



U.S. ARMY

Western Review

of Legislative & Regulatory Actions

Region 10

The U.S. Army Regional Environmental & Energy Office

April 2019

The Region 10 *Western Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the four states in Federal Region 10, 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.

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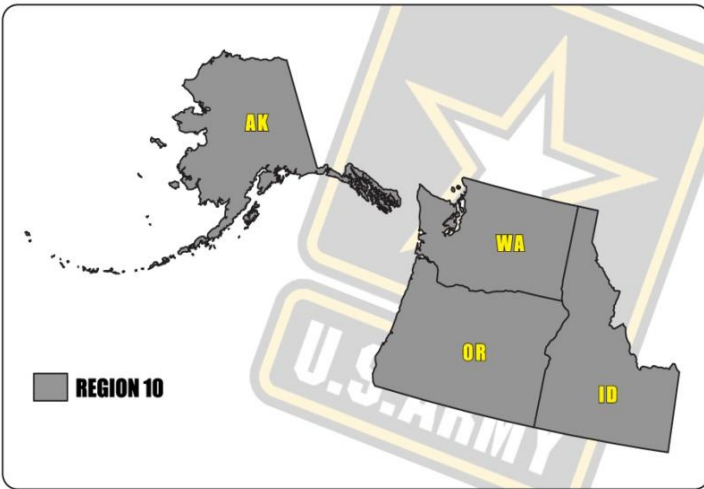


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2019 ARMY POSTURE STATEMENT

The Army Posture Statement is the Secretary of the Army and the Chief of Staff of the Army's written testimony to Congress on the state of the U.S. Army. The statement describes where the Army is and what the Army has done over the last year to support the National Defense Strategy.

The [2019 Army Posture Statement](#) explains the Army's budgetary needs to maintain its readiness, modernization, and reform initiatives in fiscal year 2020. It describes major elements of Army support to the Joint Force, ongoing modernization investments, and business reforms.

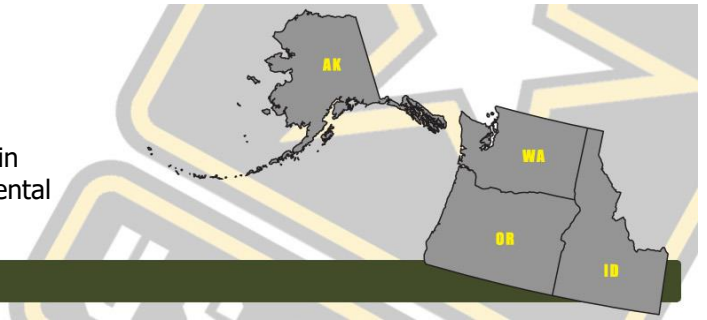
The Army has taken several measures to implement the National Defense Strategy:

- Readiness—Increased Army readiness and lethality by improving and expanding training, and by reorganizing to meet the challenges of great power competition.
- Modernization—Modernizing Army doctrine, equipment, and formations to extend its overmatch against near-peer competitors and adversaries as the character of war changes.
- Reform—Improving stewardship of taxpayer dollars by reforming its business practices to save money and reinvesting those savings into the Army modernization priorities.
- Allies and Partners—Strengthening America's network of allies and partners through combined training and security cooperation to build interoperability and trust.
- People and Values—Ensuring Soldiers and units are resilient and ready for combat while ensuring Army Families have what they need at home to thrive.

The Army Posture Statement reflects the Army Vision and the Army Strategy, providing a short-term waypoint to the Army of 2028. Both the Vision and the Strategy are part of The Army Plan, which is how the U.S. Army meets its obligations under Title 10 of the United States Code.

Region 10

For more information or to comment on any state issues in Region 10, contact [Park Haney](#), Army Regional Environmental Coordinator, Region 10, (303) 844-0957.



No significant regulatory activity to report.

