



# Southern Review

## of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

October 2018

The *Southern Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the eight states in Federal Region 4, the *Southern Review* gives early notice of legislative and regulatory activities relevant to DOD interests. For installations that implement an environmental management system in accordance with ISO 14001 specifications, the content of the *Review* may help them identify emerging requirements.

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

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## ARMY RELEASES PFAS GUIDANCE

The Army has issued guidance for addressing release of per- and polyfluoroalkyl substances (PFAS).

A 4 SEP 18 memorandum, signed by the Chief of Army Environmental Programs in the Office of the Assistant Chief of Staff for Installation Management, provides “a consistent framework for addressing historic releases of perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA), and any other PFAS on Army installations, with Army and DOD-approved regulatory standards or advisories applicable to Army facilities.”

The guidance includes instructions for identifying the Army’s inventory of sites where releases of PFAS may have occurred and for prioritizing sites for future investigations and response actions. It specifies that where an environmental regulator, federal land manager, or other stakeholder requests the Army to investigate known or suspected releases of PFAS on transferred property, such as BRAC property, the Army will evaluate the request on a site-specific basis.

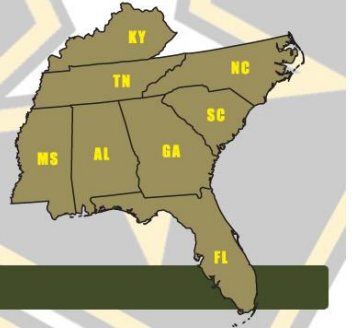
In May 2016, the U.S. Environmental Protection Agency (EPA) issued a Lifetime Health Advisory (LHA) for PFOS and PFOA, singly or combined, of 70 parts per trillion (ppt) in drinking water. In addition to the EPA LHA, some states are issuing regulatory standards of their own in multiple media, not just for PFOS and PFOA but other PFAS as well.

Due to the evolving regulatory and legal environment surrounding PFAS, the guidance is subject to frequent updates.

Click [here](#) for more information about the Army’s response to PFAS.

# Region 4

For more information or to comment on any state issue in Region 4, please contact [Dave Blalock](#), REEO-S Regional Counsel, (404) 545-5655.



## ***2018 LEGISLATIVE SESSION: 9 JAN THROUGH 24 APR***

There are no significant legislative or regulatory activities to report.



## ***2018 LEGISLATIVE SESSION: 8 JAN THROUGH 7 MAR***

There are no significant legislative activities to report.

### ***FINAL RULES***

**COASTAL CONSTRUCTION AND EXCAVATION.** The Florida Department of Environmental Protection (FDEP) has amended [Chapter 62B-33](#), F.A.C., Rules and Procedures for Coastal Construction and Excavation (Permits for Construction Seaward of the Coastal Construction Control Line and Fifty-Foot Setback). The amendments clarify and update existing rule language, delete obsolete definitions, revise other definitions, and add new ones. The revisions provide additional exemptions from permitting for certain minor activities, delete obsolete references to the Florida Building Code, establish criteria for fill material, provide more specific criteria for siting of both major and minor structures, and clarify the methodology used to establish the 30-year erosion projection line, among other changes. FDEP published a [notice of rule filing](#) 18 SEP 18.

**AIR POLLUTION PROGRAMS.** FDEP has adopted rules to incorporate requirements of FDEP's federally approved and delegated air pollution programs. These rule amendments include deletion of obsolete and unnecessary federal regulations that FDEP previously adopted by reference and streamlines adoptions by reference where appropriate. FDEP published a [notice of rule filing](#) 11 SEP 18. The rule was effective 25 SEP 18.

**DISCHARGES FROM PETROLEUM CONTAMINATED SITES.** FDEP has adopted revisions to rules regarding the National Pollutant Discharge Elimination System (NPDES) Generic Permit for Discharges from Petroleum Contaminated Sites. FDEP published a [notice of rule filing](#) 5 SEP 18. The rule was effective 20 SEP 18.

