



Southern Review

of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

December 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.

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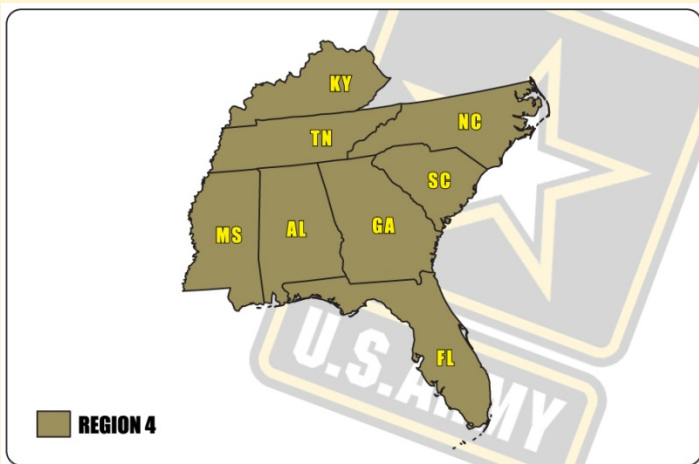


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OPERATIONAL RANGE ASSESSMENTS

In November, DOD reissued [Department of Defense Instruction \(DODI\) 4715.14, Operational Range Assessments](#).

DODI 4715.14 establishes policy, assigns responsibility, and prescribes procedures to assess the potential human health and environmental impacts to off-range receptors from the use of military munitions on operational ranges in the U.S. It augments the guidance in [Department of Defense Directive 3200.15](#) and the Defense Planning/Program Guidance to sustain the use and management of operational ranges.

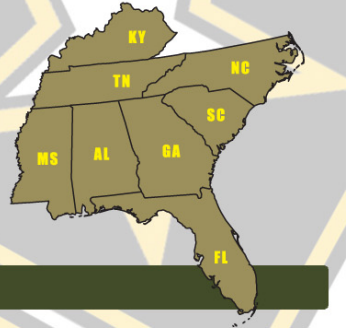
The DODI states that DOD will maintain ranges to:

- Support national security objectives;
- Support the long-term sustainability of DOD operational ranges;
- Consider on-range proactive measures to prevent the release of munitions constituents (MC) to an off-range area;
- Assess operational ranges to determine if a release of MC to an off-range area has occurred and whether that release creates a potential unacceptable risk to human health or the environment;
- Address, as appropriate, a release or substantial threat of a release identified as a result of an operational range assessment;
- Limit the potential for explosives hazards; and
- Resolve any conflicts between explosives safety and environmental requirements with the primary objective of minimizing explosives hazards.

DODI 4715.14 was effective 15 NOV 18.

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.



2019 LEGISLATIVE SESSION: 25 MAR THROUGH 23 MAY

There are no significant legislative activities to report.

FINAL RULE

UNDERGROUND STORAGE TANK REGULATIONS. The Alabama Department of Environmental Management (ADEM) has [adopted amendments](#) to Chapters 335-6-15 and 335-6-16 of the ADEM administrative code. Revisions amended the implementation date for new testing requirements to allow underground storage tank (UST) owners and operators more time to prepare their equipment to meet these testing requirements; made changes to the trust fund scope of coverage recommended by the Alabama Underground and Aboveground Storage Tank Trust Fund Management Board in accordance with the Alabama Underground and Aboveground Storage Tank Trust Fund Act; and corrected typographical errors. The rules became effective 7 DEC 18.



2019 LEGISLATIVE SESSION: 5 MAR THROUGH 3 MAY

There are no significant legislative activities to report.

DRAFT REPORT

2019 SOUTH FLORIDA ENVIRONMENTAL REPORT. The South Florida Water Management District has [posted](#) its draft 2019 South Florida Environmental Report (SFER) on its website. Also available on the site are communications among the draft report's peer review panelists, agency responses to comments, and electronically stored communications. The comment period for the draft report closed 13 DEC 18.

