINING FOR LEAD PAINT ABATEMENT SERVICES. The Maryland Department of the Environment (MDE) has [adopted](#) (page 13) amendments to Regulations .08 and .20 under COMAR 26.16.01, *Accreditation and Training for Lead Paint Abatement Services*. The amendments remove the project designer accreditation and fee provisions from the regulation to reduce confusion. The amendments became effective 18 JUN 18.

AMENDMENT TO DEFINITION OF SOLID WASTE. MDE has [adopted](#) (page 13) amendments to the definition of solid waste at COMAR 26.04.07, *Solid Waste Management*. The amendments remove an incorrect reference to the definition of solid waste for hazardous waste purposes and replace it with a reference to the definition of solid waste in the statute at Environmental Article §9-101. The amendments became effective 18 JUN 18.

AMENDMENTS TO STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE. MDE has [adopted](#) (page 13) amendments to Regulation .01 under COMAR 26.13.04, *Standards Applicable to Transporters of Hazardous Waste*. The amendments eliminate the requirement for a: (1) driver of a controlled hazardous substance (CHS) vehicle to obtain and carry a driver certificate; and (2) CHS hauler to affix the vehicle certificate on the outside of the vehicle, and instead require the hauler to carry the certificate in the vehicle. These changes bring the state regulations into conformance with statutory provisions. The amendments became effective 18 JUN 18.



LEGISLATIVE SESSION: 2 JAN 18 THROUGH 30 NOV 18

FEDERAL ACTIVITY

EMISSIONS STATEMENT REQUIREMENT FOR 2008 OZONE STANDARD. EPA has issued a final rule approving a SIP revision submitted by the commonwealth of Pennsylvania ([83 FR 26221](#)). The SIP revision fulfills Pennsylvania's emissions statement requirement for the 2008 ozone NAAQS. The final rule became effective 6 JUL 18.

INTERSTATE TRANSPORT REQUIREMENTS FOR 2012 PM_{2.5} STANDARD. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Pennsylvania ([83 FR 27732](#)). The revision addresses the infrastructure requirement for interstate transport of pollution with respect to the 2012 PM_{2.5} NAAQS. The comment period closed 16 JUL 18.



LEGISLATIVE SESSION: 10 JAN 18 THROUGH 10 MAR 18

FEDERAL ACTIVITY

EMISSIONS STATEMENT RULE CERTIFICATION FOR 2008 OZONE NAAQS. EPA has issued a final rule approving a SIP revision submitted by the commonwealth of Virginia ([83 FR 25378](#)). The SIP revision provides Virginia's certification that its existing emissions statement program satisfies the CAA emissions statement requirements for the 2008 ozone NAAQS. The final rule became effective 2 JUL 18.

OTHER REGULATORY ACTIVITY

TOTAL MAXIMUM DAILY LOAD (TMDL) FOR TRIBUTARIES OF RAPPAHANNOCK RIVER. The Virginia Department of Environmental Quality has [requested public comment](#) regarding a [draft](#) TMDL for tributaries along the Rappahannock River located in Essex, Westmoreland, Richmond, Caroline, and King George counties. Portions of the Rappahannock River and its tributaries were identified in Virginia's 2016 Water Quality Assessment and Integrated Report as impaired due to violations of the state's water quality standards for Enterococci and E. coli and do not support the designated uses of "primary contact (recreational or swimming)." The comment period closed 20 JUL 18.



LEGISLATIVE SESSION: 10 JAN 18 THROUGH 10 MAR 18, SINE DIE

FEDERAL ACTIVITY

REGIONAL HAZE PLAN AND VISIBILITY REQUIREMENTS FOR 2010 SO₂ AND 2012 PM_{2.5} NAAQS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of West Virginia ([83 FR 27734](#)). The SIP revision changes the state's reliance on the Clean Air Interstate Rule (CAIR) to reliance on the Cross-State Air Pollution Rule (CSAPR) with the purpose of addressing certain regional haze requirements and visibility protection requirements for the 2010 SO₂ NAAQS. EPA has proposed to: (1) convert the previous limited approval/limited disapproval of West Virginia's regional haze SIP to a full approval; (2) remove the state's federal implementation plan (FIP); and (3) approve portions of two previous SIP revisions submitted by West Virginia to address visibility protection requirements for the 2010 SO₂ and the 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 EPA's regional haze criteria to qualify as an alternative to the application of best available retrofit technology (BART). The comment period closed 16 JUL 18.

