



Central Review of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

December 2018

The *Central Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the nine states in Federal Regions 6 and 7 the *Central 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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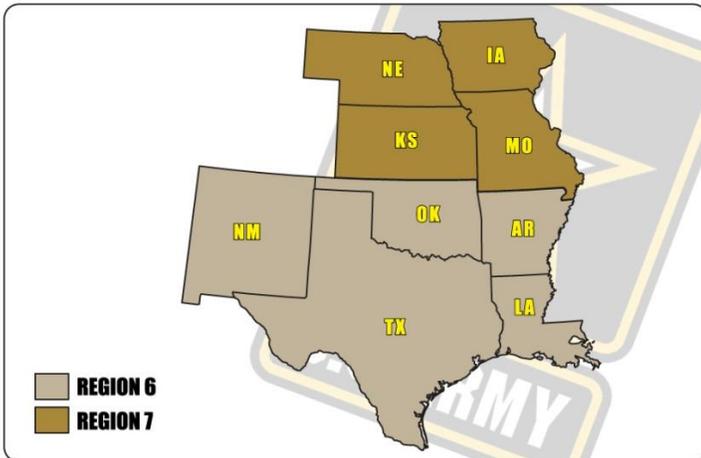


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OPERATIONAL RANGE ASSESSMENTS

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 6

For more information or to comment on any state issues in Region 6, contact your Regional Environmental Coordinator listed in the [Staff Directory](#).



LEGISLATIVE SESSION: 14 JAN 19 THROUGH 2 MAY 19

PROPOSED RULE

ONSITE WASTEWATER (ACA 007.10.18-002). The Department of Health has proposed revisions to regulations pertaining to onsite wastewater. These regulations establish minimum standards for the design and construction of onsite wastewater systems in suitable soils for the renovation of wastewater and the return of the renovated wastewater into the hydrologic cycle. Comments were due 16 NOV 18. POC: [Richard Paul](#).



LEGISLATIVE SESSION: 8 APR 19 THROUGH 6 JUN 19

PROPOSED RULES

DRAFT WATER DISCHARGE GENERAL PERMIT FOR VESSEL CLEANING/REPAIR, FLEETING, AND SHIPYARDS. The Department of Environmental Quality (DEQ) has requested public input regarding a draft Louisiana Pollution Discharge Elimination System General Permit for vessel cleaning/repair operations, fleet operations, and shipyards. Coverage under this general permit will be limited to facilities discharging washwater from dry commodity vessels (including stevedoring operations), coal and coke vessels, food grade vessels, chemical and petroleum vessels, washwater from the exterior of equipment and/or vehicles, ballast and bilge water from vessels, dry dock facilities, hydrostatic wastewater from vessel testing, dock washdown, deck washdown, stormwater, and sanitary wastewater into surface waters of the state. Comments are due 1 JAN 19. POC: Laura Thompson, (225) 219-0803.

(FEDERAL) PROPOSED EXPANSION OF R-3803 RESTRICTED AREA COMPLEX FOR FORT POLK. The Federal Aviation Administration (FAA) proposes to expand the R-3803 restricted area complex in central Louisiana by establishing four new restricted areas, R-3803C, R-3803D, R-3803E, and R-3803F. The action is in response to a proposal to the FAA by Fort Polk, one of two U.S. Army Combat Training Centers, to expand the R-3803 restricted area complex. Two of the proposed restricted areas would be designated above the other two, similar to the way R-3803A and R-3803B exist, and the designated altitudes of the proposed restricted areas would extend upward from the surface to, but not including, Flight Level (i.e., 35,000 feet). Comments are due 10 JAN 19. POC: Colby Abbott, (202) 267-8783.