PROPOSED RULES

CALOOSAATCHEE RIVER BASIN TMDLS. The Florida Department of Environmental Protection (FDEP) has proposed rules establishing total maximum daily loads (TMDLs) for certain surface waters within the Caloosahatchee River Basin where those waters previously have been identified as impaired for specific pollutants and included on FDEP's verified list of impaired waters. Rule text is not yet available; however, more information is available [here](#). A [workshop](#) is scheduled for 17 DEC 18. Comments are due 4 JAN 19.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT—CONDITIONS FOR ISSUANCE OF PERMITS. The Suwannee River Water Management District (SRWMD) has proposed rules amending the conditions under which permits are issued. The SRWMD has also proposed amending portions of the Water Use Permitting Applicant's Handbook related to contiguous/non-contiguous parcels, impact analysis, water use monitoring and reporting, and Water Resource Caution Areas. The intent is to revise the extent of areas with existing water resource problems or areas in which water resource problems are projected to develop in the next 20 years. The SRWMD published a [notice of proposed rule](#) 19 NOV 18. The comment period closed 10 DEC 18.

CORRECTION OF ERRORS IN GUIDANCE AND MINIMUM LEVELS FOR WATER BODIES. The Southwest Florida Water Management District has proposed amendments to the rules regarding guidance and minimum levels for water bodies to correct inadvertent errors. A [notice of rulemaking development](#) was published 6 NOV 18.

PERMIT RULE ENFORCEMENT. The Northwest Florida Water Management District (NFWFMD) has proposed updates to existing rules regarding issuance, processing, duration, and modification of permits. The district published a [notice of rulemaking development](#) 1 NOV 18.

WATER USE RESTRICTIONS. The NFWFMD has given notice of development of rules regarding water use restrictions, variances, implementing a water shortage declaration, enforcement, use classes, and method of extraction or diversion classes. The district published a [notice of rulemaking development](#) 1 NOV 18.

STORMWATER DRAINAGE PERMITS. The Florida Department of Transportation (DOT) has proposed rules regarding stormwater drainage connections entering DOT rights-of-way, and updating the stormwater drainage manual. DOT published a [notice of proposed rule](#) 15 NOV 18. The comment period closed 6 DEC 18.

FLORIDA ENDANGERED AND THREATENED SPECIES LIST. The Florida Fish and Wildlife Conservation Commission (FWC) has proposed to implement species status changes warranted by the commission and to correct errors in the scientific and common names of species. FWC published a [notice of proposed rule](#) 30 OCT 18; the comment period closed 20 NOV 18.

FINAL RULE

FLORIDA BEACHES AND COASTAL SYSTEMS. FDEP has adopted rules regarding General Permits for Activities Seaward of the Coastal Construction Control Line, authorized by Section 161.053, F.S. FDEP amended Chapter 62B-34, F.A.C., to allow General Permits for dune restoration, and to allow for minor reconstruction of existing coastal armoring. Amendments also add a definition of "registered professional" and "marine turtle nesting habitat"; amend the application fee schedule, add general conditions applicable to all General Permits regarding beach walkovers and sand fencing; create a new General Permit for certain minor structures; and clarify existing siting criteria. A [notice of rule filing](#) (see page 23) was published 14 NOV 18. The updated rule text is available [here](#). The rules became effective 28 NOV 18.



2019 LEGISLATIVE SESSION: 14 JAN THROUGH 20 MAR

There are no significant legislative activities to report.

PROPOSED RULES

RULES FOR ENHANCED INSPECTION AND MAINTENANCE. The Georgia Department of Natural Resources (GDNR) has proposed amendments to rules regarding enhanced inspection and maintenance required under the Clean Air Act (CAA).

The rule changes are to update definitions, make grammatical changes, change rule titles, and add clarity, among other purposes. GDNR filed the [proposed rule](#) 26 OCT 18. The comment period closed 6 DEC 18.

SIP AMENDMENTS TO RULES FOR ENHANCED INSPECTION AND MAINTENANCE. The Georgia Environmental Protection Division (GEPD) has proposed amendments to the state implementation plan (SIP); specifically, to rules for enhanced inspection and maintenance. GEPD issued a [notice](#) 29 OCT 18. The comment period closed 6 DEC 18.

SIP AMENDMENT FOR 2010 1-HOUR SULFUR DIOXIDE NAAQS. GDNR has proposed a SIP amendment regarding the Section 110(a)(2)(D)(i)(I) elements of the CAA that are required to meet the 2010 1-hour sulfur dioxide (SO₂) National Ambient Air Quality Standards (NAAQS). GDNR issued a [notice](#) 8 NOV 18. Comments are due 17 DEC 18.

