



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 9

The U.S. Army Regional Environmental & Energy Office

March 2019

The *Region 9 Western Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the four states and territories in Federal Region 9, the *Western Review* gives early notice of legislative and regulatory activities relevant to DOD interests. For installations that implement an environmental management system in accordance with ISO 14001 specifications, the content of the *Review* may help them identify emerging requirements.

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

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REPI REPORT TO CONGRESS

The Department of Defense’s Readiness and Environmental Protection Integration Program (REPI) has released its [2019 REPI Report to Congress](#), summarizing the program’s partnership achievements from its enactment in 2002 through Fiscal Year (FY) 2018.

Through FY2018, the REPI Program has combined \$857 million in DOD funds with over \$788 million in non-DOD partner contributions to protect land from encroachment in 106 locations across 33 states. REPI has protected more than 586,000 acres across all military services, including 351,408 acres of Army installations and ranges, to safeguard operating, test, and training assets.

DOD’s ability to conduct realistic live-fire training, weapons system testing, and essential operations is vital to preparing a more lethal and resilient force for combat. To prevent and mitigate increasing encroachment pressures, in 2002 Congress enacted section 2684a of title 10 United States Code. This provision authorizes DOD to engage in a long-term and cooperative strategy to ensure military mission sustainability by limiting incompatible development near installations and ranges.

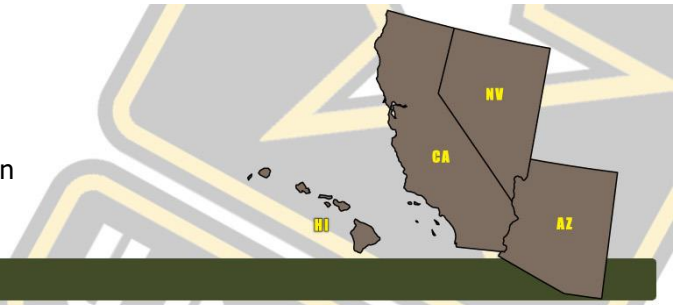
Pursuant to this authority, the DOD funds cost-sharing agreements with state and local governments and conservation organizations to promote compatible land uses and preserve habitats near or ecologically related to military installations and ranges. The 2684a authority is implemented through the REPI program, which enhances our nation’s National Defense Strategy by protecting key capabilities, assets, and innovations.

In the REEO-Western area of responsibility, the largest REPI projects by acreage for the Army through FY 2018 are:

- Fort Carson, Colorado: 25,661 acres protected
- Fort Huachuca, Arizona: 13,857 acres protected
- U.S. Army Garrison, Hawaii: 13,157 acres protected
- Camp Roberts, California: 4,442 acres protected

Region 9

For more information or to comment on any state issues in Region 9, contact [Mark Mahoney](#), Army Regional Environmental Coordinator (303) 844-0956.



AIR

ARIZONA SIP. The Arizona Department of Environmental Quality (ADEQ) [is requesting](#) comment on proposed revisions to the Arizona State Implementation Plan (SIP), Demonstration of a Significant Emission Rate for Ammonia. The plan demonstrates that ammonia is not a significant precursor in the formation of secondary fine particulate matter (PM_{2.5}) and therefore does not contribute to the PM_{2.5} nonattainment in the state. ADEQ is proposing that establishing a significant emission rate for ammonia as a PM_{2.5} precursor is unnecessary.

WASTE

HAZARDOUS WASTE RULE UPDATES AND ANNUAL REPORTING REQUIREMENTS. ADEQ has adopted [updates](#) to state hazardous waste rules. Most of the updates are routine incorporations by reference necessary to maintain state primacy to enforce the federal Resource Conservation and Recovery Act (RCRA) hazardous waste laws. Notably, this update removes a state requirement that large quantity generators submit annual reports to the state. Instead, Arizona law adopts the federal biennial reporting requirement. ADEQ now requires the U.S. Environmental Protection Agency's (EPA's) Biennial Report, which is due March 1 of every even-numbered year, includes reporting activities for the previous calendar year. The final rule was approved by the Governor's Regulatory Review Council without change on 5 FEB 19, effective immediately. The rulemaking website is available [here](#).

WATER

SURFACE WATER QUALITY STANDARDS—TRIENNIAL REVIEW. ADEQ [is proposing](#) to update surface water quality standards, as required under section 303(c) of the Clean Water Act (CWA). ADEQ last adopted a comprehensive revision to water quality standards in January 2009. Minor revisions were adopted in August 2016. A public hearing is scheduled for 28 MAR 19. Comments are due the same day. The rulemaking website is available [here](#). Additional information is available [here](#).

LEGISLATIVE SESSION: 14 JAN 19 THROUGH 27 APRIL 19 (ESTIMATED)

An * indicates the first time a bill appears in the 2019 *Western Review*.

<i>Arizona Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR / CLIMATE CHANGE				
* HB 2631 <i>Representative Kirsten Engel (D)</i> Adopts California vehicle emission standards in effect as of 1 JAN 18, under a Clean Air Act waiver that allows California to adopt motor vehicle emission standards.	✓			

<i>Arizona Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
ENERGY				
LAND USE				
HB 2056 <i>Representative Mark Finchem (R)</i> Establishes the Arizona Department of Federal Land Management for the purpose of transferring federal public lands to the state. Appoints a director and establishes departmental authorities and responsibilities.	✓			
NATURAL RESOURCES				
OTHER				
* SB 1282 <i>Senator Juan Mendez (D)</i> Prohibits the sale or use of pesticides containing clothianidin, imidacloprid, thiametoxam, or chlorpyrifos.	✓			
WASTE				
HB 2497 <i>Representative Myron Tsosie (D)</i> Prohibits sellers from providing single-use plastic bags, disposable cups, straws, or food containers for free.	✓			
* SB 1447 <i>Senator Juan Mendez (D)</i> Requires certain vendors to charge for single-use plastic bags.	✓			
WATER				
HB 2009 <i>Representative Gail Griffin (R)</i> Extends the term of the Arizona Navigable Stream Adjudication Commission for an additional four years.	✓	✓		
HB 2143 <i>Representative Regina Cobb (R)</i> Establishes the La Paz County and Mohave County West Basin Water Users Advisory Councils. Tasks the advisory councils to review groundwater withdrawal data for their respective areas and make recommendations on groundwater management programs and policies.	✓			
HB 2394 <i>Representative Kirsten Engel (D)</i> Establishes new, more restrictive standards for water-efficient plumbing fixtures. Prohibits, beginning in 2020, the sale or installation of plumbing fixtures that do not meet new, more restrictive standards.	✓			
* HB 2434 <i>Representative Regina Cobb (R)</i> Places restrictions on water transfers. Under certain conditions, prohibits the transfer of Colorado River water that is subject to the Boulder Canyon Project to a location outside Arizona counties that border the Colorado River.	✓			
* HB 2449 <i>Representative Gail Griffin (R)</i> Addresses adequate water supply and county board review of subdivisions for areas not within active management areas.	✓			