LEGISLATIVE SESSION: 15 JAN 19 THROUGH 16 MAR 19

FINAL RULES

AMBIENT AIR QUALITY STANDARDS (20.2.3 NMAC). The New Mexico Environment Department (NMED) repealed the New Mexico Ambient Air Quality Standards for total suspended particulate in 20.2.3.109 NMAC. The Air Quality Bureau has conducted an analysis of these standards and has concluded that they are not necessary to maintain the National Ambient Air Quality Standards (NAAQS) for particulate matter in New Mexico, and that the repeal of the standards will not result in a relaxation of emissions controls or an adverse effect on air quality. This rule became effective 30 NOV 18.

FUGITIVE DUST CONTROL (20.2.23 NMAC). This rule limits human-caused emissions of fugitive dust into the ambient air by ensuring that control measures are utilized to protect human health and welfare. Fugitive dust means particulate matter emissions that may become entrained in the atmosphere due to mechanical or wind forces, or both; construction activity; materials handling, transfer or storage; disturbed surface areas; or similar commercial or industrial activities; and that are not ducted through exhaust systems. Lands used for state or federal military activities are exempt. This rule becomes effective 1 JAN 19.

HAZARDOUS WASTE MANAGEMENT REGULATIONS (20.4.1 NMAC). The Environmental Improvement Board has adopted rules regarding hazardous waste management. Modifications were made to regulations for the management of hazardous waste, including standards for the identification and listing of hazardous waste; for generators and transporters of hazardous waste; for owners and operators of hazardous waste treatment, storage, and disposal facilities; for specific wastes and such facilities; for land disposal restrictions; and for issuing, suspending, revoking, or modifying permits. This rule became effective 1 DEC 18.

PERMITTING OF WELLS FOR UNDERGROUND INJECTION (19.15.16 NMAC). The Oil Conservation Division has adopted amendments to rules regarding the type of fluids that may be injected into Class II wells pursuant to federal Underground Injection Control program regulations. This rule became effective 27 NOV 18.

PROPOSED RULE

REMOVAL OF BRACK'S CACTUS FROM LIST OF STATE ENDANGERED PLANTS (19.21.2 NMAC). The Energy, Minerals and Natural Resources Department has proposed amendments to the Endangered Plant Species List and Collection Permits, removing *Sclerocactus cloveriae* (Brack's cactus) from the list of state endangered plants. Comments were due 13 DEC 19. POC: [Andrew Frederick](#).



LEGISLATIVE SESSION: 5 FEB 19 THROUGH 25 MAY 19

PROPOSED LEGISLATION (PREFILED)

SB 10 authorizes county commissioners to create county boards of adjustment with a resolution passed by the county commission. The board of adjustment may adopt zoning regulations, a building code, construction codes and housing codes for unincorporated areas within the county after conducting public hearings in each district. Incorporated governing bodies

of a municipality within the county may also adopt a resolution authorizing their participation in a comprehensive plan passed by the board or commission. Upon receiving a petition with the signature of 10 percent of the voters in the county from the last general election, a vote may be held in the county for the purpose of adopting regulations and plans related but not limited to conservation projects, highways and streets, and urban renewal. Sponsor: Senator Roger Thompson (R).



LEGISLATIVE SESSION: 8 JAN 19 THROUGH 27 MAY 19

PROPOSED LEGISLATION (PREFILED)

HB 26 creates an alert system to notify affected persons of certain releases of water from certain dams. Sponsor: Representative Will Metcalf (R).

HB 100 relates to information on projected changes in weather and water availability in strategic plans of certain state agencies. Sponsor: Representative Eric Johnson (D).

HB 137 relates to reports by the Texas Commission on Environmental Quality (TCEQ) about dams that have certain hazard classifications. TCEQ shall provide a report of a dam that has a hazard classification of high or significant to the emergency management director for the political subdivision in which the dam is located. Sponsor: Representative Gina Hinojosa (D).

HB 191 directs TCEQ to organize a statewide pesticide waste and container collection program. Sponsor: Representative Phillip Wayne Stephenson (R).

HB 223 directs TCEQ to adopt, charge, and collect an annual fee on each permitted electric generating facility that is subject to federal greenhouse gas reporting requirements. Sponsor: Representative Ron Reynolds (D).