GEORGIA VOC EMISSIONS FROM AEROSPACE MANUFACTURING AND REWORK FACILITIES. GDNR has proposed amendments to rules regarding volatile organic compound (VOC) emissions from aerospace manufacturing and rework facilities. Major changes include emission standards for specialty coatings, annual purchase records allowed for certain coatings, new application method exemptions, and new and revised definitions. GDNR filed the [proposed rule](#) 26 OCT 18. The comment period closed 6 DEC 18.



2019 LEGISLATIVE SESSION: 8 JAN THROUGH 30 MAR

There are no significant legislative activities to report.

PROPOSED RULES

ACQUISITION OF LAND AND LAND MANAGEMENT RULES. The Kentucky Energy and Environment Cabinet has [proposed amendments](#), primarily administrative, to rules regarding acquisition of land and land management at 418 KAR Chapter 1. The amendments were filed 6 NOV 18.

UNDERGROUND STORAGE TANKS—DEFINITIONS. The Energy and Environment Cabinet has [proposed amendments](#) (see page 201) to definitions for 401 KAR Chapter 42, which is part of the regulatory program that implements federal UST requirements. The amendments were filed 1 NOV 18. The comment period closed 30 NOV 18.

UNDERGROUND STORAGE TANKS—REPEAL OF REQUIREMENTS. The Energy and Environment Cabinet proposes to repeal the following administrative requirements at 401 KAR Chapter 42: 42:011, 42:030, 42:040, 42:045, 42:050, 42:070, 42:080, 42:090, 42:095, 42:200, 42:290, 42:300, 42:316, 42:320, 42:335, and 42:340. This administrative regulation repeals the requirements because they are being consolidated into 401 KAR 42:020, 42:060, 42:250, and 42:330. The [proposed administrative regulation](#) (see page 302) was filed 1 NOV 18. The comment period closed 30 NOV 18.

UNDERGROUND STORAGE TANKS—SYSTEM RELEASE AND CORRECTIVE ACTION. The Energy and Environment Cabinet has [proposed amendments](#) (see page 216) to requirements at 401 KAR 42:060 for UST system release reporting, release response, permanent closure of UST systems, change in service of UST systems, site characterization, corrective action, and UST facility classification, including screening levels of UST systems containing petroleum. The amendments were filed 1 NOV 18. The comment period closed 30 NOV 18.

UNDERGROUND STORAGE TANKS—SYSTEM REQUIREMENTS, NOTIFICATION, REGISTRATION, AND ANNUAL FEES. The Energy and Environment Cabinet has [proposed amendments](#) (see page 206) to the scope of the UST program at 401 KAR 42:020, including provisions for exclusions, system requirements, notification, annual fees, performance standards, operation and maintenance, delivery prohibition, operator training, requirements for demonstrating financial

responsibility for corrective action, compensation of third parties for bodily injury and property damage, and lender liability. The amendments were filed 1 NOV 18. The comment period closed 30 NOV 18.

HAZARDOUS WASTE—GENERAL REQUIREMENTS. The Energy and Environment Cabinet has [proposed amendments](#) (see page 189) to general requirements for hazardous waste management systems at 401 KAR Chapter 39.060. The amendments correct citation errors and omissions, and typographical errors. The amendments were filed 1 NOV 18. The comment period closed 30 NOV 18.

HAZARDOUS WASTE—PERMIT PROGRAM. The Energy and Environment Cabinet has [proposed amendments](#) (see page 194) to standards for the hazardous waste permit program at 401 KAR Chapter 39.090. The amendments correct citation errors and omissions, and typographical errors. The amendments were filed 1 NOV 18. The comment period closed 30 NOV 18.

FINAL RULE

WATER QUALITY. The Division of Water adopted changes to regulations at 401 KAR Chapter 5 to ensure that issued permits are legally sound and in compliance. Changes to the regulations are subject to approval by the U.S. Environmental Protection Agency (EPA). All of the regulations are consistent with Clean Water Act, Section 402, and 40 CFR Part 122, and are not more stringent than the federal regulations. The rule, [as amended](#) (see page 86) was effective 1 NOV 18 at the adjournment of the interim Natural Resources and Energy Committee. The amended regulations will be available on the [Legislative Research Commission](#) website once they have been updated.