<i>Arizona Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 2467 <i>Representative Regina Cobb (R)</i> Establishes the Mohave County West Water Basin Users Committee and the La Paz County West Basin Water Users Study Committee, each consisting of 10 members. Tasks the committees to analyze water withdrawal data and make recommendations on programs and policies regarding groundwater in the Hualapai Valley, Sacramento Valley, Renegras Plain, McMullen Valley, and Butler Valley basins.	✓			
* SB 1368 <i>Senator Juan Mendez (D)</i> Requires water withdrawals from a nonexempt well to use a water measuring device.	✓			



AIR

GHG EMISSIONS FOR ENGINES AND TRACTOR-TRAILER REGULATION. The California Air Resources Board (CARB) adopted final [amendments](#) to California greenhouse gas (GHG) standards for medium- and heavy-duty engines and vehicles (Phase 2) and the Tractor-Trailer GHG Regulation. According to CARB, a second phase of standards was needed to offset projected growth in vehicle miles traveled and keep heavy-duty truck carbon dioxide emissions declining. The amendments largely harmonize state regulations with the 2016 federal Phase 2 emission standards. The amendments do not contain “deemed to comply” provisions of the earlier regulation, meaning that manufacturers will need to submit certification documents directly to CARB. A staff report on the proposed regulation is available [here](#).

BAY AREA—FEES. The Bay Area Air Quality Management District [is proposing](#) to increase fees in Regulation 3, Fees. Proposed fee increases range from 3.9 to 15 percent, effective 1 JUL 19. Comments are due 19 MAR 19. Draft rule text is available [here](#).

MOJAVE DESERT—TOXIC AIR CONTAMINANTS. The Mojave Desert Air Quality Management District [is proposing](#) to amend local Rule 1520, Control of Toxic Air Contaminants from Existing Sources. The amendments are intended to adhere to state Risk Management Guidance for Stationary Sources of Air Toxics and the updated health risk assessment methodology defined by the California Office of Environmental Health Hazard Assessment. A public hearing is scheduled for 25 MAR 19. Comments are due the same day.

SAN JOAQUIN VALLEY—OZONE. EPA approved portions of three revisions to the San Joaquin Valley Air Pollution Control District portion of the California SIP ([84 FR 3302](#)). The revisions address requirements to meet the 2008 Ozone National Ambient Air Quality Standards (NAAQS) in the San Joaquin Valley Ozone Nonattainment Area. EPA approved portions of the 2016 Ozone Plan for the 2008 8-Hour Ozone Standard that address requirements to demonstrate attainment. EPA also approved portions of the 2016 Revised Proposed State Strategy for the SIP related to the ozone control strategy for the San Joaquin Valley, including a specific aggregate emissions reduction commitment. Lastly, EPA approved an air district rule addressing the emission statement for ozone nonattainment areas. The final rules are effective 14 MAR 19.

SANTA BARBARA—BOILERS, STEAM GENERATORS, AND PROCESS HEATERS. The Santa Barbara County Air Pollution Control District [is proposing](#) to revise local Rules 342 and 361. The revisions would require that all newly installed and modified units meet a lower emission standard for oxides of nitrogen. The standards are based on similar requirements adopted by the Ventura County, San Joaquin Valley, and South Coast air districts. The Santa Barbara district will also address

Best Available Retrofit Control Technology standards. A workshop is scheduled for 14 MAR 19. Comments are due 28 MAR 19. Proposed text for local Rule 342 is available [here](#). Proposed text for local Rule 361 is available [here](#).

SOUTH COAST—FINE PARTICULATES. EPA approved portions of revisions to the South Coast Air Quality Management District portion of the California SIP ([84 FR 3308](#)). The revisions address requirements for the 2006 24-Hour PM_{2.5} NAAQS in the Los Angeles-South Coast air basin Serious PM_{2.5} Nonattainment Area ([84 FR 3308](#)). EPA also approved 2017 and 2019 motor vehicle emissions budgets for transportation conformity purposes and inter-pollutant trading ratios for use in transportation conformity analyses. The final rules were effective 14 MAR 19.

ENERGY

INTEGRATED ENERGY POLICY REPORT. The California Energy Commission [announced](#) it has released the [2018 Integrated Energy Policy Report](#). The policy report highlights the need to decarbonize buildings, double energy efficiency savings, and bolster the state's leadership in combating climate change.

THREATENED AND ENDANGERED SPECIES

UPPER KLAMATH-TRINITY RIVER SPRING CHINOOK SALMON. The California Fish and Game Commission [provided notice](#) that it accepted a petition to list the Upper Klamath-Trinity spring Chinook salmon as a state-endangered species. The commission also announced that the species is a candidate species under state law. Within one calendar year, the California Department of Fish and Wildlife is required to submit a written report indicating whether listing is warranted.

LASSICS LUPINE, COAST YELLOW LEPTOSIPHON. The California Fish and Game Commission has [added](#) lassics lupine (*Lupinus constancei*) and coast yellow leptosiphon (*Leptosiphon croceus*) to the state list of endangered plants. The final rule is effective 1 APR 19. The final statement of reasons is available [here](#).

TRICOLORED BLACKBIRD, NORTHERN SPOTTED OWL, HUMBOLDT MARTEN, FISHER. The California Fish and Game Commission has [added](#) the tricolored blackbird, northern spotted owl, Humboldt marten, and fisher to the state list of endangered animals, effective 1 APR 19.

WATER

WATER QUALITY STANDARD FOR SELENIUM—EXTENDED PUBLIC COMMENT PERIOD. EPA extended the public comment period for its [proposal](#) to establish a federal CWA selenium water quality criterion applicable to California ([84 FR 3395](#)). EPA's rule would amend the California Toxics Rule to include a revised statewide chronic selenium water quality criterion for California fresh waters to protect aquatic life and aquatic-dependent wildlife. The selenium water quality standard is based on EPA's *2016 Final Aquatic Life Ambient Water Quality Criteria for Selenium—Freshwater*. The public comment period was extended to 28 MAR 19.

POINT-OF-ENTRY AND POINT-OF-USE TREATMENT. The California Water Resources Control Board [approved](#) amendments to final rules governing public water system implementation of point-of-use and point-of-entry treatment in lieu of centralized treatment. The approval comes after the board [corrected](#) rule errors that, in 2018, led the California Office of Administrative Law to [disapprove](#) the prior rule.

LEGISLATIVE SESSION: 1 JAN 19 THROUGH 13 SEP 19 (ESTIMATED)

An * indicates the first time a bill appears in the 2019 *Western Review*.