HB 245 requires certain applicants of environmental and water use permits make applications available online. The applicant shall post a copy of the application, map, and any supporting materials on a publicly accessible website. Sponsor: Representative Jessica Christina Farrar (D).

HB 298 relates to the procedure by which a state agency may issue an opinion that a watercourse is navigable. Sponsor: Representative Andrew Murr (R).

SB 76 (companion HB 400) relates to the security of the electric grid. The governor shall appoint members to the grid security council including a member from the Texas Military Department. Sponsor: Senator Bob Hall (R).

SB 179 establishes a task force to conduct a comprehensive study on flood control infrastructure for Harris County (Houston). Sponsor: Senator Borris Miles (D).

SB 180 requires an applicant for a permit for a new facility or the expansion of a facility to submit an environmental justice report stating whether the facility or expansion is to be located in an environmental justice community. The report must include demographic information to support the applicant's conclusion as to whether the facility or expansion is to be located in an environmental justice community. Sponsor: Senator Borris Miles (D).

SB 185 relates to the notification and response to certain oil or gas well accidents by responsible parties. Sponsor: Senator Borris Miles (D).

FINAL RULES

NEW SOURCE REVIEW AND OPERATING PERMITS ELECTRONIC COMMUNICATION (30 TAC 116, 122). TCEQ has adopted a rulemaking to allow for electronic communication for New Source Review (NSR) renewal notices and Federal Operating Permits (FOP) proposed final actions. Additionally, this rulemaking also amends other specific sections to address recently promulgated federal provisions, reflect current permitting processes, and clarify requirements.

NEW SOURCE REVIEW APPLICATIONS AND PERMITS. TCEQ has issued new policies and tools regarding permit applications for new sources. These include the NSR Application Workbook and Electronic Modeling Evaluation Workbook, which will be required for all minor projects starting 1 JUN 19. Paint Emission Calculation and Impacts Analysis Spreadsheets will be required for all enclosed painting projects starting 1 JAN 19.

RADIOACTIVE SUBSTANCE RULE (30 TAC 336.356, 336.1301, 336.1305, 336.1307, 336.1309 - 336.1311, 336.1317; §336.1313). TCEQ has adopted a rulemaking to add a requirement for licensees to minimize the introduction of residual radioactivity into a site, including the subsurface; adjust the surcharge fees for compact waste disposal; and remove the annual requirement for rate adjustment for disposal of low-level radioactive waste to allow flexibility to incorporate rate adjustments on an as-needed basis. This rule became effective 8 NOV 18.

PROPOSED RULES

2018 UPDATE TO WATER QUALITY MANAGEMENT PLAN. TCEQ has requested public input regarding the October 2018 Update to the state [Water Quality Management Plan](#) (WQMP). The WQMP is developed and promulgated in accordance with the requirements of federal Clean Water Act, §208. The draft update includes projected effluent limits of specific domestic dischargers, which may be useful for planning in future permit actions. The draft update may also contain service area populations for listed wastewater treatment facilities, designated management agency information, and total maximum daily load (TMDL) revisions. Comments were due 11 DEC 18. POC: [Nancy Vignali](#), (512) 239-1303.

2017 STATE WATER PLAN AMENDMENT – REGION L. The Water Resources Board seeks to receive public comments related to incorporating changes adopted by the Region L (includes San Antonio) regional water planning group to its regional water plan. Specifically, Region L added a new recommended water management strategy project with associated capital cost for advanced meter infrastructure sponsored by the San Antonio Water System. Comments were due 3 DEC 18. POC: [Todd Chenoweth](#).

REVIEW OF FLEET VEHICLE MANAGEMENT RULE (30 TAC 15). TCEQ has requested public input regarding a general rule review of 30 TAC Chapter 15, Fleet Vehicle Management. Comments were due 12 DEC 18. POC: Amber Kaskie, (512) 239-0137.