### ***FEDERAL ACTIVITY***

**FLORIDA: AIR PLAN APPROVAL AND AIR QUALITY DESIGNATION.** On 26 MAR 18, the Florida Department of Environmental Protection (FDEP) submitted a request for EPA to redesignate the Hillsborough County lead nonattainment area to attainment for the 2008 Lead National Ambient Air Quality Standards (NAAQS) and to approve an accompanying State Implementation Plan (SIP) revision containing a maintenance plan for the area. The Hillsborough area is comprised of

a 1.5 kilometer (km) radius in Tampa, Fla., surrounding the Envirofocus Technologies LLC facility. EPA is taking final action to determine that the Hillsborough area is attaining the 2008 Lead NAAQS; to approve the SIP revision containing FDEP's maintenance plan for maintaining attainment of the 2008 lead standard and to incorporate the maintenance plan into the SIP; and to redesignate the Hillsborough area to attainment for the 2008 Lead NAAQS ([83 FR 45836](#)).



### ***2018 LEGISLATIVE SESSION: 8 JAN THROUGH 29 MAR***

There are no significant legislative or regulatory activities to report.



### ***2018 LEGISLATIVE SESSION: 2 JAN THROUGH 13 APR***

There are no significant legislative activities to report.

#### ***PROPOSED RULES***

**AIR QUALITY PLAN AMENDMENT—OZONE.** The Kentucky Department of Environmental Protection (KDEP) has [proposed a revision](#) to Kentucky's 2015 Ozone Standard infrastructure SIP addressing Clean Air Act (CAA) Section 110 requirements. KDEP conducted a public hearing 21 SEP 18 to receive comments on the proposed revision. The department issued a [notice of public hearing](#) 5 SEP 18.

**AIR QUALITY PLAN AMENDMENT—REGIONAL HAZE.** KDEP has proposed to revise the SIP to rely on the Cross State Air Pollution Rule (CSAPR), instead of the Clean Air Interstate Rule (CAIR), as an alternative to Best Available Retrofit Technology (BART). KDEP also [requested](#) EPA revise its limited disapproval of Kentucky's Regional Haze SIP to full approval. Subsequently, the department requested EPA grant full approval of section 110(a)(2)(D)(i)(II) "prong 4" within Kentucky's 1997 ozone, 2012 PM<sub>2.5</sub>, 2010 nitrogen dioxide and 2010 SO<sub>2</sub> infrastructure SIPs once the revised Regional Haze SIP has been approved. KDEP issued a [notice of public hearing](#) 4 SEP 18. The public hearing was held 4 OCT 18.

#### ***FEDERAL ACTIVITY***

**KENTUCKY: AIR PLAN APPROVAL AND ATTAINMENT STATUS DESIGNATIONS.** KDEP submitted a revision to the Kentucky SIP 13 DEC 16 ([83 FR 47856](#)). The SIP revision updates, as of 6 OCT 16, the description and attainment status designations for geographic areas within the commonwealth for several NAAQS. The updates are being made to conform Kentucky's attainment status tables with the federal attainment status designations made for these areas. EPA is proposing to approve Kentucky's SIP revision because it is consistent with the CAA and EPA's regulations. Comments must be received no later than 22 OCT 18.



### ***2018 LEGISLATIVE SESSION: 2 JAN THROUGH 2 APR***

There are no significant legislative activities to report.

## ***FINAL RULE***

**COASTAL WETLANDS AND COASTAL ZONES.** The Mississippi Department of Marine Resources (MDMR) has adopted rules regarding coastal wetlands and coastal zones. MDMR filed the [final rule](#) 21 SEP 18.



## ***2018 LEGISLATIVE SESSION: 10 JAN THROUGH 1 JUL***

There are no significant legislative activities to report.

## ***PROPOSED RULES***

**INDUSTRIAL STORMWATER GENERAL PERMITS.** The North Carolina Department of Environmental Quality (NCDEQ) has requested public input regarding NPDES industrial stormwater general permits to be revised and re-issued:

- NCG010000 for Construction Activities subject to the N.C. Sediment Pollution Control Act
- NCG250000 for Construction Activities not subject to the N.C. Sediment Pollution Control Act
- NCG030000 for Metal Fabrication
- NCG060000 for Food and Kindred
- NCG080000 for Transit and Transportation
- NCG090000 for Paints and Varnishes
- NCG100000 for Used Motor Vehicles
- NCG120000 for Landfills

NCDEQ issued an [advisory](#) 4 SEP 18.