MINOR NEW SOURCE REVIEW PERMITTING. EPA has issued a proposed rule to approve a SIP revision submitted by the state of West Virginia ([83 FR 28179](#)). The revision addresses changes to West Virginia's minor New Source Review (NSR) permit program. The comment period closed 18 JUL 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)

FINAL RULES

AMENDMENTS TO STATE UST REGULATIONS. The Illinois Office of the State Fire Marshall (OSFM) has adopted separate rulemakings to amend multiple UST regulations. Amendments to [41 Ill. Adm. Code 176](#) (page 1007) (*Administrative Requirements for USTs and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances*); and [41 Ill. Adm. Code 175](#) (page 862) (*Technical Requirements for USTs and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances*) conform state technical requirements for UST systems to new federal regulatory requirements that became effective 13 OCT 15. Amendments to [41 Ill. Adm. Code 177](#) (page 1056) (*Compliance Certification for USTs*) update rules concerning the compliance certification required to be issued by OSFM under Section 3.5 of the *Gasoline Storage Act*. Amendments to [41 Ill. Adm. Code 174](#) (page 821) (*General Requirements for USTs and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances*) update rules concerning the storage, handling, and use of flammable and combustible liquids, bulk handling, mobile fueling, incorporations by reference, and definitions for purpose of UST rules. All of the adopted amendments become effective 13 OCT 18.

REVISIONS TO AIR QUALITY STANDARDS. The Illinois Pollution Control Board (IPCB) has [adopted](#) (page 323) revisions to 35 Ill. Adm. Code 243, *Air Quality Standards*. The revisions update the state requirements to correspond with amendments to the federal NAAQS adopted by EPA from 1 JUL 17 through 31 DEC 17. A notice of the proposed revisions was published in the March 2018 *Northern Review*. The revisions became effective 29 MAY 18.

AMENDMENTS TO PRIMARY DRINKING WATER STANDARDS. IPCB has [adopted](#) (page 331) amendments to the Illinois Safe Drinking Water Act rules at 35 Ill. Adm. Code 611, *Primary Drinking Water Standards*. The amendments make the state rules correspond with amendments adopted by EPA from 1 JUL 17 through 31 DEC 17. A notice of the proposed amendments was published in the March 2018 *Northern Review*. The adoption became effective 29 MAY 18.

AMENDMENTS TO WASTEWATER PRETREATMENT RULES. IPCB has [adopted](#) (page 1062) amendments to the Illinois wastewater pretreatment rules at 35 Ill. Adm. Code 307, *Sewer Discharge Criteria*, 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. A notice of the proposed amendments was published in the April 2018 *Northern Review*. The adoption became effective 29 MAY 18.

PROPOSED RULES

AMENDMENTS TO HAZARDOUS WASTE, UIC, AND MSWLF RULES. IPCB has proposed multiple separate rulemakings, as part of a consolidated docket, that amend state hazardous waste, underground injection control (UIC), and municipal solid waste landfill (MSWLF) rules by incorporating amendments adopted by EPA during 2016 and 2017. IPCB has

proposed amending:

- [35 Ill. Adm. Code 720](#) (page 278) — *Hazardous Waste Management System: General*, to incorporate elements of the Generator Improvements Rule (GIR), the Hazardous Waste Import-Export Revisions (HWIER), and the bar on claims of confidentiality for documents relating to hazardous waste exports. Comments are due 30 JUL 18;
- [35 Ill. Adm. Code 721](#) (page 366) — *Identification and Listing of Hazardous Waste*, to incorporate elements of the GIR, the HWIER, and the bar on claims of confidentiality for documents relating to hazardous waste exports. Comments are due 30 JUL 18;
- [35 Ill. Adm. Code 722](#) (page 106) — *Standards Applicable to Generators of Hazardous Waste*, to incorporate elements of the GIR, the HWIER, and the bar on claims of confidentiality for documents relating to hazardous waste exports. Comments are due 6 AUG 18;
- [35 Ill. Adm. Code 723](#) (page 297) — *Standards Applicable to Transporters of Hazardous Waste*, to incorporate elements of the GIR and the HWIER. Comments are due 6 AUG 18;
- [35 Ill. Adm. Code 726](#) (page 314) — *Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities*, to incorporate elements of the GIR and the HWIER. Comments are due 6 AUG 18;
- [35 Ill. Adm. Code 728](#) (page 523) — *Land Disposal Restrictions*, to incorporate elements of the GIR. Comments are due 6 AUG 18;
- [35 Ill. Adm. Code 705](#) (page 242) — *Procedures for Permit Issuance*, to make several needed corrections in the text. Comments are due 30 JUL 18;
- [35 Ill. Admin. Code 703](#) (page 58) — *Resource Conservation and Recovery Act (RCRA) Permit Program*, to incorporate elements of the GIR and the HWIER. Comments are due 30 JUL 18; and
- [35 Ill. Adm. Code 702](#) (page 19) — *RCRA and UIC Permit Program*, to incorporate elements of the GIR and the HWIER. Comments are due 30 JUL 18.