FEDERAL ACTIVITY

INFRASTRUCTURE REQUIREMENTS FOR 2012 PM_{2.5}, 2010 NO₂, AND 2010 SO₂ NAAQS. EPA has issued a proposed rule to approve portions of three SIP revisions submitted by the commonwealth of Kentucky ([83 FR 55338](#)). The revisions address requirements for implementation of the 2012 Fine Particulate Matter (PM_{2.5}), 2010 Nitrogen Dioxide (NO₂), and 2010 SO₂ NAAQS. These types of SIP submissions are commonly referred to as “infrastructure” SIPs. EPA has proposed to approve the portions of the infrastructure SIP submissions that relate to the minor source program requirements for the three NAAQS. The comment period closed 5 DEC 18.

ATTAINMENT PLAN FOR JEFFERSON COUNTY SO₂ NONATTAINMENT AREA. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Kentucky ([83 FR 56002](#)). The revision addresses attainment for the 2010 1-hour SO₂ primary NAAQS for the Jefferson County SO₂ nonattainment area. In addition to an attainment demonstration, the SIP revision addresses Kentucky’s requirement for meeting reasonable further progress toward attainment of the NAAQS; reasonably available control measures and reasonably available control technology; base-year and projection-year emissions inventories; enforceable emission limits; nonattainment new source review (NSR); and contingency measures. The comment period closed 10 DEC 18.



2019 LEGISLATIVE SESSION: 9 JAN THROUGH 31 MAY

There are no significant legislative activities to report.

FINAL RULE

DRINKING WATER QUALITY ANALYSIS FUND. The Mississippi Department of Health has adopted rules at 15 Miss. Admin. Code Part 20, Subpart 72, Chapter 4, regarding a fee schedule to cover all reasonable direct and indirect costs of water

quality analysis and related activities as required by the federal Safe Drinking Water Act. The [final rules](#) were effective 18 NOV 18.



2019 LEGISLATIVE SESSION: 16 JAN THROUGH 30 JUN

There are no significant legislative activities to report.

DRAFT REPORT

SHORT-TERM INHALATION ACTION LEVELS FOR TRICHLOROETHYLENE. The North Carolina Department of Environmental Quality (DEQ) is developing a [draft report](#) on short-term inhalation action levels for trichloroethylene. The draft report, research documents, presentations, and past board meeting discussions are available for review on the [DEQ Secretaries' Science Advisory Board website](#). A notice was issued 6 NOV 18; the comment period closed 21 NOV 18.

PROPOSED RULE

WELL CONSTRUCTION STANDARDS. The North Carolina DEQ has proposed to readopt with changes rules for well construction standards at 15A NCAC 02C. The rules establish requirements for when a permit is required; standards of construction; installation and capacity of pumps and related pumping; well tests for yield; disinfection of water supply wells; and well maintenance, repair, and abandonment. The rules also concern construction and location requirements for injection wells that include aquifer recharge, storage and recovery; and test wells, experimental technology wells, geothermal wells, groundwater remediation wells, and other less common injection wells. In addition, the rules establish requirements for permitting and inspection of private drinking water wells. The [proposed rule](#) (see page 27) was filed 7 NOV 18. Comments are due 14 JAN 19.

FEDERAL ACTIVITY

NITROGEN OXIDES RULE REVISIONS. EPA has issued a proposed rule to approve portions of a SIP revision submitted by the state of North Carolina ([83 FR 55335](#)). The revision updates the state's SIP-approved rules regarding nitrogen oxides (NO_x) emissions from large stationary combustion sources. The comment period closed 26 NOV 18.

REVISIONS STATE AIR REGULATIONS. EPA has issued a proposed rule to approve portions of SIP revisions submitted by the state of North Carolina ([83 FR 56773](#)). The revisions update several regulations concerning NO_x, emission control standards, monitoring, and reporting requirements. The comment period closed 5 DEC 18.



2019 LEGISLATIVE SESSION: 8 JAN THROUGH 8 JUN

There are no significant legislative or regulatory activities to report.



2019 LEGISLATIVE SESSION: 8 JAN THROUGH 8 MAY

There are no significant legislative activities to report.