## ***FEDERAL ACTIVITY***

**NORTH CAROLINA: NEW SOURCE REVIEW FOR FINE PARTICULATE MATTER.** EPA is approving changes to the North Carolina SIP submitted by NCDEQ to EPA through a letter dated 17 OCT 17 ([83 FR 45827](#)). This SIP submittal modifies NCDEQ's Prevention of Significant Deterioration (PSD) regulations and includes the adoption of specific federal provisions needed to meet the New Source Review (NSR) permitting program requirements for the fine particulate matter (PM<sub>2.5</sub>) NAAQS. In addition, NCDEQ's SIP submittal addresses portions of the PSD requirements for the infrastructure SIPs for the following NAAQS: 1997 Annual and 24-hour PM<sub>2.5</sub>; 2006 24-hour PM<sub>2.5</sub>; 2008 Lead; 2008 8-hour Ozone; 2010 Sulfur Dioxide (SO<sub>2</sub>); 2010 Nitrogen Dioxide (NO<sub>2</sub>); and 2012 Annual PM<sub>2.5</sub>. As a result of this approval of NCDEQ's modified PSD regulations, EPA is also approving NCDEQ's submittal with respect to the related PSD infrastructure SIP requirements for the NAAQS.

**NORTH CAROLINA: AIR PLAN APPROVAL—INSPECTION AND MAINTENANCE PROGRAM.** EPA is approving a SIP revision submitted by NCDEQ to remove 26 counties from North Carolina's expanded inspection and maintenance program ([83 FR 48383](#)). The program was previously approved into the SIP for use as a component of the state's Nitrogen Oxides (NO<sub>x</sub>) Budget and Allowance Trading Program. EPA has determined that North Carolina's 17 NOV 17 SIP revision is approvable because it is consistent with the CAA and with EPA's regulations. This rule was effective 25 SEP 18.



## ***2018 LEGISLATIVE SESSION: 9 JAN THROUGH 7 JUN***

There are no significant legislative activities to report.

### ***FEDERAL ACTIVITY***

**SOUTH CAROLINA: PREVENTION OF SIGNIFICANT DETERIORATION RULES REVISION.** EPA is proposing to approve portions of a SIP revision submitted by the South Carolina Department of Health and Environmental Control (DHEC) 5 SEP 17 that seeks to revise certain NSR regulations regarding the PSD permitting program ([83 FR 47855](#)). EPA is proposing this action pursuant to the CAA. Comments must be received no later than 22 OCT 18.

**SOUTH CAROLINA AND TENNESSEE: AIR PLAN APPROVALS.** EPA is approving the portions of SIP revisions submitted by South Carolina DHEC and Tennessee Department of Environment and Conservation (TDEC) 5 SEP 17 and 22 NOV 17, respectively ([83 FR 48237](#)). The revisions change reliance from the CAIR to the CSAPR for certain regional haze requirements; convert EPA's limited approvals/limited disapprovals of DHEC's and TDEC's regional haze plans to full approvals; and remove EPA's Federal Implementation Plans for South Carolina and Tennessee that replaced reliance on CAIR with reliance on CSAPR to address the deficiencies identified in the limited disapprovals of DHEC's and TDEC's regional haze plans. The revisions also convert conditional approvals to full approvals for the visibility prongs of DHEC's infrastructure SIP submittals for the 2012 PM<sub>2.5</sub>, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2008 8-hour Ozone NAAQS; and the visibility prongs of TDEC's infrastructure SIP submittals for the 2012 PM<sub>2.5</sub>, 2010 NO<sub>2</sub>, and 2010 SO<sub>2</sub> NAAQS. This rule is effective 24 OCT 18.



## ***2018 LEGISLATIVE SESSION: 9 JAN THROUGH 16 APR***

There are no significant legislative activities to report.

### ***FEDERAL ACTIVITY***

**TENNESSEE: NEW SOURCE REVIEW REVISIONS.** EPA is approving changes to the Tennessee SIP to revise NSR regulations ([83 FR 48245](#)). Specifically, EPA is approving the portions of a SIP revision submitted by TDEC 28 MAY 09 that modify the definitions of "baseline actual emissions." This rule is effective 24 OCT 18.

# **Federal Activity**

## ***AIR***

**SOUTHERN REGION: AIR PLAN APPROVALS—INTERSTATE TRANSPORT.** EPA is taking final action to approve portions of SIP submittals from Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee addressing the CAA interstate transport infrastructure SIP requirements for the 2012 PM<sub>2.5</sub> NAAQS ([83 FR 48387](#)). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each

NAAQS promulgated by EPA, commonly referred to as an “infrastructure SIP.” EPA is taking final action to approve the interstate transport portions of these infrastructure SIPs for the aforementioned states as demonstrating that air emissions in the states do not significantly contribute to nonattainment or interfere with maintenance of the 2012 PM<sub>2.5</sub> NAAQS in any other state. This rule is effective 25 OCT 18.