California Bill Number, Sponsor, and Description	Bill Introduced	Passed 1 st House	Passed 2 nd House	Status
AIR / CLIMATE CHANGE				
<p>*AB 285 <i>Assemblywoman Laura Friedman (D)</i> Updates the California Transportation Plan. Adds a requirement for the plan to address how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions of 40 percent below 1990 levels by the end of 2030 and carbon neutrality by 2045.</p>	✓			
<p>*AB 315 <i>Assemblywoman Cristina Garcia (D)</i> Requires a stationary source to verify or certify the accuracy of its annual emissions reports by a third-party verifier or certifier that is accredited by the state.</p>	✓			
<p>*AB 423 <i>Assemblyman Todd Gloria (D)</i> Makes changes to the membership of the San Diego County Air Pollution Control District Board.</p>	✓			
<p>*SB 168 <i>Senator Bob Wieckowski (D)</i> Addresses planning and coordination of climate adaptation policy and implementation in the state. Establishes the Chief Officer of Climate Adaptation and Resilience in the Office of Planning and Research and specifies duties of the chief officer. Specifies expertise needed on the advisory council.</p>	✓			
<p>*SB 526 <i>Senator Ben Allen (D)</i> Addresses regional transportation plans and greenhouse gas emission reduction targets. Requires the Air Resources Board to adopt a regulation requiring metropolitan planning organizations to provide data for the board's report on progress toward meeting transportation-related greenhouse gas emission reduction goals.</p>	✓			
<p>*SB 667 <i>Senator Ben Hueso (D)</i> Addresses greenhouse gas emissions from recycling activities. Requires CalRecycle to develop a strategy to drive innovation and support technological and infrastructure development to meet organic waste reduction and recycling targets.</p>	✓			
<p>*SB 682 <i>Senator Ben Allen (D)</i> Requires the Air Resources Board to adopt a climate accounting protocol to evaluate the potential of proposed climate mitigation and restoration actions to reduce radiative forcing and excess heat in the atmosphere to reduce the global and regional mean temperatures.</p>	✓			
ENERGY				
<p>*AB 1371 <i>Assemblyman Jordan Cunningham (R)</i> Seeks to develop new offshore wind sites and transmission networks. Seeks to identify wind zones in federal waters off the coast of central California near Morrow Bay and Diablo Canyon.</p>	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>*SB 288 <i>Senator Scott Wiener (D)</i> Addresses electricity self-generation and storage. Requires the Public Utility Commission and local utilities to offer fair compensation for customer-sited energy storage systems that export electricity to the grid. Requires the commission and local utilities to remove barriers to the participation of customer-sited energy resources.</p>	✓			
<p>*SB 350 <i>Senator Robert Hertzberg (D)</i> Authorizes the Public Utilities Commission to consider a multiyear centralized resource adequacy mechanism to meet specified utility resource adequacy objectives.</p>	✓			
<p>*SB 524 <i>Senator Henry Stern (D)</i> Addresses workforce requirements for energy efficiency projects using rate-payer funded incentives. Requires energy efficiency projects exceeding a specific dollar amount to use skilled labor.</p>	✓			
<p>*SB 766 <i>Senator Henry Stern (D)</i> States it is the intent of the Legislature to accelerate investment in and deployment of clean energy electrical grid solutions to make the electrical grid more reliable and fire resilient.</p>	✓			
<p>*SB 773 <i>Senator Nancy Skinner (D)</i> Makes changes to ratepayer-funded energy efficiency programs.</p>	✓			
<p>*SB 774 <i>Senator Henry Stern (D)</i> Requires the Energy Resources Conservation and Development Commission to develop and implement a program to deploy local clean energy generation and storage systems throughout California.</p>	✓			
LAND USE				
<p>AB 148 <i>Assemblywoman Sharon Quirk-Silva (D)</i> Addresses the content of the sustainable communities strategy portion of regional transportation plans. Requires the strategy to identify areas to house emergency shelters and progress toward meeting community shelter needs.</p>	✓			
<p>AB 185 <i>Assemblyman Tim Grayson (D)</i> Requires the Department of Housing and Community Development to participate in joint state agency transportation planning meetings.</p>	✓			
<p>*SB 242 <i>Senator Richard Roth (D)</i> Makes changes to existing requirements for cities or counties to coordinate land development with DOD. As a precondition for coordination, requires military services to provide the Office of Planning and Research with contact information so that the service can be notified of changes to land use and/or proposed development within proximity to a military installation.</p>	✓			
<p>*SB 507 <i>Senator Toni Atkins (D)</i> Concerns the San Diego Unified Port District and territory held in trust. Grants in trust to the district certain tidelands and submerged lands.</p>	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
NATURAL RESOURCES				
* AB 454 <i>Assemblyman Ash Kalra (D)</i> Preserves state protection for birds that were listed under the Migratory Bird Treaty Act as of 1 JAN 17, and any birds listed subsequent to that date.	✓			
SB 62 <i>Senator Bill Dodd (D)</i> Addresses incidental take associated with agricultural activities. Existing law provides that until 1 JAN 20, accidental take of candidate, threatened, or endangered species resulting from routine agricultural activities is not prohibited. This bill would make the exemption permanent.	✓			
OTHER				
* AB 142 <i>Assemblywoman Cristina Garcia (D)</i> Increases the lead-acid battery fee charged by manufacturers to \$2. Eliminates fee sunset date.	✓			
AB 312 <i>Assemblyman Ken Cooley (D)</i> Requires state agencies to review their regulations; identify any that are duplicative, overlapping, inconsistent, or outdated; and report on its findings by 2022.	✓			
* AB 939 <i>Assemblyman Jim Frazier (D)</i> Requires that agencies holding a public meeting or hearing make all materials relevant to the meeting or hearing available to the public. The material must be made available at least 72 hours before the meeting or hearing.	✓			
* AB 975 <i>Assemblyman Ian Calderon (D)</i> Establishes the California Adaptation Leadership and Coordination Act of 2019. Requires the state to communicate to regional collaboratives and subnational governments to support and promote the state's goals and policies relating to ocean, coastal, and terrestrial climate adaptation and requires the Natural Resources Agency to take specific actions to accomplish those goals.	✓			
* AB 1276 <i>Assemblyman Rob Bonta (D)</i> Adopts a New Green Deal. States it is the intent of the Legislature to enact legislation to develop and implement a New Green Deal with the objective of reaching specified environmental outcomes within the target window of 10 years from the start of execution of the plan and accomplishing certain social goals.	✓			
* AB 1366 <i>Assemblywoman Lorena Gonzalez Fletcher (D)</i> Makes changes to the membership of the San Diego County Regional Airport Authority.	✓			
SB 1 <i>Senator Toni Atkins (D)</i> Enacts the California Environmental, Public Health, and Workers Defense Act of 2019. Retains federal protections for clean air, safe drinking water, water pollution control, and endangered species that were in effect as of 17 JAN 16. Authorizes emergency changes to state law, plan, or policy to maintain baseline protections.	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>*SB 392 <i>Senator Ben Allen (D)</i> Addresses green chemistry and the Department of Toxic Substances Control priority product evaluation and response program for products that contain chemicals of concern. In lieu of requiring an alternatives analysis, authorizes the department to rely on publicly available information to develop a regulatory response.</p>	✓			
WASTE				
<p>*AB 399 <i>Assemblyman William Brough (R)</i> Requires a payer of certain fees, including hazardous waste generator, facility, and disposal fees, to remit payment within 45 days, instead of 30 days, of the assessment.</p>	✓			
<p>SB 33 <i>Senator Nancy Skinner (D)</i> Addresses the collapse of foreign recycling markets by proposing to reduce solid waste generation in the state, encourage transition to compostable or recyclable materials, and foster domestic recycling markets.</p>	✓			
<p>*AB 733 <i>Assemblyman Bill Quirk (D)</i> Addresses laboratory test methods. Requires the Department of Toxic Substances Control to evaluate whether there are any alternative test methods that avoid the use of live vertebrate fish and that meet requirements of hazardous waste control laws. May be implemented pending available funding.</p>	✓			
<p>*AB 1357 <i>Assemblyman Bill Quirk (D)</i> Requires the Department of Toxic Substances Control to hold at least four public meetings per year to present on recent and upcoming decisions or actions relating to permitted hazardous waste facilities, hazardous waste cleanup sites, and the enforcement of the hazardous waste control laws.</p>	✓			
WATER				
<p>AB 223 <i>Assemblyman Mark Stone (D)</i> Addresses microplastics in finished drinking water. Requires the State Water Resources Control Board to adopt a definition of microplastics in drinking water by 1 JUL 20, adopt a standard methodology to test drinking water, and establish testing and reporting requirements, including public disclosure of test results. Requires the board to consider issuing a notification level or guidance to aid consumer interpretation of test results.</p>	✓			
<p>AB 292 <i>Assemblyman Bill Quirk (D)</i> Addresses groundwater augmentation using recycled water. Requires, by 31 DEC 23, the State Water Resources Control Board to adopt uniform water recycling criteria for raw water augmentation. Defines the term "treated drinking water augmentation."</p>	✓			
<p>*AB 441 <i>Assemblywoman Susan Eggman (D)</i> Provides that the storage of water underground is a beneficial use, and that the forfeiture periods of a water right do not apply to water being beneficially used, or being held in storage for later beneficial use.</p>	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>*AB 655 <i>Assemblyman Vince Fong (R)</i> Addresses expedited review of hazardous waste facility permit renewal applications. Places restrictions on the renewal process. To qualify for expedited renewal, the renewal application must be submitted two years prior to current permit expiration and the facility must meet specified conditions, including that operations have not changed substantially, the facility must not have open violations, and the public may not have raised any concerns about the facility.</p>	✓			
<p>*AB 756 <i>Assemblywoman Cristina Garcia (D)</i> Requires public water systems to monitor for perfluorooctanoic acid and perfluorooctane sulfonate.</p>	✓			
<p>*AB 841 <i>Assemblyman Phil Ting (D)</i> Requires the Office of Environmental Health Hazard Assessment to assess which substances in the class of per- and polyfluoroalkyl substances should be tested as a risk to human health. Requires the office to determine if the assessed substances are candidates for notification levels to be adopted by the State Water Resources Control Board.</p>	✓			
<p>*AB 1588 <i>Assemblyman Todd Gloria (D)</i> Addresses drinking water and wastewater operator certification programs. Provides reciprocity for military operators of drinking water and wastewater treatment systems. Allows for members of the military to receive full equivalent experience and education credits.</p>	✓			
<p>*SB 332 <i>Senator Robert Hertzberg (D)</i> Declares that discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. Requires treatment facilities that discharge to the ocean to reduce the discharge by 50 percent by 2030 and 95 percent by 2040. Requires affected discharge permit holders to submit plans to meet these requirements. Specifies monetary penalties for violations.</p>	✓			