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

FINAL RULE

DRINKING WATER CLEANUP REVISIONS. The Indiana Department of Environmental Management (IDEM) has [adopted](#) amendments to several drinking water rules within the Indiana Administrative Code (IAC) at 327 IAC 8, *Public Water Supply*. EPA reviewed the state's 2016 final adopted Revised Total Coliform Rule and requested further revisions after reviewing the state's Stage 2 Disinfectants Rule, Disinfection Byproducts Rule, and Long Term 2 Enhanced Surface Water Treatment Rule. The adopted amendments address the changes requested by EPA and make the state rules as stringent as the federal rules. A notice of the draft amendments was published in the November 2017 *Northern Review*. The amendments became effective 13 JUL 18.

PROPOSED RULE

ELECTRONIC NOTICE FOR AIR PERMITS. IDEM has [proposed](#) amendments to multiple sections of the air pollution control division rules at 326 IAC 2, *Permit Review Rules*. The amendments address legal notice provisions for permits issued under the NSR and Title V permit programs. Specifically, IDEM has proposed adopting electronic notices as the primary and consistent means for communicating air permit notices to the public. A [public hearing](#) is scheduled for 8 AUG 18.



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

FEDERAL ACTIVITY

REGIONAL HAZE PROGRESS REPORT. EPA has issued a final rule approving a SIP revision submitted by the state of Michigan ([83 FR 25375](#)). The revision addresses the regional haze progress report. The revision satisfies the progress report requirements of the Regional Haze Rule. Michigan has also provided a determination of the adequacy of its regional haze plan with the progress report. The final rule became effective 2 JUL 18.

REVISIONS TO VOC RULES. EPA has issued a final rule approving SIP revisions submitted by the state of Michigan ([83 FR 30571](#)). 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. The revisions also move 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 update references to federal test methods in several of its Part-6 rules. The final rule becomes effective 30 JUL 18.

FINAL RULE

EMERGENCY RULE — RESTRICTED ANCHOR AND VESSEL EQUIPMENT ZONE IN STRAITS OF MACKINAC. The Michigan Department of Natural Resources has [adopted](#) (page 82) an emergency rule regarding a restricted anchor and vessel equipment zone in the Straits of Mackinac. The emergency rule became effective 24 MAY 18 and expires 24 NOV 18.



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

FEDERAL ACTIVITY

REGIONAL HAZE PROGRESS REPORT. EPA has issued a final rule approving Minnesota's regional haze progress report as a SIP revision ([83 FR 30350](#)). Minnesota has satisfied the progress report requirements of the Regional Haze Rule. The SIP revision also provided a determination of the adequacy of the state's plan in addressing regional haze with its negative declaration, which was submitted with the progress report. The final rule becomes effective 30 JUL 18.



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

FEDERAL ACTIVITY

2012 PM_{2.5} NAAQS FOR CLEVELAND NONATTAINMENT AREA. EPA has issued a proposed rule to approve portions of SIP revisions submitted by the state of Ohio that address 2012 PM_{2.5} NAAQS for the Cleveland nonattainment area ([83 FR 25608](#)). The proposed rule approves portions of the submission as meeting the applicable CAA requirements for RACM, emissions inventory, attainment demonstration modeling, and precursor insignificance demonstrations for nonattainment new source review (NNSR) and attainment planning purposes. EPA has not acted on the other elements of the submission, including reasonable further progress, with quantitative milestones, and MVEBs. The comment period closed 5 JUL 18.