**STATE IMPLEMENTATION PLANS—EMISSIONS MONITORING PROVISIONS FOR NITROGEN OXIDES.** EPA is proposing to update the regulations that were originally promulgated in 1998 to implement the nitrogen oxides (NO<sub>x</sub>) SIP Call ([83 FR 48751](#)). In place of the current requirement for states to include provisions in their SIPs under which certain emissions sources must monitor their mass emissions of NO<sub>x</sub> according to [40 CFR part 75](#), the proposed amendments would allow states to include alternate forms of monitoring requirements in their SIPs. The amendments would also rescind the findings of interstate pollution transport obligations with respect to the 1997 8-hour Ozone NAAQS under the NO<sub>x</sub> SIP Call that have been stayed by EPA since 2000. Other revisions would remove additional obsolete provisions and clarify the remaining regulations but would not substantively alter any current regulatory requirements.

## ***ENERGY***

**OIL AND GAS RESOURCES.** The U.S. Forest Service is preparing to revise the contents of its Oil and Gas Resources regulations ([83 FR 46458](#)). This advance notice is intended to give the public the opportunity to comment on key issues regarding implementation of the existing regulations or to bring other issues of concern to the Forest Service's attention. Comments will help the Forest Service determine the next steps in addressing the oil and gas regulations. Comments must be received by 15 OCT 18.

**FUEL ECONOMY AND EMISSION STANDARDS.** EPA and the National Highway Traffic Safety Administration (NHTSA) are extending the comment period for a proposed rule published 24 AUG 18 titled the “Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks” ([83 FR 42986](#)). NHTSA also is extending the comment period for its Draft Environmental Impact Statement (EIS) that accompanies the proposed rule ([83 FR 48578](#)). The comment period on the SAFE Vehicle Rule and Draft EIS has been extended to 26 OCT 18.

**NEW TEMPLATE FOR ENERGY SAVINGS PERFORMANCE CONTRACT SALES AGREEMENT.** The U.S. Department of Energy (DOE) Federal Energy Management Program (FEMP) [announced](#) it has released a new editable request for proposals (RFP) template to the Energy Savings Performance Contract Energy Sales Agreement (ESPC ESA) Toolkit. This new template provides standard RFP language with prompts for entering project-specific details. Download the editable RFP template from the [ESPC ESA Toolkit](#). ESPC ESAs allow federal agencies to utilize the ESPC long-term multiyear contracting authority to implement cost-saving renewable energy conservation measures.

**PHOTOVOLTAIC-PLUS-STORAGE AT FEDERAL BUILDINGS AND CAMPUSES.** In August, FEMP released a flyer, [Considerations for Implementing Photovoltaic \(PV\) plus Storage Systems at Federal Buildings and Campuses](#) (DOE/GO-102018-5114). The two-page flyer, which explains why PV-plus-storage systems are more complicated than PV alone, provides contact information for those seeking to learn more about implementing PV-plus-storage systems, and for assistance with federal PV-plus-storage projects.

## ***NATURAL RESOURCES***

**NATIONAL HANDBOOK OF CONSERVATION PRACTICES.** The Natural Resources Conservation Service (NRCS) intends to issue a series of revised conservation practice standards in the National Handbook of Conservation Practices ([83 FR 45090](#)). The standards include Combustion System Improvement (Code 372); Dust Control on Unpaved Roads and Surfaces (Code 373); Integrated Pest Management (Code 595); Nutrient Management (Code 590); Pesticide Mitigation (Code 594); Subsurface Drain (Code 606); Waste Facility Closure (Code 360); and Wildlife Habitat Planting (Code 420). NRCS state conservationists who choose to adopt these practices in their states will incorporate them into Section IV of their respective electronic field office technical guide. These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland.

## ***SOIL CONSERVATION***

**SOIL HEALTH INDICATOR MEASUREMENTS.** NRCS intends to issue a technical note on a group of recommended standard methods for soil health indicators selected by a collaborative multi-organizational effort ([83 FR 46703](#)). Soil health is defined as the capacity of the soil to function as a vital living ecosystem to sustain plants, animals, and humans. The recommended methods proposed met several criteria including indicator effectiveness with respect to management sensitivity and process interpretability, ease of use, cost effectiveness, measurement repeatability, and ability to be used for agricultural management decisions. Comments on the proposed standards must be received no later than 13 DEC 18.