FINAL RULE

UNDERGROUND STORAGE TANK REGULATIONS. The Tennessee Department of Environment and Conservation (TDEQ) has [amended](#) state UST rules to incorporate revisions made to federal UST regulations in 2015. TDEQ also amended its state rules at [0400-18-01](#) to protect the state Petroleum Underground Storage Tank Fund. The amendments include a requirement that owners or operators of a tank in temporary closure for greater than one year determine if a petroleum release has occurred to the environment and provide the tanks with a tightness test before they are returned to service. The rules were effective 13 OCT 18.

Federal Activity

AIR

INTEGRATED REVIEW PLAN FOR OZONE NAAQS. EPA has posted the draft [Integrated Review Plan for the Ozone National Ambient Air Quality Standards](#) for photochemical oxidants including ozone ([83 FR 55163](#)). The primary and secondary ozone NAAQS are set to protect the public health and the public welfare from ozone in ambient air. The 157-page document contains a discussion of the ozone standard and its regulatory history. Comments were due by 3 DEC 18.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) AND NONATTAINMENT NEW SOURCE REVIEW. EPA is concluding the reconsideration of an earlier action published 15 JAN 09, titled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation and Project Netting" ([83 FR 57324](#)). The 2009 NSR Aggregation Action clarified implementation of the NSR permitting program under the CAA with respect to treating related physical or operational changes as a single "modification" for the purpose of determining NSR applicability at a stationary source. On 15 APR 10, EPA proposed to revoke the 2009 NSR Aggregation Action; however, after reviewing public comments on that proposal, EPA decided not to revoke the 2009 action. EPA is retaining the interpretation set forth in the 2009 NSR Aggregation Action, while not adopting any changes to the relevant rule text. At the same time, EPA is using this present action to clarify the implications of the 2009 NSR Aggregation Action for EPA-approved permitting programs. This action became effective on 15 NOV 18.

SOURCE TESTING OF EMISSIONS. This action amends certain existing testing regulations to reflect corrections, updates, and the addition of alternative equipment and methods for source testing of emissions. These revisions will improve the quality of data and provide flexibility in the use of approved alternative procedures ([83 FR 56713](#)). The final rule is effective 14 JAN 19.

COMPLIANCE TOOLS FOR STATIONARY COMBUSTION ENGINES. EPA has developed [online interactive tools](#) to help users identify specific regulatory requirements related to stationary compression ignition and spark ignition engines. Stationary engines are used in a variety of applications from generating electricity to powering pumps to emergency fire or flood events. The key pollutants EPA regulates from these sources include NO_x, PM, SO₂, carbon monoxide, and hydrocarbons.

REGULATORY DEFINITION OF VOLATILE ORGANIC COMPOUNDS (CIS-1,1,1,4,4,4-HEXAFLUOROBUT-2-ENE). EPA added the compound cis-1,1,1,4,4,4-hexafluorobut-2-ene (also known as HFO-1336mzz-Z, CAS number 692-49-9) to the list of

compounds excluded from the regulatory definition of VOC, on the basis that this compound makes a negligible contribution to ozone formation ([83 FR 61127](#)). Cis 1,1,1,4,4,4-hexafluoro-2-butene is a foam-blowing agent, refrigerant, fire extinguishant, and solvent.

CLEANUP

GUIDANCE FOR RISK EVALUATION AT PETROLEUM-CONTAMINATED SITES. The Interstate Technology and Regulatory Council (ITRC) [released](#) the guidance document, "Total Petroleum Hydrocarbons (TPH) Risk Evaluation at Petroleum-Contaminated Sites." The guidance document was developed to assist state regulators and practitioners with evaluating risk and establishing cleanup requirements at petroleum release sites. The guidance will help practitioners:

- Assist with TPH characterization (e.g., contaminant delineation and sample location selection) for petroleum release sites;
- Select appropriate analytical testing to obtain data and conduct an effective TPH-specific risk evaluation; and
- Identify stakeholders and prepare for community engagement.

In 2019, ITRC will hold four free [online training events](#) on risk evaluation at petroleum-contaminated sites.

CLIMATE CHANGE

ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL FURNACES AND COMMERCIAL WATER HEATERS. The U.S. Department of Energy (DOE) has received a petition requesting that DOE withdraw proposed energy conservation standards for residential furnaces and commercial water heaters because the standards can only be met by condensing combustion technology products/equipment, and thereby would preclude the distribution in commerce of non-condensing products/equipment ([83 FR 54883](#)). DOE is seeking views on whether it should grant the petition and undertake an interpretive rulemaking and withdrawal of the two specified rulemaking proposals, as requested. By seeking comment on whether to grant this petition, DOE takes no position regarding the merits of the suggested rulemaking or assertions made by the petitioners. Comments and information are requested by 30 JAN 19.