PROPOSED RULE

REQUIREMENTS FOR HAZARDOUS RECYCLABLE MATERIALS. The Ohio Environmental Protection Agency (OEPA) has [proposed](#) amendments to the hazardous waste regulations at Ohio Administrative Code (OAC) rule [3745-51-06](#), *Requirements for Recyclable Materials*. The amendments conditionally exclude hazardous waste contaminated wipes and apparel (that are not currently excluded under the solvent wipes rule) from regulation under the hazardous waste regulations when certain conditions are met. The items include wipes, gloves, aprons, smocks, and uniforms that are laundered and intended for reuse. A public hearing is scheduled for 31 JUL 18 and comment are due the same day.

OTHER REGULATORY ACTIVITY

DRAFT AMENDMENTS TO AMBIENT AIR QUALITY STANDARDS. OEPA has [requested public comment](#) on draft amendments to OAC rule 3745-25-02, *Ambient Air Quality Standards*. The draft amendments adopt the current NAAQS into state rules and fulfill the CAA requirements as a part of Ohio's SIP for the attainment and maintenance of the NAAQS. The comment period closed 11 JUL 18.

EARLY STAKEHOLDER OUTREACH — TOXIC CHEMICAL RELEASE REPORTING RULES. OEPA has [requested comment](#), as part of the early stakeholder outreach rulemaking stage, on a potential amendment to OAC Chapter 3745-100, *Toxic Chemical Release Reporting (TRI)*. These rules establish the reporting framework to implement the TRI program pursuant to the federal Emergency Planning and Community Right-to-Know Act (EPCRA). Amendments being considered would: (1) rescind OAC rule 3745-100-12, *Fee System*, due to the removal of the TRI fees in the Ohio 2018-2019 Biennium Budget; (2) shorten the entire chapter by referencing EPA's reporting language, and list of chemicals and thresholds instead of maintaining a state specific list; and (3) make minor changes as necessary for clarification and to fix typographical errors and formatting. Comments are due 31 JUL 18.

FINAL 2016 ANNUAL AIR MONITORING REPORT. OEPA has [issued](#) the final 2016 Annual Air Monitoring Report. The report summarizes the air quality data for calendar year 2016 for seven criteria pollutants. The pollutants are: (1) particulate matter with aerodynamic diameter less than 10 microns (PM₁₀), PM_{2.5}, SO₂, NO₂, carbon monoxide (CO), ozone (O₃), and lead. The report also summarizes data for total suspended particulates; and includes a section discussing toxics monitoring projects conducted and trend analysis results for three criteria pollutants: SO₂, CO, and O₃. The report was issued 12 JUN 18.



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

FEDERAL ACTIVITY

REGIONAL HAZE PROGRESS REPORT. EPA has issued a final rule approving the regional haze progress report as a revision to the Wisconsin SIP ([83 FR 27910](#)). Wisconsin has satisfied the progress report requirements of the Regional Haze Rule. The SIP revision also provided a determination of the adequacy of its regional haze plan with the progress report. The final rule became effective 16 JUL 18.

OTHER REGULATORY ACTIVITY

INFRASTRUCTURE SIP REVISION FOR 2015 OZONE NAAQS. The Wisconsin Department of Natural Resources has [requested public comment](#) on a proposed [draft SIP revision](#) for the 2015 ozone NAAQS. Once finalized, the SIP revision will be submitted to EPA for review and approval. The comment period closed 18 JUL 18.

Federal Activity

AIR

DESIGNATIONS FOR 2015 OZONE NAAQS. EPA has issued a final rule to establish initial air quality designations for certain areas in the U.S., for the 2015 primary and secondary NAAQS for ozone ([83 FR 25776](#)). On 6 NOV 17, EPA designated about 85 percent of the country as attainment/unclassifiable. This final rule designates all remaining areas as either nonattainment, attainment/unclassifiable, or unclassifiable, except for eight counties in the San Antonio, Texas, metropolitan area. Areas designated as nonattainment are also being classified as Marginal, Moderate, Serious, Severe, or Extreme. The final rule becomes effective 3 AUG 18.

REVIEW OF PRIMARY NAAQS FOR SULFUR OXIDES (SO_x). EPA has proposed to retain the current NAAQS SO_x standard, without revision ([83 FR 26752](#)). The existing standard, established in 2010, is 75 parts per billion based on the three-year average of the 99th percentile of the yearly distribution of one-hour daily maximum concentrations. EPA's proposal is based on its judgment that the current NAAQS protects the public health, with an adequate margin of safety, including the health of at-risk populations with asthma.