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

**CHAMBERED NAUTILUS.** National Marine Fisheries Service (NMFS) announced a final rule to list the chambered nautilus (*Nautilus pompilius*) as threatened under the Endangered Species Act ([83 FR 48976](#)). NMFS reviewed the status of the chambered nautilus, including efforts being made to protect this species, and considered public comments, including new information, submitted on the proposed rule. NMFS concludes critical habitat is not determinable because data sufficient to perform the required analyses are lacking; however, the service solicits information on habitat features and areas in U.S. waters that may meet the definition of critical habitat for the chambered nautilus. This final rule is effective 29 OCT 18.

## ***TOXICS***

**SIGNIFICANT NEW USE RULES.** EPA is proposing significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 28 chemical substances that were the subject of premanufacture notices ([83 FR 47026](#)). The chemical substances are subject to orders issued by EPA pursuant to TSCA. This action requires persons who intend to manufacture (defined by statute to include import) or process any of the 28 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The required notification initiates EPA's evaluation of the intended use within the applicable review period. Persons may not commence manufacture or processing for the significant new use until EPA has conducted a review of the notice, made an appropriate determination on the notice, and has taken such actions as are required with that determination. In addition to this proposed rulemaking, EPA is issuing the action as a direct final rule effective 16 NOV 18 ([83 FR 47004](#)).

**SIGNIFICANT NEW USE RULES—WITHDRAWAL.** EPA is withdrawing SNURs promulgated under TSCA for 145 chemical substances that were the subjects of premanufacture notices ([83 FR 48546](#)). EPA published these SNURs using direct final rulemaking procedures, which require EPA to take certain actions if an adverse comment is received. EPA received adverse comments regarding the SNURs; therefore, the agency is withdrawing the direct final rule SNURs published 1 AUG 18 ([83 FR 37702](#)). The direct final rule is withdrawn effective 26 SEP 18.

**SENATE HEARING ON PFAS.** In September a subcommittee of the Senate Committee on Homeland Security and Governmental Affairs held a hearing on PFAS. The subcommittee heard testimony from Maureen Sullivan, Deputy Assistant Secretary of Defense for Environment; and Peter Grevatt, director of EPA's Office of Ground Water and Drinking Water, on what the federal government is doing about the chemicals that have shown up in drinking water in many states. Video of the hearing and PDFs of witness testimony are available [here](#).

**COURT ORDERS EPA TO IMPLEMENT CHEMICAL PLANT RULE.** On 21 SEP 18, the [Court of Appeals for the District of Columbia Circuit](#) granted a motion from environmental groups to require the EPA to begin enforcing the [Risk Management Plan rule](#). The regulation seeks to prevent or mitigate disasters at chemical plants and similar facilities through measures like increased communication and preparedness of local first responders, more transparency to the public, and better investigation of incidents. A news release about the order is available [here](#).

## WASTE

**HAZARDOUS WASTE MANAGEMENT PROGRAM REVISIONS.** KDEP has applied to EPA for final authorization of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA), as amended. EPA has reviewed KDEP's application, determined the changes satisfy all requirements needed to qualify for final authorization and proposes to authorize KDEP's changes ([83 FR 47858](#)). Comments must be received no later than 22 OCT 18.

## WATER

**COURT RULING—POLLUTION MOVING THROUGH GROUNDWATER NOT A POINT SOURCE.** In two court cases in September, the 6th U.S. Circuit Court of Appeals [found](#) the Clean Water Act (CWA) does not apply to coal ash pollution that first enters groundwater before finding its way to federally regulated bodies of water. According to the panel of judges, the CWA does not cover pollution that moves through groundwater, which is historically subject to state-level regulation. The court rejected arguments that either the coal ash ponds or the groundwater itself qualifies as a point source under the CWA. The act defines a point source as a "discernible, confined, and discrete conveyance." The parties have 14 and 45 days in the two cases to ask the court to reconsider.

# Department of Defense Activity

**INVESTIGATION-DERIVED WASTES—PFAS.** DOD's Strategic Environmental Research and Development Program (SERDP) and Environmental Security Technology Certification Program (ESTCP) are funding a suite of projects to develop technologies capable of more cost effective, on-site treatment of investigation-derived waste from PFAS. Selected projects are one-year, proof-of-concept approaches. To learn more, click [here](#).