FOURTH NATIONAL CLIMATE ASSESSMENT VOLUME II. The U.S. Global Change Research Program has released the Fourth National Climate Assessment, Volume II, Impacts, Risks, and Adaptation in the United States. The report is available [here](#).

EMERGING CONTAMINANTS

REPORT ON RESEARCH GAPS FOR EMERGING CONTAMINANTS. In October, the Task Force on Emerging Contaminants of the [National Science and Technology Council](#) submitted to Congress its [Plan for Addressing Critical Research Gaps Related to Emerging Contaminants in Drinking Water](#). The report identified research gaps such as improvements needed in sampling designs, monitoring, and identification of contaminants in mixtures; further development of computational tools for rapid toxicity characterization; and methods to identify safer alternatives to compounds expected to be released to the environment.

ENERGY

CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION. DOE is proposing to establish procedures for the designation of critical electric infrastructure information (CEII) under the Fixing America's Surface Transportation Act (FAST Act), Public Law 114-94 ([83 FR 54268](#)). Through this proposed rule, DOE would establish a set of procedures by which it would designate, protect, and share CEII. Comments are due by 28 DEC 18.

HAZMAT/WASTE

UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST. The Nuclear Regulatory Commission (NRC) is requesting comment on draft guidance (NUREG/BR-0204, Rev. 3), "[Instructions for Completing NRC's Uniform Low-Level Radioactive Waste Manifest](#)" (83 FR 54620). This document provides instructions to prepare NRC Form 540, Uniform Low-Level Radioactive Waste Manifest—Shipping Paper; NRC Form 541, Uniform Low-Level Radioactive Waste Manifest—Container and Waste Description; and NRC Form 542, Uniform Low-Level Radioactive Waste Manifest—Manifest Index and Regional Compact Tabulation. Comments are due by 31 DEC 18.

HAZARDOUS MATERIAL TRANSPORT REGULATIONS. The Pipeline and Hazardous Materials Safety Administration (PHMSA) has amended several hazardous materials regulations to update, clarify, streamline, or provide relief from miscellaneous regulatory requirements found in 49 CFR 171-173, 49 CFR 176, 49 CFR 178, and 49 CFR 180 ([83 FR 55792](#)). This rule became effective 7 DEC 18.

HAZARDOUS MATERIALS HARMONIZATION WITH INTERNATIONAL STANDARDS. PHMSA proposes to amend the hazardous materials regulations to maintain alignment with international regulations and standards to reflect recent changes to the International Maritime Dangerous Goods Code; the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air; and the United Nations Recommendations on the Transport of Dangerous Goods—Model Regulations ([83 FR 60970](#)). Additionally, PHMSA proposes several amendments that would allow for increased alignment with the Transport Canada, Transportation of Dangerous Goods Regulations. Comments must be received by 28 JAN 19.

NATURAL RESOURCES

REVISED LIST OF MIGRATORY BIRDS. The U.S. Fish and Wildlife Service (FWS) is proposing to revise the list of migratory birds protected by the Migratory Bird Treaty Act (MBTA) by both adding and removing species ([83 FR 61288](#)). Revisions include adding species based on new taxonomy and new evidence of natural occurrence in the U.S. or U.S. territories, removing species no longer known to occur within the U.S. or U.S. territories, and changing names to conform to accepted use. The net increase of 59 species (66 added and seven removed) would bring the total number of species protected by the MBTA to 1,085. See the Federal Register notice for the full list. Comments are due by 28 JAN 19.

DRAFT LIST OF BIRD SPECIES TO WHICH MBTA DOES NOT APPLY. FWS has published a draft list of the non-native bird species introduced into the U.S. or U.S. territories solely as a result of intentional or unintentional human-assisted introductions, and to which the MBTA does not apply ([83 FR 61161](#)). The Migratory Bird Treaty Reform Act of 2004 amends the MBTA by stating that the MBTA applies only to migratory bird species that are native to the U.S. or U.S. territories. The list, containing 120 species in 27 families, is an update to the list published in 2005. See the Federal Register notice for the full list. Comments are due by 28 JAN 19.