AIR

INFRASTRUCTURE SIP. EPA is proposing to approve revisions to the Hawaii SIP related to interstate transport for the 2008 Ozone NAAQS ([84 FR 6736](#)). The proposed revisions pertain to provisions prohibiting emissions that contribute to nonattainment and interference with maintenance of the 2008 Ozone NAAQS in other states. Comments are due 1 APR 19.

NATURAL RESOURCES

MYOPORUM THRIPS. The Hawaii Department of Land and Natural Resources [announced](#) rapid response actions that were undertaken to control [myoporum thrips](#), a tiny invasive species that attacks naio, *Myoporum sandwicense*. The naio tree is a dominant, native tree species that is both culturally and ecologically important to Hawaii.

WATER

WATER QUALITY CERTIFICATION AND ANTIDEGRADATION REVIEW. The Hawaii Department of Health (HDOH) [is proposing](#) to amend the Hawaii Antidegradation Implementation Procedures for National Pollutant Discharge Elimination System (NPDES) Permits and Section 401 Water Quality Certifications. The proposed antidegradation implementation procedures are required by federal regulation. They address:

- Antidegradation Review Requirements;
- Identifying and Evaluating Pollution Control Alternatives;
- Regulatory Requirements for Determining Social and Economic Importance
- Process for Classifying Hawaii Outstanding Natural Resource Waters Protection Level.

A public hearing is scheduled for 2 APR 19. Comments are due the same day. The proposed antidegradation implementation procedures are available [here](#).

TRIENNIAL REVIEW. HDOH [requested public comment](#) on water quality standards revisions to be considered for the 2019 water quality standards triennial review. The department is considering changes that would include a refined description of how the state assigns and revises designated uses for individual waterbodies; establish stronger antidegradation requirements; update regulatory structure for variances to water quality standards; and include clarification to provisions authorizing the use of schedules of compliance for Water Quality Based Effluent Limitations in NPDES permits. HDOD is also considering whether to authorize Use Attainability Analyses. The rulemaking would amend Hawaii Administrative Rule 11-54. A public hearing is scheduled for 15 MAR 19. Comments are due the same day. For more information, click [here](#).

LEGISLATIVE SESSION: 16 JAN 19 THROUGH 4 MAY 19 (ESTIMATED)

An * indicates the first time a bill appears in the 2019 *Western Review*.