**GAO REPORT—STATUS OF EFFORTS TO ADDRESS CONTAMINANTS IN FIREFIGHTING FOAM.** The U.S. Government Accountability Office (GAO) issued a report on the status of DOD efforts to address drinking water contaminants used in firefighting foam ([GAO-18-700T](#)). The report is an update of a 2017 report ([GAO-18-78](#)), which described steps DOD had taken in response to the health advisory EPA issued for PFOS and PFOA in drinking water.

**DOD INTERACTIONS WITH FEDERALLY RECOGNIZED TRIBES.** DOD has reissued [Department of Defense Instruction \(DODI\) 4710.02](#), DOD Interactions with Federally Recognized Tribes. The DODI assigns responsibilities, provides guidance on consultation with federally recognized tribes, and describes actions installations must take regarding compliance and reporting associated with the Native American Graves Protection and Repatriation Act of 1990. The DODI was effective 24 SEP 18.

**GUIDANCE NEEDED TO DEVELOP METRICS AND IMPLEMENT CYBERSECURITY REQUIREMENTS FOR DOD UTILITIES PRIVATIZATION CONTRACTS.** GAO has issued a [report](#) reviewing benefits to DOD that are claimed for utilities privatization efforts. Generally GAO found that data has not been sufficiently tracked to establish benefits of utilities privatization. Recommendations include:

- DOD (Energy, Installations, and Environment, in consultation with the military departments) should issue guidance requiring the military departments and Defense Logistics Agency to develop and implement performance metrics and measurable performance standards to track utilities privatization contract performance for future and current utilities privatization contracts.
- DOD (Energy, Installations, and Environment) should issue procedures to determine what constitutes covered defense information and what, if any, of this information is provided to or developed by the contractor in the performance of utilities privatization contracts; and take appropriate steps to protect such information.



**DEPUTY ASSISTANT SECRETARIES PARTICIPATE IN TRI-SERVICE ENERGY ROUNDTABLE.** All three military services shared their perspectives on energy resilience and how to work with industry to accomplish energy resilience objectives at the Department of Energy's [Energy Exchange](#) in August. Panelists joining an energy roundtable included Deputy Assistant Secretary of Defense Lisa Jung, Deputy Assistant Secretary of the Navy Jim Balocki, Deputy Assistant Secretary of the Air Force Mark Correll, and acting Deputy Assistant Secretary of the Army for Energy and Sustainability J.E. Surash. The 2018 Energy Exchange presented a national-level opportunity to expand knowledge, training, broaden practices, and gain insight on various challenges facing the DOD and the industry related to energy security, resilience, and efficiency. Additional information can be found [here](#).

**ENERGY ACTION MONTH—ENERGY RESILIENCE ENABLES ARMY READINESS.** [October is Energy Action Month](#). The Army's theme in 2018 is "Energy Resilience Enables Army Readiness." Energy resilience is essential for a responsive Army Force posture and it begins at installations and community-based Army National Guard and Army Reserve Centers. These locations are the foundation of the Army. Through diligent energy management, installations organize, train, equip, mobilize, deploy, and sustain operations. During the month of October, it is everyone's responsibility to become energy informed and aware, and to apply this knowledge throughout the year. Additional information on the Army's Energy and Sustainability programs can be found [here](#).

**ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM UPDATES.** The U.S. Army Engineering and Support Center, Huntsville, [announced](#) it has updated the validation process for the Energy Resilience and Conservation Investment Program (ERCIP). The new proposal submission procedure requires more comprehensive outlines for scopes of work, and answers to questions regarding impact if the project is not approved, mission-critical assets the project will support, and alternatives reviewed to meet project requirements. The new process also more clearly delineates the roles and responsibilities of the participants. For more information, click [here](#).

**GRANT FUNDING TO DEVELOP, TEST STANDARDIZED MILITARY MICROGRID.** The California Energy Commission and the Electric Power Research Institute have teamed up to provide \$8.5 million in grant funding to demonstrate a [renewable energy microgrid](#) at Naval Surface Warfare Center, Port Hueneme Division. The modular microgrid will power a server farm. The project is designed to develop a replicable model that demonstrates how to avoid electric instabilities during transitions between grid-connected and islanding modes. It also could help the industry curtail the amount of customization needed in microgrid development. Designed to provide four hours of backup power, the renewable energy microgrid will include a 500-kilowatt (kW) carport solar array, two 250-kW lithium-ion battery energy storage systems, a microgrid controller, a 200-kilovolt ampere reactive synchronous condenser, and adaptive protection relays.