TOXICS

TOXICITY REVIEW FOR GENX. EPA [announced](#) that it has released a draft toxicity review for GenX and a related compound called perfluorobenzoate sulfonic acid (PFBS). Both chemicals are part of a family of chemicals referred to as per- and polyfluoroalkyl substances (PFAS). GenX is a trade name for a technology that is used to make high performance fluoropolymers, such as some nonstick coatings, without the use of perfluorooctanoic acid (PFOA). GenX chemicals have been found in surface water, groundwater, finished drinking water, rainwater, and air emissions. The GenX toxicity review is available [here](#). The toxicity review for PFBS is available [here](#). A fact sheet is available [here](#). A pre-publication version of the Federal Register notice is available [here](#).

WASTE

EMERGENCY RESPONSE AND CLEANUP FACT SHEET. EPA released the [e-Manifest Emergency Response and Cleanup Fact Sheet](#), which informs emergency response and cleanup personnel of their responsibilities as they pertain to hazardous waste manifests and the e-Manifest system. With the launch of EPA's e-Manifest system in June 2018, emergency response and cleanup personnel, or their contractors, have the option of creating and signing manifests electronically. EPA encourages emergency response and cleanup personnel to use fully electronic manifests; however, e-manifests are available only if the site has access to the internet and both the transporter and receiving facility also use e-manifests. To view other fact sheets related to e-manifests, click [here](#).

WATER

AMERICA'S WATER INFRASTRUCTURE ACT OF 2018 EXPANDS MONITORING FOR UNREGULATED CONTAMINANTS. America's Water Infrastructure Act of 2018, Senate Bill [S. 3021](#), amends the Safe Drinking Water Act by expanding the universe of drinking water systems that are required to monitor for emerging, unregulated contaminants. Every five years EPA publishes a new Unregulated Contaminant Monitoring Rule (UCMR), which identifies no more than 30 unregulated contaminants to be monitored by public water systems. Under existing rules, all systems serving more than 10,000 people and a sample of smaller systems must monitor for the contaminants in the UCMR. The act expands UCMR monitoring requirements to systems serving between 3,300 and 10,000 people, unless EPA determines laboratory capacity is not sufficient to accommodate required analysis. The new requirement will take effect in three years and be in place for the agency's fifth UCMR, which is slated for release by 2021. EPA uses the data collected from each UCMR to determine if new enforceable drinking water standards are needed.

EPA TEST FOR PFAS IN DRINKING WATER MODIFIED TO INCLUDE FOUR ADDITIONAL COMPOUNDS. EPA has updated drinking water Method 537, first published in 2009, to include four additional PFAS compounds in addition to the original 14 PFAS compounds. The new compounds include the GenX chemical HFPO-DA, as well as three additional PFAS: 11-chloroeicosafluoro-3-oxaundecane-1-sulfonic acid, 9-chlorohexadecafluoro-3-oxanone-1-sulfonic acid, and 4,8-dioxo-3H-perfluorononanoic acid. More information about the validated EPA Method 537.1 is available [here](#).

Department of Defense Activity

SUSTAINING THE MISSION SECURING THE FUTURE. Engaging with a diverse crowd of Arizona State University students, alumni, professors, and local veterans, Karen Baker, chief of the USACE Environmental Division, discussed the value of, and successful initiatives in, sustainability within the USACE during Arizona State University's Salute to Service program in November. "By implementing sustainability principles and practices, the Army is decreasing future mission constraints, increasing operational flexibility and resilience, and safeguarding human health and the environment," explained Baker. "Sustainability ultimately improves the quality of life for Soldiers and local communities." The complete article can be found [here](#).

GUIDANCE ON FIRE SUPPRESSANT AND FUEL CONTAINMENT FOR ARMY GROUND VEHICLES. The Army has issued [Army Directive 2018-13](#), Guidance on Fire Suppressant and Fuel Containment for Army Ground Vehicles. The directive provides guidance on fire suppressant and fuel containment standards. It applies to light, medium, and heavy tactical vehicles and ground combat vehicles initially acquired on or after 1 OCT 18 under a major defense acquisition program.

USE OF OPEN-AIR BURN PITS IN CONTINGENCY OPERATIONS. DOD reissued [Department of Defense Instruction \(DODI\) 4715.19](#), Use of Open-Air Burn Pits in Contingency Operations. The DODI establishes policy, assigns responsibilities, and provides procedures regarding the use of open-air burn pits and the prohibition of the disposal of covered waste in

open-air burn pits during contingency operations, except in circumstances in which no alternative disposal method is feasible.