<i>Hawaii Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR / CLIMATE CHANGE				
HB 155 <i>Representative Takashi Ohno (D)</i> Requires the Department of Health to investigate reports of air pollution by conducting a site visit and air quality tests.	✓			
ENERGY				
HB 298 <i>Representative David Tarnas (D)</i> Addresses intra-governmental wheeling. Authorizes any government agency to engage in the wheeling of electricity that is produced at its own facilities from renewable energy resources, subject to disallowance by the public utilities commission.	✓	✓		
HB 563 <i>Representative Nicole Lowen (D)</i> Prohibits the issuance of covered source air permits for coal-burning electricity generation facilities after 2022. Prohibits the approval of new power purchase agreements for electricity generated from coal.	✓			
HB 1396 <i>Representative Cynthia Thielen (R)</i> Authorizes government agencies to engage in the wheeling of electricity that is produced at a government facility from renewable energy sources in order to power other government facilities.	✓			

<i>Hawaii Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 1498 <i>Representative Sean Quinlan (D)</i> Requires the Department of Business, Economic Development, and Tourism, in accordance with the Hawaii Clean Energy Initiative program, to select and prioritize wind energy project sites using specified criteria. Companion bills are SB 957 and SB 959.	✓			
SB 700 <i>Senator J. Kalani English (D)</i> Prohibits the issuance of covered source air permits for coal-burning electricity generation facilities after 2022. Prohibits the approval of new power purchase agreements for electricity generated from coal.	✓			
SB 957 <i>Senator Gil Riviere (D)</i> Requires the Department of Business, Economic Development, and Tourism to select and prioritize wind energy project sites using specified criteria. Companion bill is HB 1498.	✓			
SB 959 <i>Senator Gil Riviere (D)</i> Requires the Department of Business, Economic Development, and Tourism to select and prioritize wind energy project sites using specified criteria. Companion bill is HB 1498.	✓			
LAND USE				
HB 1236 <i>Representative Cedric Gates (D)</i> Addresses Makua Valley. Establishes a Makua Valley Task Force to prepare for the transition of the Makua military reservation from the U.S. Army upon the expiration of the Army's lease for the land. Companion bill is SB 1435.	✓			
SB 1435 <i>Senator Maile S.L. Shimabukuro (D)</i> Addresses Makua Valley. Establishes a Makua Valley Task Force to prepare for the transition of the Makua military reservation from the U.S. Army upon the expiration of the Army's lease for the land. Companion bill is HB 1236.	✓			
NATURAL RESOURCES				
HB 264 <i>Representative Lynn DeCoite (D)</i> Requires the Department of Land and Natural Resources to prepare and submit to the Legislature a resource land acquisition plan to guide department land acquisitions. Companion bill is SB 703.	✓			
HB 376 <i>Representative Scott K. Saiki (D)</i> Requires supplemental environmental documentation for proposed projects if the proposed action is not completed within a specified time frame. Companion bill is SB 196.	✓			
SB 196 <i>Senator Gilbert S.C. Keith-Agaran (D)</i> Requires supplemental environmental documentation for proposed projects if the proposed action is not completed within a specified time frame. Companion bill is HB 376.	✓			
* SB 703 <i>Senator J. Kalani English (D)</i> Requires the Department of Land and Natural Resources to prepare and submit to the Legislature a resource land acquisition plan to guide department land acquisitions. Companion bill is HB 264.	✓			

<i>Hawaii Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
OTHER				
HB 990 <i>Representative Scott K. Saiki (D)</i> Relates to DOD facilities. Allows DOD to recoup operating costs when the adjutant general permits temporary use of department facilities to the public. Currently, the law requires that "all moneys received from the rentals shall be deposited into the general fund of the state." Companion bill is SB 1216.	✓			
HB 1575 <i>Representative Lynn DeCoite (D)</i> Prohibits any pesticide use unless the user is certified by the Department of Agriculture. Requires the department to include an educational component in the pesticide use certification process.	✓			
* HB 1577 <i>Representative Tina Wildberger (D)</i> Authorizes and funds a pilot program using dogs to detect fireworks in inbound cargo from state harbors and inter-island transport. Requires the military to develop and implement a three-year pilot program to use dogs to inspect incoming cargo for illegal fireworks and explosives sent to the state and between the islands. The program shall begin no later than 1 JAN 20 and terminate 31 DEC 22.	✓			
* SB 1216 <i>Senator Ronald Kouchi (D)</i> Relates to DOD facilities. Allows DOD to recoup operating costs when the adjutant general permits temporary use of department facilities to the public. Currently, the law requires that "all moneys received from the rentals shall be deposited into the general fund of the state." Companion bill is HB 990.	✓			
WASTE				
HB 1443 <i>Representative Della Au Belatti (D)</i> Permits hospitals and clinics with on-site pharmacies, retail pharmacies, and law enforcement agencies to install and maintain take-back collection receptacles for controlled substances.	✓			
WATER				
HB 1105 <i>Representative Sean Quinlan (D)</i> Prohibits underground injection wells beginning in 2020. Allows an exemption for certain sewage wastewater injection wells until 2025, after which all injections wells are prohibited.	✓			
SB 1372 <i>Senator Kaiali'i Kahele (D)</i> Requires, by September 2019, that the Department of Health adopt rules for underground storage tanks and tank systems that conform to federal regulations and that include additional requirements for field-constructed underground storage tanks and tank systems.	✓			

In addition, Guam's legislative session began 14 JAN 19 and adjourns 31 DEC 20.

BCOR 25. Ultra-Low Sulfur Diesel Fuel Standard. Requires all diesel fuel used in Guam to meet EPA standards for ultra-low sulfur diesel fuel. Introduced 18 JAN 19.



No significant regulatory activity to report.

LEGISLATIVE SESSION: 4 FEB 19 THROUGH 4 JUN 19 (ESTIMATED)

An * indicates the first time a bill appears in the 2019 *Western Review*.

Nevada Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
AIR / CLIMATE CHANGE				
ENERGY				
*SB 167 <i>Senator Christopher Brooks (D)</i> Revises provisions relating to public utilities. Excludes certain owners or operators of renewable energy systems from regulation as a public utility.	✓			
LAND USE				
NATURAL RESOURCES				
OTHER				
WASTE				
WATER				
*AB 30 <i>Natural Resources, Agriculture and Mining Committee</i> Revises provisions governing the appropriation of water. Authorizes the State Engineer to approve a permit to appropriate water if specified actions are taken to eliminate all conflicts with existing water rights.	✓			
*AB 51 <i>Natural Resources, Agriculture and Mining Committee</i> Revises provisions governing the management of water. Requires the State Engineer to adopt regulations relating to the conjunctive management of groundwater and surface water. The regulations may include requirements or guidelines for establishing mitigation plans; the creation of a program in a particular hydrologic basin to mitigate conflicts between groundwater and surface water users; and any other provision necessary.	✓			
*AB 62 <i>Natural Resources, Agriculture and Mining Committee</i> Revises provisions related to water. Authorizes the State Engineer to grant an extension to complete work for a water diversion project or to suspend a time limitation.	✓			
*SB 47 <i>Senate Committee on Natural Resources</i> Revises provisions relating to state lands. Clarifies when an authorization from the State Land Registrar is required to perform work below the high water mark of a navigable river. Requires dredge and fill permit fees be established. Makes other changes to state land rules.	✓			