**CORPUS CHRISTI ARMY DEPOT AWARDED FOR ENERGY CONSERVATION EXCELLENCE.** Corpus Christi Army Depot was recognized for its continued energy and water conservation efforts by being selected as a winner of the 2018 Secretary of the Army Energy and Water Management Award during a ceremony in Cleveland, Ohio, in August. The Texas depot received the award in recognition of its use of an energy savings performance contract, saving the government more than 50 million units of energy, with a cost avoidance of more than \$1.8 million from October 2016 to October 2017. Additional information can be found [here](#).

**GUIDANCE FOR PROCESSING REQUESTS TO ALTER USACE CIVIL WORKS PROJECTS.** USACE has issued Engineer [Circular \(EC\) 1165-2-220](#), Policy and Procedural Guidance for Processing Requests to Alter U.S. Army Corps of Engineers Civil Works Projects Pursuant to Section 408. The agency policy document provides the policies and procedures related to how USACE will process requests to alter a USACE Civil Works project under Section 14 of the Rivers and Harbors Act of 1899 (more commonly referred to as Section 408). The EC was applicable beginning 10 SEP 18.

# Professional Development

## *DOD TRAINING SOURCES*

**US ARMY CORPS OF ENGINEERS PROSPECT TRAINING (CLASSROOM).** USACE announces course availability for the Fiscal 2019 PROSPECT (i.e., [Proponent-Sponsored Engineer Corps Training](#)) program. Courses are open to federal, state, county, and city employees and contractors. There are different registration processes for each entity. Please refer to the [course catalog](#) and list of classes and [schedule](#) for details. Environmental courses include, but are not limited to:

- CERCLA/RCRA Process (Course Control Number (CCN) [356](#))
- Environmental Laws and Regulations (CCN [170](#))
- Environmental Regulations Practical Application Course (CCN [398](#))
- Environmental Remediation Technologies (CCN [395](#))
- Hazardous Waste Manifesting/DOT Certification (CCN [223](#))
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN [429](#))
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Radioactive Waste Transport (CCN [441](#))
- The Complete RCRA Course (Hazardous Waste Generation, Management, and Corrective Action) (CCN [226](#))

**NAVY CIVIL ENGINEER CORPS OFFICERS SCHOOL TRAINING.** The [Navy Civil Engineer Corps Officers School](#) (CECOS) offers training on environmental management, pollution prevention, environmental compliance, environmental conservation and planning, and environmental restoration. Energy course offerings include Leadership in Energy and Environmental Design, Energy Information Administration, and Energy Technology Information. Click [here](#) for information on course offerings and times. Courses offered by CECOS are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

**AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING.** The [Air Force Civil Engineer School](#) offers a variety of environmental management courses and seminars, including Interservice Environmental Education Review Board (ISEERB) offerings. Courses are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

**DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS.** The Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the U.S. Army Environmental Command [website](#), which has links to training provided by DOD organizations.

**STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM (SERDP) AND ENVIRONMENTAL SECURITY TECHNOLOGY CERTIFICATION PROGRAM (ESTCP) WEBINAR SERIES (ONLINE).** DOD's environmental research and development funding programs ([SERDP and ESTCP](#)) launched a [webinar series](#) to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding. Live webinars are offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars feature two 30-minute presentations and interactive question and answer sessions on topics targeted for DOD and Department of Energy audiences. Prior presentations are archived for viewing any time. Recently archived webinars are available on demand [here](#).

**REPI WEBINAR SERIES (ONLINE).** DOD's Readiness and Environmental Protection Integration (REPI) program offers [webinars](#) on best practices, tutorials, and knowledge sharing on partnerships that support the military mission and accelerate the pace and rate of land conservation.

## ***FEDERAL TRAINING SOURCES***

**FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER (ONLINE).** [FedCenter.gov](http://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:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Access to [environmental assistance](#);
- Access to free, [FedCenter-sponsored courses](#); and
- [Partnerships](#).

FedCenter also provides member assistance services such as collaboration tools for workgroups, environmental reporting tools, and daily newsletter and subscription services.