2019 REPI CHALLENGE REQUEST FOR PRE-PROPOSALS. The 2019 Readiness and Environmental Protection Integration (REPI) Challenge seeks to leverage public and private funds that enhance installations and ranges that host key capabilities identified in the National Defense Strategy. The 2019 REPI Challenge is open to all eligible partners at DOD installations and will award up to \$15 million by July 2019. All REPI Challenge pre-proposals will be coordinated with the military services and are due by 8 p.m. EST, 25 JAN 19. Pre-proposals that are approved will then be invited to submit full proposals. Applicants will be notified of their pre-proposal status no later than 22 FEB 19. The 2019 REPI Challenge Request for Pre-Proposals and the downloadable pre-proposal form are available through the U.S. Endowment for Forestry and Communities [website](#).

DEFENSE ENVIRONMENTAL PROGRAMS ANNUAL REPORT TO CONGRESS. The [Defense Environmental Programs Annual Report to Congress for Fiscal Year 2017](#) has been released. In Fiscal Year (FY) 2017, DOD obligated approximately \$3.6 billion for its environmental programs. This includes \$1.4 billion for environmental restoration, \$2.0 billion for environmental quality, and \$183 million for environmental technology activities. In the President's FY 2019 budget, DOD is requesting about \$3.4 billion for its environmental programs to continue ensuring the protection of human health and the environment, and to sustain the resources required to support the readiness of the Armed Forces.

STRENGTHENING MILITARY CAPABILITIES THROUGH ENERGY RESILIENCE PARTNERSHIPS. The Association of Defense Communities released a [report](#) on DOD actions to leverage partnerships to improve DOD installation energy security and resilience. The report identifies DOD energy resilience strategy and policy; provides an overview of energy resilience stakeholders at headquarters, program and installation levels; features case studies of leading edge energy resilience projects, and highlights the defense community partnerships that were key to their success; and identifies opportunities for additional innovations in defense community partnerships for energy resilience.

ASSESSMENT OF DOD CORROSION PREVENTION AND MITIGATION. The U.S. Government Accountability Office (GAO) conducted a review of certain aspects of DOD's corrosion prevention and mitigation efforts, as mandated by the 2018 National Defense Authorization Act ([GAO-19-39](#)). GAO assessed the extent to which DOD has consistently reported the funding levels needed to perform the duties of the Corrosion Office and provided oversight of corrosion planning for major weapon system programs. GAO analyzed DOD guidance, funding for Fiscal Years 2010-2017, and corrosion planning information. GAO also interviewed officials charged with overseeing DOD's corrosion efforts. Regarding military department corrosion program funding, GAO found the military departments used different methods to identify funding levels and did not consistently have supporting documentation. GAO made five recommendations to improve DOD's corrosion and mitigation program. DOD concurred with the recommendations.

UPDATE OF FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET. EPA has published an update to the Federal Agency Hazardous Waste Compliance Docket ([83 FR 54347](#)). The docket identifies facilities requiring investigation or remediation. Additions include North Penn Army Reserve Training Center, Norristown, Pennsylvania; and deletions include former Air Force Plant 39, Chicago, Illinois.

Professional Development

DOD TRAINING SOURCES

US ARMY CORPS OF ENGINEERS PROSPECT TRAINING (CLASSROOM). USACE announces course availability for the Fiscal Year 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](#) 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.

STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM (SERDP) AND ENVIRONMENTAL SECURITY TECHNOLOGY CERTIFICATION PROGRAM (ESTCP) WEBINAR SERIES. 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. DOD's Readiness and Environmental Protection Integration 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](#) 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](#)
- [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 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. 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. 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.

21-22 MAY 19, CHAMPAIGN, IL: [2019 EMERGING CONTAMINANTS IN THE ENVIRONMENT CONFERENCE](#). The Illinois Sustainable Technology Center and the Illinois-Indiana Sea Grant are cohosting the conference. The conference will expand beyond the aquatic environment to also include air and soil studies along with effects on human and animal health. The conference will feature presentations on the latest in emerging contaminant research, policies, and outreach.

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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 *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](#).