AIR STATIONARY SOURCE COMPLIANCE AND ENFORCEMENT INFORMATION. EPA is planning to submit an information collection request renewal, "Air Stationary Source Compliance and Enforcement Information Reporting" ([83 FR 26664](#)). This renewal requires continued reporting of previously established minimum data requirements via direct, online entry or electronic data transfer. Before submitting the request, EPA is soliciting public comments on several options for improving the reporting of information by state and local agencies in order to improve the display, usability, and accuracy of the data available through EPA's Enforcement Compliance History Online (ECHO) platform. EPA is asking respondents to indicate a preference for one of three Federally Reportable Violation (FRV) date reporting options: FRV Determination Date and Case File Resolved Date; Violation Occurrence Start Date and Occurrence End Date; FRV Determination Date.

STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES AND EMISSION GUIDELINES FOR EXISTING SOURCES: COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS. EPA has issued a proposed rule to amend several provisions of the new source performance standards (NSPS) and emission guidelines (EG) for commercial and industrial solid waste incineration (CISWI) units ([83 FR 28068](#)). On 23 JUN 16, EPA promulgated its final response to petitions for reconsideration of the final NSPS and EG for CISWI units that were promulgated 21 MAR 11, and revised after reconsideration 7 FEB 13. Following promulgation of the June 2016 final action, EPA received requests from industry stakeholders and implementing agencies to clarify various issues with implementation of the standards. In addition, EPA identified certain testing and monitoring issues and inconsistencies within the rules that required further clarification or correction. The proposed amendments address these issues. In addition, EPA identified regulatory provisions that require clarification and editorial correction to address inconsistencies and errors in the final rules. If finalized, the proposed amendments will provide clarity and address implementation issues in the final CISWI NSPS and EG.

MEASURING CONCENTRATIONS OF NO₂ IN AMBIENT AIR. EPA has designated one new reference method for measuring concentrations of NO₂ in ambient air ([83 FR 25451](#)).

INTEGRATED SCIENCE ASSESSMENT (ISA) FOR NO_x, SO_x, AND PARTICULATE MATTER. EPA has released a draft document titled, "[Second External Review Draft Integrated Science Assessment for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter—Ecological Criteria](#)" ([83 FR 29786](#)). NO_x, SO_x, and particulate matter are three of six criteria pollutants for which EPA has established NAAQS. Periodically, EPA reviews the scientific basis for these standards by preparing an ISA.

ENERGY

REDUCING BARRIERS TO DEPLOYMENT OF HYDROGEN INFRASTRUCTURE. The U.S. Department of Energy's (DOE's) Office of Energy Efficiency and Renewable Energy has requested information on priority research and development areas for reducing regulatory barriers to deployment of hydrogen technologies, with a focus on hydrogen infrastructure ([83 FR 27591](#)). Additional information can be found [here](#). Questions may be sent [here](#).

HAZARDOUS MATERIALS

NATIONAL ELECTRONIC HAZARDOUS WASTE MANIFEST (E-MANIFEST) SYSTEM. On 30 JUN 18, EPA's [e-Manifest system](#) went into effect in all 50 states. Generators are encouraged but not required to register or use e-Manifest. They may continue to use paper manifests, go fully electronic, or use a hybrid manifest scenario. In all three scenarios, the transfer storage and disposal facility pays the fee and loads the manifests into the e-Manifest system. Additional information can be found [here](#). A recorded demonstration of the e-Manifest system can be found [here](#).

MISCELLANEOUS

CONSIDERING COSTS AND BENEFITS IN EPA RULEMAKING PROCESS. EPA has requested comment on whether and how it should promulgate regulations that provide a consistent and transparent consideration of weighing costs and benefits ([83 FR 27524](#)). EPA promulgates regulations under the CAA, Clean Water Act (CWA), Safe Drinking Water Act (SDWA), and many others. Most statutory provisions require or allow some consideration of cost and benefits when setting pollution standards, but there is variation in terminology and specificity provided in each law regarding the nature and scope of the cost and benefit considerations. EPA has also solicited comment on whether and how these regulations, if promulgated, could also prescribe specific analytic approaches to quantifying the costs and benefits of EPA regulations.

EPA SEMIANNUAL REGULATORY AGENDA. The EPA Semiannual Agenda of Regulatory and Deregulatory Actions for Spring 2018 is available [here](#). It includes actions that are under development, completed, or canceled since the last agenda ([83 FR 27197](#)).