**BIOBASED PRODUCT TRAINING SERIES (ONLINE).** The U.S. Department of Agriculture (USDA) offers a series of [on-demand training modules](#) about biobased products and the BioPreferred® Program:

- [Fundamentals: Biobased Products and the BioPreferred® Program](#)
- [Sustainable Acquisition: Biobased Requirements in the New Executive Order 13693](#)
- [Contracting Officer Role in Contractor Reporting of Biobased Product Purchases](#)
- [BioPreferred® Training for USDA Acquisition Community](#)
- [From Awareness to Action: The BioPreferred® Federal Procurement Preference Program](#)
- [Products in Operations, Maintenance, and Cleaning](#)

**GUIDING PRINCIPLES FOR SUSTAINABLE FEDERAL BUILDINGS (ONLINE).** This training series from the Federal Energy Management Program (FEMP) provides updated guidance for complying with the 2016 Guiding Principles for Sustainable Federal Buildings. The series consists of five on-demand courses:

- [2016 Guiding Principle I: Employ Integrated Design Principles and Introduction](#)
- [2016 Guiding Principle II: Optimize Energy Performance](#)
- [2016 Guiding Principle III: Protect and Conserve Water](#)
- [2016 Guiding Principle IV: Enhance Indoor Environmental Quality](#)
- [2016 Guiding Principle V: Reduce Environmental Impact of Materials and Guiding Principle VI - Assess and Consider Climate Change Risks](#)

**EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY (ONLINE).** Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of [live and archived webinars](#). Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

**SUSTAINABLE ACQUISITION FOR FEDERAL AGENCIES (ONLINE).** The two-hour [course](#) provides staff involved in specifying and purchasing with a thorough introduction to compliance requirements, processes, and tools for procuring sustainable products and services. Participants will receive specific guidance in how to meet executive order and Federal Acquisition Regulation requirements and understand how sustainable acquisition benefits their agency, community, and the environment.

**SUSTAINABLE ACQUISITION TRAINING RESOURCES (ONLINE).** The interagency federal Sustainable Acquisition & Materials Management Practices Workgroup compiled a [spreadsheet](#) of sustainable acquisition training resources developed or hosted by federal agencies that are available to government employees, businesses, and non-governmental organizations.

**FEMP eTRAINING COURSES (ONLINE).** FEMP offers interactive, [eTraining courses](#) to help federal agencies develop core competencies and comply with energy efficiency, renewable energy, water management, and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide to host these comprehensive, FEMP-developed eTraining courses.

**ENERGY STAR (ONLINE).** EPA's [Energy Star program](#) helps identify and promote energy efficiency in products, homes, and buildings. EPA hosts a [webinar series](#) that covers a range of topics, from how to benchmark in Portfolio Manager to financing energy efficiency improvements to how to engage building occupants.

**INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL (ITRC) TRAINING (ONLINE).** ITRC is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers [training courses](#) to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

**GENERAL CONFORMITY TRAINING MODULES (ONLINE).** The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. EPA's [online conformity training program](#) covers all aspects of the rule and is divided into four modules.

**WATER MANAGEMENT BASICS (ONLINE).** This FEMP [online course](#) provides a concise introduction to comprehensive water management, to include key topic areas of basic water management terminology, history of federal water mandates, best practices associated with comprehensive water management, and proven water conservation financing mechanisms and strategies. The three-module course offers a thorough overview of water management in the federal context:

- Module One: Introduction to Federal Water Management
- Module Two: Introduction to Comprehensive Water Management
- Module Three: Financing and Launching Water Management Projects

**CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES (ONLINE).** This U.S. Geological Survey [webinar series](#) was developed 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. Information on upcoming webinars is available from the BioClimate newsletter ([click](#) to subscribe).

**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.

## ***OTHER TRAINING RESOURCES***

**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.

**2018 DESIGN AND CONSTRUCTION ISSUES AT HAZARDOUS WASTE SITES.** The Society for American Military Engineers (SAME) and EPA are co-hosting the [third symposium on design and construction issues at hazardous waste sites](#) in Denver, Colo., 5-7 NOV 18. The symposium is designed to encourage dialogue and information sharing on design and construction issues relevant to hazardous waste sites in the western United States. The registration fee is waived for public agency/government employees.

# Staff Directory

<a href="#">Director/DOD Region 4 REC</a>	(404) 562-5146
<a href="#">Regional Counsel</a>	(404) 562-5016
<a href="#">Region 4 Army REC</a>	(404) 562-5231
<a href="#">Regulatory Affairs Specialist</a>	(404) 562-5023

## 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 *Southern Review*, please contact the Regional Environmental Coordinator listed at the top of page two.

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