Nevada Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
<p>*SB 140 <i>Senate Committee on Natural Resources</i> Revises provisions relating to the appropriation of water in certain basins. Requires the State Engineer, for basins in which there is available water, to reserve 10 percent of the remaining available water. Allows the State Engineer to authorize the use of reserved water on an emergency basis.</p>	✓			

Federal Activity

AIR

REGULATION OF HAZARDOUS EMISSIONS FROM COAL- AND OIL-FIRED EGUS. EPA is proposing a suite of findings and actions related to the regulation of hazardous air pollutant (HAP) emissions from coal- and oil-fired electric utility steam generating units (EGUs) under section 112 of the Clean Air Act (CAA) ([84 FR 2670](#)). First, EPA is proposing to find that it is not appropriate or necessary to regulate HAP emissions from coal- and oil-fired EGUs. If finalized as proposed, this finding would reverse EPA’s prior decision that regulation of these sources is appropriate and necessary. Second, EPA is soliciting comment on whether EPA has the authority or obligation to delist EGUs from CAA section 112(c) and rescind (or rescind without delisting) the National Emission Standards for Hazardous Air Pollutants for Coal- and Oil-Fired EGUs, commonly known as the Mercury and Air Toxics Standards. Third, EPA is proposing, based on a risk analysis, that residual risks due to emissions of air toxics from this source category are acceptable and that the current standards provide an ample margin of safety to protect public health. Fourth, EPA is taking comment on establishing a subcategory for emissions of acid gas HAP from existing EGUs firing eastern bituminous coal refuse. In addition, EPA will hold a public hearing 18 MAR 19 ([84 FR 6739](#)). Comments are due 8 APR 19.

COMMENT PERIOD EXTENDED FOR PROPOSED AMENDMENTS TO GHG PERFORMANCE STANDARDS FOR EGUS. EPA is proposing to extend the public comment period for [proposed revisions](#) to standards for GHG emissions from new, modified, and reconstructed stationary EGUs. The proposed revisions amend a prior determination that partial carbon capture and storage is the best system of emission reduction for these sources. The comment period is extended to 18 MAR 19.

SULFUR DIOXIDE STANDARD RETAINED. In February, EPA [announced](#) its final decision to retain without change the NAAQS for sulfur dioxide (SO₂). The decision is based on EPA’s judgment that the current NAAQS protect the public health, with an adequate margin of safety, including the health of at-risk populations with asthma. According to the EPA announcement, SO₂ concentrations in the U.S. fell by more than 85 percent between 1990 and 2017 and more than 60 percent since 2010 as a result of CAA programs and efforts by state, local, and tribal governments as well as technological improvements. For more information about the SO₂ rule, click [here](#).

ANTI-BACKSLIDING STUDY. A proposed partial consent decree in *Sierra Club v. Pruitt* would require EPA to undertake an “anti-backsliding” study to determine whether vehicle and engine air pollutant emissions changes resulting from the Renewable Fuel Standard program’s renewable fuel volumes adversely impact air quality ([84 FR 5672](#)). Under the terms of the decree, EPA also would either promulgate fuel regulations to implement appropriate measures to mitigate any such adverse impacts or make a determination that such regulations are unnecessary. The decree specifies actions EPA must take if the parties cannot reach an agreement on the follow-up action. Comments are due 22 MAR 19.

CALIFORNIA CLEAN AIR ACT WAIVER. In a [joint statement](#), the White House, EPA, and U.S. Department of Transportation announced they will discontinue discussions with the California Air Resources Board regarding the proposed Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule. The administration has indicated it intends to revoke California's waiver to enforce stricter vehicle emissions standards in order to set one national standard for fuel economy.

INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS. The Draft Inventory of U.S. GHG Emissions and Sinks: 1990-2017 is available for public review ([84 FR 3444](#)). EPA requests recommendations for improving the overall quality of the inventory report to be finalized in April 2019, as well as subsequent inventory reports. Comments are due 14 MAR 19.

COMPLIANCE

NATIONAL COMPLIANCE INITIATIVES. EPA is soliciting public comment and recommendations on the National Compliance Initiatives (NCIs) to be undertaken in fiscal years 2020-2023 ([84 FR 2848](#)). EPA is soliciting input on whether to continue, modify, or conclude the seven active initiatives from the FY 2017-2019 cycle, and whether to add new initiatives for the next set of NCIs. Specifically, EPA is considering whether to:

- Extend three initiatives: (1) Cutting Hazardous Air Pollutants, (2) Reducing Toxic Air Emissions from Hazardous Waste Facilities, and (3) Reducing Risks of Accidental Releases at Industrial and Chemical Facilities;
- Modify two initiatives: (1) transition Keeping Industrial Pollutants Out of the Nation's Waters to National Pollutant Discharge Elimination System (NPDES) Significant Non-Compliance Reduction, and (2) eliminate the single-sector focus of Ensuring Energy Extraction Activities Comply with Environmental Laws;
- Return two initiatives to the core enforcement program because they have been achieved: (1) Reducing Air Pollution from the Largest Sectors, and (2) Keeping Raw Sewage and Contaminated Stormwater Out of Our Nation's Waters; and
- Add two new initiatives: (1) Increase Compliance with Drinking Water Standards, and (2) Reduce Children's Exposure to Lead.

Comments were due 11 MAR 19.

ANNUAL CIVIL PENALTY ADJUSTMENT. EPA adopted a final rule adjusting the level of the minimum statutory civil monetary penalty amounts under the statutes EPA administers ([84 FR 2056](#)). The minimum penalty amount has been adjusted for inflation, effective 6 FEB 19.

ENERGY

PROPOSED REPEAL OF LIGHT BULB EFFICIENCY STANDARDS. On 19 JAN 17, the U.S. Department of Energy (DOE) published two final rules adopting revised definitions for general service lamps and general service incandescent lamps, effective 1 JAN 20. DOE has since determined that the legal basis underlying those revisions misconstrued existing law. As a result, DOE issued a Notice of Proposed Rulemaking to withdraw the definitions established in the 2017 final rules ([84 FR 3120](#)). A public meeting was held 28 FEB 19. Comments are due 12 APR 19. To view the final rules that DOE is proposing to rescind, click [here](#) and [here](#).

HR 1014. The Offshore Wind for Territories Act would authorize offshore wind development in the exclusive economic zones adjacent to U.S. territories American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands. The bill guarantees territories receive a state-equivalent share of all royalty payments made to the federal government by offshore wind developers for projects in their respective exclusive economic zone and provides funds for coral reef conservation. Introduced 6 FEB 19.