EXECUTIVE ORDER (EO) 13840 — OCEAN POLICY. The president has issued EO 13840—*Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States* ([83 FR 29431](#)). The EO establishes an Ocean Policy committee, jointly chaired by the Council on Environmental Quality and Office of Science and Technology Policy. The committee's role is advisory in nature. [EO 13547](#) of 19 JUL 10 (Stewardship of the Ocean, Our Coasts, and the Great Lakes), is revoked.

NATURAL RESOURCES

2018 REVISION TO TECHNICAL GUIDANCE FOR ASSESSING EFFECTS OF ANTHROPOGENIC SOUND ON MARINE MAMMALS. The National Marine Fisheries Service (NMFS) has announced the availability of the 2018 revision ([NOAA Technical Memorandum NMFS-OPR-59](#)) to its *2016 Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing—Underwater Acoustic Thresholds for Onset of Permanent and Temporary Threshold Shifts* ([83 FR 28824](#)).

TOXICS

ADDITION OF NONYLPHENOL ETHOXYLATES (NPEs) TO EPCRA REPORTING. EPA has issued a final rule adding an NPEs category to the list of toxic chemicals subject to reporting under section 313 of EPCRA and section 6607 of the Pollution Prevention Act ([83 FR 27291](#)). EPA has determined that NPEs meet the EPCRA toxicity criteria. NPEs are nonionic surfactants that are used in detergents, paints, pesticides, personal care products, and plastics. Short-chain NPEs are highly toxic to aquatic organisms. Longer-chain NPEs, while not as toxic as short-chain NPEs, can break down in the environment to short-chain NPEs and nonylphenol, both of which are highly toxic to aquatic organisms. The final rule becomes effective 30 NOV 18 and will apply for the reporting year beginning 1 JAN 19.

RISK EVALUATIONS TO BE CONDUCTED UNDER TOXIC SUBSTANCES CONTROL ACT (TSCA). EPA is publishing and taking comments on the problem formulation documents for the first 10 chemical substances undergoing risk evaluation under TSCA ([83 FR 26998](#)). The 10 substances are: (1) asbestos; (2) 1-bromopropane; (3) 1,4-dioxane; (4) carbon tetrachloride; (5) cyclic aliphatic bromide cluster (HBCD); (6) methylene chloride; (7) n-methylpyrrolidone (NMP); (8) pigment violet 29; (9) tetrachloroethylene (perchloroethylene); and (10) trichloroethylene (TCE). On 19 DEC 16, EPA released its designation of the chemical substances, and on 22 JUN 17, it released the scope documents. Each scope document includes the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations that EPA expects to consider in the risk evaluation.

REVIEW OF DUST-LEAD HAZARD STANDARDS. EPA has issued a proposed rule to lower the dust-lead hazard standards ([83 FR 30889](#)). EPA has proposed to change the dust-lead hazard standards from 40 µg/ft² and 250 µg/ft² to 10 µg/ft² and 100 µg/ft² on floors and window sills, respectively. These standards apply to most pre-1978 housing and child-occupied facilities, such as day care centers and kindergarten facilities. EPA has not proposed changes to the current definition of lead-based paint because the agency currently lacks sufficient information to support such a change.

DRAFT TOXICOLOGICAL PROFILE FOR PERFLUOROALKYLS. The Agency for Toxic Substances and Disease Registry (ATSDR) has issued a Draft Toxicological Profile for Perfluoroalkyls for review and comment ([83 FR 28849](#)). All toxicological profiles issued as “drafts for public comment” represent ATSDR’s best efforts to provide important toxicological information on priority hazardous substances. ATSDR has sought public comments and any additional information, reports, and studies about the health effects of the substances. The Draft Toxicological Profiles (852 pages in total) are available [here](#).

REPORTING REQUIREMENTS FOR TSCA MERCURY INVENTORY. EPA has issued a final rule addressing reporting requirements to develop an inventory of mercury supply, use, and trade in the U.S., where “mercury” is defined as “elemental mercury” and “a mercury compound” ([83 FR 30054](#)). Potentially affected entities include an extensive list of manufacturing North American Industry Classification System (NAICS) codes, materials recovery facilities with NAICS code 562920, and national security with NAICS code 928110. The rule adds new 40 CFR Part 713 (Reporting Requirements) for the TSCA Inventory of Mercury Supply, Use, and Trade. Manufacturing reporting thresholds are greater than or equal to 2,500 pounds for elemental mercury or greater than or equal to 25,000 pounds for mercury compounds. A Mercury Electronic Reporting application must be used to complete and submit required information; it is accessed via EPA’s [Central Data Exchange \(CDX\)](#). The final rule becomes effective 27 AUG 18.