REVIEW OF MEDICAL WASTE MANAGEMENT RULE (30 TAC 326). TCEQ has requested public input regarding a general rule review of 30 TAC Chapter 326, Medical Waste Management. Comments were due 12 DEC 18. POC: Derek Baxter, (512) 239-0137.

REVIEW OF WATER QUALITY FEES RULE (30 TAC 21). TCEQ has requested public input regarding a general rule review of 30 TAC Chapter 21, Water Quality Fees. Comments were due 12 DEC 18. POC: Kris Hogan, (512) 239-0137.

REVIEW OF PERMITS-BY-RULE RULES (30 TAC 106). TCEQ has requested public input regarding a general rule review of 30 TAC Chapter 106, Permits by Rule. Comments are due 10 JAN 19. POC: Derek Baxter, (512) 239-0137.

REVIEW OF GENERAL PERMITS FOR WASTE DISCHARGES (30 TAC 205). TCEQ has requested public input regarding a general rule review of 30 TAC Chapter 205, General Permits for Waste Discharges. Comments are due 4 JAN 19. POC: Paige Bond, (512) 239-0137.

Region 7

For more information or to comment on any state issues in Region 7, contact your Regional Environmental Coordinator listed in the [Staff Directory](#).



LEGISLATIVE SESSION: 14 JAN 19 THROUGH 21 APR 19

FINAL RULE

HEALTH STANDARDS FOR EXPOSURE TO BERYLLIUM. The Labor Services Division has adopted a rulemaking to adopt by reference the most recent in a series of changes to the occupational health standards concerning exposure to beryllium. The changes adopted by the federal Occupational Safety and Health Administration amend numerous definitions and clarify that certain methods of employee protection are not needed where only trace amounts of beryllium are present. This rule became effective on 14 NOV 18.



LEGISLATIVE SESSION: 14 JAN 19 THROUGH 26 JUN 19

PROPOSED RULES

RADIATION CONTROL FEES (K.A.R. 28-35-146a; 28-35-147a). Annual fees for radioactive materials licensing and x-ray registration will rise slightly for all categories to be equal to the maximum allowed by Kansas statute, while remaining lower than the corresponding fees charged by the U.S. Nuclear Regulatory Commission and other nearby states. A hearing is scheduled for and comments are due 16 JAN 19. POC: [Kimberly Steves](#).

TMDL IN SMOKY HILL-SALINE RIVER BASIN. The Kansas Department of Health and Environment (KDHE) has issued notice of prepared Total Maximum Daily Loads (TMDLs) for Mulberry Creek, Saline River, Sharps Creek, Mud Creek, and Smoky Hill River from Mentor to Junction City in the Smoky Hill-Saline River Basin that are impaired by not meeting state surface water quality standards. Comments are due 4 JAN 19. POC: [Trevor Flynn](#), (785) 296-8791.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 31 MAY 19

FINAL RULE

SAFE DRINKING WATER COMMISSION RULES (10 CSR 60-2.015, 60-6.050, 60-10.010, 60-16.010, 60-16.020, 60-16.030). The Department of Natural Resources (DNR) has adopted amendments to the definitions for the Safe Drinking Water Commission Rules, including adding the definition of "water distribution main." This rule became effective on 1 DEC 18.

PROPOSED RULE

APPLICATIONS FOR THE ENVIRONMENTAL IMPROVEMENT AND ENERGY RESOURCES AUTHORITY (EIERA) (10 CSR 130-1.010). DNR has proposed rules regarding application forms and fees for the EIERA. Comments are due 15 DEC 18. POC: [EIERA](#), (573) 751-4919.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 15 APR 19

PROPOSED RULE

REPUBLICAN RIVER BASIN-WIDE PLAN. DNR has requested public input regarding the proposed Republican River Basin-Wide Plan. The geographic area of the Basin-Wide Plan is the extent of the Nebraska portion of the Republican River surface water basin. A general description of the contents of the sections of the proposed Basin-Wide Plan is: 1) introduction; 2) goals and objectives; 3) monitoring; 4) plan implementation schedule; 5) funding; 6) plan area; and 7) glossary. Comments were due 9 NOV 18. POC: [DNR](#).