TOXICS

PFAS ACTION PLAN. In February, EPA released an [action plan](#) for per- and polyfluoroalkyl substances (PFAS). The action plan describes EPA's approach to identifying and understanding PFAS, addressing current PFAS contamination, preventing future contamination, and effectively communicating with the public about PFAS. EPA's Action Plan identifies both short-term solutions for addressing these chemicals and long-term strategies that will help provide the tools and technologies states, tribes, and local communities need to provide clean and safe drinking water to their residents and to address PFAS at the source—even before it gets into the water. A summary can be found [here](#).

PFAS HEALTH EXPOSURE STUDY. In February, the Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR) [announced](#) that they have identified communities to be a part of assessments to examine human exposure to PFAS. The communities are near current or former military installations. The assessments are expected to begin in 2019 and continue through 2020 and are laying the groundwork for CDC/ATSDR's future multi-site health study that will look at the relationship between PFAS exposure and health outcomes. View additional details [here](#).

UPDATE TO CHEMICALS LIST. In February, EPA [announced](#) it has updated the list of Toxic Substances Control Act (TSCA) Inventory chemicals that are actively being manufactured, processed, and imported in the U.S. As recently as 2018, the TSCA Inventory showed over 86,000 chemicals available for commercial production and use in the U.S. Until EPA's update, it was not known which of these chemicals on the TSCA Inventory were actually in commerce. Under the amended TSCA—The Frank R. Lautenberg Chemical Safety for the 21 Century Act—EPA was required to update the list and designate which chemicals are active or inactive in U.S. commerce. To download the public version of the initial TSCA Inventory or to get more information about the TSCA Inventory Notification Requirements rule, click [here](#).

WASTE

LITHIUM-ION BATTERY RECYCLING CENTER. In February, DOE's Argonne National Laboratory [announced](#) the launch of the [ReCell Center](#), to help the U.S. grow a globally competitive recycling industry and reduce U.S. reliance on foreign sources of battery material. The ReCell Center, DOE's first advanced battery recycling research and development initiative, is a collaboration between Argonne, National Renewable Energy Laboratory, Oak Ridge National Laboratory, and several universities. The center's goal is to create profitable methods to dramatically improve recycling rates and improve national security by reducing a foreign reliance on supplies of critical battery materials such as lithium and cobalt. This will further the president's [Executive Order 13817](#), which identifies the need for "developing critical minerals recycling and reprocessing technologies" as part of a broader strategy to "ensure secure and reliable supplies of critical minerals."

PHARMACEUTICAL WASTE. EPA published a final rule that adds regulations for the management of hazardous waste pharmaceuticals by healthcare facilities and reverse distributors ([84 FR 5816](#)). Healthcare facilities (for both humans and animals) and reverse distributors will manage their hazardous waste pharmaceuticals under this new set of sector-specific standards in lieu of the existing hazardous waste generator regulations. Among other things, these new regulations prohibit the disposal of hazardous waste pharmaceuticals in drains and eliminate the dual regulation of EPA hazardous waste pharmaceuticals that are also Drug Enforcement Administration controlled substances. The new rules also maintain the household hazardous waste exemption for pharmaceuticals collected during pharmaceutical take-back programs and events, while ensuring their proper disposal. The new rules codify EPA's prior policy on the regulatory status of nonprescription pharmaceuticals going through reverse logistics. The final rule is effective 21 AUG 19.

WATER

WATER TRADING POLICY MEMORANDUM. EPA [announced](#) a [new water trading policy memorandum](#) that will help states, tribes, and stakeholders use market-, incentive-, and community-based programs to reduce excess nutrients and improve water quality in their communities. The new trading memo identifies six market-based principles designed to

encourage creativity and innovation in the development and implementation of programs that reduce pollutants in U.S. waters:

- States, tribes, and stakeholders should consider implementing water quality trading and other market-based programs on a watershed scale;
- EPA encourages the use of adaptive strategies for implementing market-based programs;
- Water quality credits and offsets may be banked for future use;
- EPA encourages simplicity and flexibility in implementing baseline concepts;
- A single project may generate credits for multiple markets; and
- Financing opportunities exist to assist with deployment of nonpoint land use practices.

In conjunction with the memo, EPA also released the document titled, [Next Steps in EPA's Nutrient Engagement](#). A webinar was held 7 MAR 19 to discuss the trading memo and ongoing work to reduce excess nutrients in waterways. For more information about nutrient trading, click [here](#).

NPDES PROGRAM UPDATES. EPA finalized certain revisions to NPDES permitting regulations that were [initially proposed](#) in 2016 ([84 FR 3324](#)). The final regulatory changes are minor and will improve and clarify the regulations in the major categories of regulatory definitions, permit applications, and public notice. This final rule also updates EPA contact information and web addresses for electronic databases, updates outdated references to best management practice guidance documents, and deletes a provision that is no longer applicable relating to best practicable waste treatment technology for publicly owned treatment works. The final rules are effective 12 JUN 19.

WATERS OF THE U.S. EPA and USACE published a proposed rule defining the scope of waters federally regulated under the Clean Water Act (CWA) ([84 FR 4154](#)). The proposal is the second step in a comprehensive, two-step process intended to review and revise the definition of "waters of the United States" consistent with the [Executive Order 13778](#). This proposed rule is intended to increase CWA program predictability and consistency by increasing clarity as to the scope of "waters of the United States" federally regulated under the Act. This proposed definition revision is also intended to clearly implement the overall objective of the CWA to restore and maintain the quality of the nation's waters while respecting State and tribal authority over their own land and water resources. Comments are due 15 APR 19.

WATER REUSE ACTION PLAN. EPA [announced](#) it is developing a Water Reuse Action Plan that will leverage the expertise of industry and government to ensure the effective use of U.S. water resources. The Water Reuse Action Plan will seek to foster water reuse as an important component of integrated water resource management. EPA will facilitate discussions among federal, state, and water sector stakeholders and form new partnerships to develop and deploy the plan. A draft of the plan is scheduled for release and public review in September at the Annual Water Reuse Symposium in San Diego. Ongoing efforts by other federal agencies, such as DOE's Grand Water Security Challenge, and by various non-governmental organizations dedicated to water resources management, will be coordinated and leveraged as part of the overarching strategy to advance water reuse. For more information, including opportunities to engage with EPA on this effort, click [here](#).

NOTIFICATION OF DATA AVAILABILITY—RESPONSES TO 2018 CWA HAZARDOUS SUBSTANCES SURVEY. EPA is making available for review and comment the data received from respondents of a voluntary survey, 2018 CWA Hazardous Substances Survey, OMB Control No. 2050-0220 ([84 FR 4741](#)). This data is being made available consistent with the preamble to the [proposed action](#), CWA Hazardous Substances Spill Prevention, published 25 JUN 18. The data collected through the voluntary survey is available in [Regulations.gov](#) at Docket ID: EPA-HQ-OLEM-2017-0444. Comments were due 8 MAR 19.