ASBESTOS SIGNIFICANT NEW USE RULE. Under TSCA, EPA has proposed a significant new use rule (SNUR) for asbestos as defined under the *Asbestos Hazard Emergency Response Act* ([83 FR 26922](#)). The proposed significant new use of asbestos, including as part of an article, is manufacturing, importing, or processing for certain uses identified by EPA as no longer ongoing. EPA has found no information indicating that the following uses are ongoing; therefore, the following uses are subject to this proposed SNUR: adhesives, sealants, and roof and non-roof coatings; arc chutes; beater-add gaskets; extruded sealant tape and other tape; filler for acetylene cylinders; high-grade electrical paper; millboard; missile liner; pipeline wrap; reinforced plastics; roofing felt; separators in fuel cells and batteries; vinyl-asbestos floor tile; and any other building material other than cement. Persons subject to the SNUR would be required to notify EPA at least 90 days before commencing any manufacturing, importing, or processing of asbestos for a significant new use. Manufacturing, importing, and processing for the significant new use may not commence until EPA has conducted a review of the notice, made an appropriate determination on the notice, and taken such actions as are required in association with that determination.

WATER

CWA HAZARDOUS SUBSTANCES SPILL PREVENTION. EPA has issued a proposed rule to establish no new requirements under CWA section 311 ([83 FR 29499](#)). This section directs the president to issue regulations to prevent discharges of oil and hazardous substances from onshore and offshore facilities, and to contain such discharges. The proposed rule is in response to a 2015 lawsuit and the resulting consent decree between EPA and the litigants. Based on an analysis of

the frequency and impacts of reported CWA hazardous substance discharges and the existing framework of EPA regulatory requirements, EPA is not proposing additional regulatory requirements at this time. This proposed action is intended to comply with the consent decree and to provide an opportunity for public notice and comment on EPA's proposed approach to satisfy the CWA requirements.

PROPOSED UPDATES TO EPA 404(c) PERMIT AUTHORITY. EPA has issued a [memorandum](#) outlining changes that the agency will propose to update regulations that implement CWA section 404(c). EPA's current regulations implementing section 404(c) allow EPA to veto at any time a permit issued by U.S. Army Corps of Engineers (USACE) or an approved state that allows for the discharge of dredged or fill material at specified placement sites. The memo directs EPA's Office of Water to develop a proposed rulemaking that would consider the following changes:

- Eliminate the authority to initiate the section 404(c) process before a section 404 permit application has been filed with USACE or a state, otherwise known as the "preemptive veto."
- Eliminate the authority to initiate the section 404(c) process after a permit has been issued by USACE or a state, otherwise known as the "retroactive veto."
- Require a regional administrator to obtain approval from EPA Headquarters before initiating the section 404(c) process.
- Require a regional administrator to review and consider the findings of an environmental assessment or environmental impact statement prepared by USACE or a state before preparing and publishing notice of a proposed determination.
- Require EPA to publish and seek public comment on a final determination before such a determination takes effect.

In 2016, in the case [Mingo Logan Coal Company v. EPA](#), the U.S. Court of Appeals for the District of Columbia Circuit did not place restrictions on when EPA could veto a 404(c) permit.

Department of Defense Activity

GAO REPORT: DOD NEEDS TO FULLY ASSESS HEALTH RISKS OF BURN PITS. The Government Accountability Office (GAO) released a report recommending that DOD improve monitoring of burn pit emissions and examine any associated health effects related to burn pit exposure ([GAO-18-596T](#)). The report is an update from a [2016 report](#) on DOD use of burn pits, as required by the National Defense Authorization Act of 2015. DOD concurred with one recommendation and partially concurred with the other.

PFOS/PFOA BRIEF TO HOUSE ARMED SERVICES COMMITTEE. DOD posted a presentation titled "[Addressing Perfluorooctane Sulfonate \(PFOS\) and Perfluorooctanoic Acid \(PFOA\)](#)" on DENIX. The presentation summarizes DOD's briefing to the House Committee on Armed Services, as required by page 118 of [House Report 115-200](#), National Defense Authorization for Fiscal 2018.

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 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 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.

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](#).