Federal Activity

AIR

INTEGRATED REVIEW PLAN FOR OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS. 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 detailed discussion of the ozone standard and its regulatory history. Comments were due by 3 DEC 18.

PREVENTION OF SIGNIFICANT DETERIORATION 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 Clean Air Act (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.

2008 OZONE NAAQS. EPA is proposing three actions related to the attainment date for 11 areas classified as "Moderate" for the 2008 Ozone NAAQS ([83 FR 56781](#)). First, EPA is proposing to determine that two areas, the Baltimore, Maryland, and Mariposa County, California, nonattainment areas, attained the standard by the 20 JUL 18, attainment date. Second, EPA is proposing to grant requests for a one-year attainment date extension to two other areas: Denver-Boulder-Greeley-Fort Collins-Loveland, Colorado; and Sheboygan County, Wisconsin. Third, EPA is proposing to determine that seven areas failed to attain the standards by the attainment date: Chicago-Naperville, Illinois; Dallas-Fort Worth, Texas; Greater Connecticut; Houston-Galveston-Brazoria, Texas; Nevada County (western part), California; New York-North New Jersey-Long Island, Connecticut-New York-New Jersey; and San Diego County, California. The effect of failing-to-attain by the attainment date is that such areas will be reclassified to "Serious" upon the effective date of the final reclassification notice. Consequently, the responsible state air agencies must submit State Implementation Plan (SIP) revisions required to satisfy the statutory and regulatory requirements for Serious areas for the 2008 Ozone NAAQS. EPA is proposing deadlines for submittal of those SIP revisions and implementation of the related control requirements. Written comments were due 14 DEC 18.

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 nitrogen oxide (NO_x); particulate matter (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.

ARKANSAS 2010 SULFUR DIOXIDE PRIMARY NAAQS. The Arkansas Department of Environmental Quality (ADEQ) submitted a request 20 APR 18 for EPA to assess new available information and re-designate the Independence County, Arkansas, unclassifiable area for the 2010 SO₂ primary NAAQS to attainment/unclassifiable ([83 FR 59350](#)). EPA is proposing that it now has sufficient information to determine that the area is attaining the 2010 SO₂ primary NAAQS, and, therefore, is proposing to approve the state's request. Comments must be received on or before 24 DEC 18.

MISSOURI SIP. EPA is proposing to approve two submissions from the Missouri Department of Natural Resources (DNR) revising the SIP for the state of Missouri ([83 FR 59348](#)). The SIP revision submissions address the CAA section 172 requirement to submit a base-year emissions inventory for Missouri's partial Jackson County and partial Jefferson County nonattainment areas of the 2010 1-hour SO₂ NAAQS. Comments must be received on or before 24 DEC 18.

OKLAHOMA 1997 OZONE NAAQS. EPA is proposing to approve a portion of an Oklahoma SIP submittal that pertains to the good neighbor provision requirements of the CAA with respect to interstate transport of air pollution, which will interfere with maintenance of the 1997 Ozone NAAQS ([83 FR 57701](#)). The good neighbor provision requires that each state, in its SIP, prohibit emissions that will interfere with maintenance of a new or revised NAAQS in another state. In this action, EPA is proposing to approve the Oklahoma SIP submittal as having met the "interfere with maintenance" requirement of the good neighbor provision for the 1997 Ozone NAAQS in accordance with section 110 of the CAA. EPA is also withdrawing its 17 OCT 11 proposed rule to disapprove this portion of the Oklahoma SIP submittal. Written comments must be received by 17 DEC 18.

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 perfluorobenzenesulfonic 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-dioxa-3H-perfluorononanoic acid. More information about the validated EPA Method 537.1 is available [here](#).

Department of Defense Activity

SUSTAINABILITY: 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 PDF 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 (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.

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](#) 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 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.

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

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.

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.

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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 *Central Review*, please contact the Regional Environmental Coordinator listed in the staff directory.

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