Department of Defense Activity

PUBLIC PRIVATE PARTNERSHIP PILOT PROGRAM—REQUEST FOR INFORMATION. The Assistant Secretary of the Army (Civil Works) has directed USACE to establish a Public Private Partnership (P3) pilot program with the goal of demonstrating the viability of new delivery methods that can significantly reduce the cost and time of project delivery ([84 FR 1084](#)). USACE is seeking to identify up to 10 additional P3 pilot projects. For the initial screening criteria, the P3 proposal should: (1) have a construction cost in excess of \$50 million; (2) have non-federal sponsor support; (3) include design, build, finance, operation and maintenance, or some combination, for federally authorized projects; (4) accelerate project delivery; and (5) have the ability to generate revenue or leverage non-federal funding sources.

HAZARD COMMUNICATION. DOD updated [Department of Defense Instruction \(DODI\) 6050.05](#), DOD Hazard Communication (HAZCOM) Program. The DODI establishes policy, assigns responsibilities, and provides procedures for the DOD HAZCOM Program, which protects service members and DOD civilian employees who use or produce hazardous chemicals. The DODI, effective 26 FEB 19, cancels and replaces the 2006 version.

ARMY FUNDED RESEARCHER WINS NOBEL PRIZE. An Army-funded researcher won the 2018 Nobel Prize in Chemistry for research in new enzyme production leading to the commercial, cost-effective synthesis of biofuels. Professor Frances Arnold is the Linus Pauling professor of chemical engineering, bioengineering, and biochemistry at the California Institute of Technology. Arnold said she considered how to make liquid fuels in remote locations from resources collected from the environment and eventually developed genetically modified organisms that now make jet fuel. The Army provided an investigator grant in the 1990s. The U.S. Army Combat Capabilities Development Command's Army Research Laboratory, through the Army Research Office, started funding the research in 2003 through the Institute for Collaborative Biotechnologies in Santa Barbara, California. An Army announcement is available [here](#).

MILITARY HOUSING. Following a 13 FEB 19 [Senate hearing](#) on the current condition of the military housing privatization initiative, the military services announced actions being taken by the [Army](#), [Air Force](#), [Navy and Marine Corps](#) to remedy military housing issues.

SPACE FORCE. [Space Policy Directive-4](#), Establishment of the United States Space Force, directs DOD to take actions under existing authority to marshal its space resources to deter and counter threats in space, and to develop a legislative proposal to establish a United States Space Force as a sixth branch of the U.S. Armed Forces within the Department of the Air Force ([84 FR 6049](#)). Under this proposal, the United States Space Force would be authorized to organize, train, and equip military space forces of the U.S. to ensure unfettered access to and freedom to operate in space, and to provide vital capabilities to joint and coalition forces in peacetime and across the spectrum of conflict.

Professional Development

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

- The RCRA Complete (Course Control Number (CCN) 226)
- Environmental Regulations Practical Application Course (CCN 398)
- CERCLA/RCRA Process (CCN 356)

- Hazardous Waste Manifesting & DOT Certification (CCN 223)
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429)
- Radioactive Waste Transport (CCN 441)
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Environmental Remediation Technologies (CCN 395)
- Environmental Laws and Regulations (CCN 170)

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 offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

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](#)
- Applicable laws and Executive Orders; and
- [Partnerships](#).

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

SERDP AND ESTCP WEBINAR SERIES (ONLINE). DOD's environmental research and development funding programs, the Strategic Environmental and Research and Development Program and the Environmental Security Technology Certification Program ([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 DOE audiences. Prior presentations are archived for viewing any time. Recently archived webinars are available on demand [here](#).

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](#)

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). The Federal Energy Management Program (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.

***ITRC TRAINING (ONLINE).** The Interstate Technology and Regulatory Council (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. The schedule of 2019 online training events can be viewed [here](#). Training is provided at no-cost to participants. ITRC released a 30-minute on-demand training video that provides a 30-minute introductory overview of ITRC's [Quality Considerations for Multiple Aspects of Munitions Response Sites](#) guidance document. The training explains the decision logic used throughout a munitions response (MR) project and assists in developing the quality assurance and quality control activities that ensure quality data and confidence in decisions. The training provides an overview of the MR process and identifies specific quality considerations at critical decision points for MR projects.

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 help those engaged in climate science research better understand the range of approaches for developing actionable science. 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).

NATIONAL CONSERVATION TRAINING CENTER WEBINAR SERIES (ONLINE). This [webinar series](#) is produced by a partnership between the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service. Archived webinars are available [here](#).

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.

MANAGING CLEANUP AT SITES IMPACTED BY 1,4-DIOXANE (ONLINE). This [webinar](#), hosted by SERDP and ESTCP, explains managing cleanup or restoration at sites impacted by 1,4-dioxane. The webinar includes presentations addressing natural attenuation and conceptual site modeling.

REPI WEBINAR SERIES FOR 2019. DOD's REPI Program announced the [2019 REPI Webinar Series schedule](#). The webinars showcase best practices and lessons learned from REPI partnerships nationwide that support military missions and accelerate the pace of conservation. Unless otherwise noted, all webinars begin at 1:00 p.m. Eastern Time.

- 27 MAR 19: [Calling for Sentinel Landscapes Applications: Lessons Learned & Best Practices from the 2017 Cycle](#)
- 5 JUN 19: [Leveraging the New REPI Installation Resiliency Authority](#)
- 10 JUL 19: [How to Obtain Regulatory Relief for Endangered Species without Purchasing a Real Estate Interest](#)
- 28 AUG 19: [REPI and the National Defense Strategy: Rebuilding Readiness by Protecting Key Capabilities](#)
- 9 OCT 19: [Measuring Impacts: Developing Mission Benefit Metrics](#)
- 27 NOV 19: [REPI and the Farm Bill](#)
- 8 JAN 20: [How to Introduce Local Businesses into your REPI Partnership](#)

25-28 MAR 19, BOSTON MA: ITRC ANNUAL MEETING. ITRC's 2019 [annual meeting](#) will be held in Boston, Massachusetts. The meeting is open to all and will host team meetings on a variety of issues, including PFAS, 1,4-dioxane, incremental sampling methodology, in situ optimization, advanced site characterization tools, and harmful cyanobacterial blooms. This year's breakfast plenary speakers are Ms. Maureen Sullivan, Deputy Assistant Secretary of Defense for Environment, and Martin Suuberg, Commissioner of the Massachusetts Department of Environmental Protection.

* indicates the first time a professional development opportunity appears in the *Review* or an update to an existing opportunity.

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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 *Western Review*, please contact the Regional Environmental Coordinator listed at the top of each region's section.

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