LEGISLATIVE SESSION: 15 JAN 19 THROUGH 18 MAY 20

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

<i>Alaska 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				
ENERGY				
*HJR 10 <i>Representative David Talerico (R)</i> Supports development of the road belt electrical transmission line. Urges members of the Alaska delegation in Congress to pursue the development of this high-voltage electrical line in the interior of the state.	✓			
LAND USE				
NATURAL RESOURCES				
OTHER				
*HJR 12 <i>Representative David Talerico (R)</i> Supports an increase in defensive capabilities at Fort Greely, completion of the Northern Rail Extension, and development of critical Arctic infrastructure.	✓			
WASTE				
WATER				



No significant regulatory activity to report.

LEGISLATIVE SESSION: 7 JAN 19 THROUGH 5 APR 19

<i>Idaho 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				
ENERGY				
LAND USE				
NATURAL RESOURCES				
OTHER				
HB 162 <i>State Affairs Committee</i> Creates the Idaho Council on Federal Lands. Tasks the council to monitor and review policies and issues associated with federal lands in the state relating to jurisdiction, governmental sovereignty, taxation, natural resources, economic development, and other issues where state and federal government interface with respect to such lands.	✓	✓		
HJM 5 <i>Resources And Conservation Committee</i> Urges Congress to enact federal legislation to require that when private lands are exchanged, purchased, or transferred to the federal government, other federal lands within the county must be sold.	✓	✓		
WASTE				
WATER				
HB 26 <i>Environment, Energy, and Technology Committee</i> Addresses compliance with underground storage tank rules. Adds a compliance date for certain rules and provides for retroactive application of specified provisions.	✓	✓	✓	Enacted



AIR

CLEANER AIR OREGON. The Oregon Department of Environmental Quality (ODEQ) has identified 20 industrial sites for review in the first year of implementing the newly adopted [Cleaner Air Oregon](#) rules. The facilities were selected based on preliminary emissions reports and other factors. Regulators will now conduct more in-depth analysis to determine whether the facilities pose health risks and if their air permits should be revised. In addition, ODEQ has requested informal comment on draft recommended procedures for conducting Level 1 through Level 4 toxic air contaminant risk assessments for facilities. The draft procedures explain how facilities can prepare risk assessments that meet requirements for ODEQ approval. The draft procedures are available [here](#).

OREGON SIP—2015 OZONE STANDARD. The U.S. Environmental Protection Agency (EPA) is proposing to approve revisions to the Oregon State Implementation Plan (SIP) that address infrastructure requirements for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) ([84 FR 8647](#)). EPA is also proposing to approve an Oregon Administrative Rule, submitted as part of the Cleaner Air Oregon program, and a rule revision that incorporates the Code of Federal Regulation November 2018 edition as the version referred to throughout their rule. Comments were due 10 APR 19.

WATER

ONSITE WASTE MANAGEMENT SYSTEMS. ODEQ [is considering](#) whether to amend rules governing onsite waste management systems, commonly referred to as septic systems. The department invited interested stakeholders to attend a technical review committee meeting 20 MAR 19 where it presented information on treatment standards and design of certain technical equipment. ODEQ expects the rulemaking to be completed by fall 2019.

LEGISLATIVE SESSION: 5 FEB 19 THROUGH 1 JUL 19

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

<i>Oregon 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 2020 <i>Joint Committee on Carbon Reduction</i> Establishes the Carbon Policy Office within the Oregon Department of Administrative Services and tasks the director of the office to adopt the Oregon Climate Action Program by rule. Transfers duties, functions, and powers of the Environmental Quality Commission and Department of Environmental Quality that are related to greenhouse gas reporting to the Carbon Policy Office. Repeals Energy Facility Siting Council carbon dioxide emissions standards.	✓			

Oregon Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
ENERGY				
HB 2329 <i>Representative Kenneth Helm (D)</i> Modifies the definition of "energy facility" for purposes of regulation of energy facilities by the Energy Facility Siting Council. Broadens provisions for the types of electric power generating plants that may elect to obtain a site certificate from the council if otherwise not required to do so.	✓			
HB 2501 <i>Representative Greg Smith (R)</i> Establishes the Task Force on Green Energy Corridors. Requires the task force to study and make recommendations for development of green energy corridors to ensure that infrastructure is available to transfer electricity generated from renewable energy sources to load centers, integrate renewable energy resources into electricity grids, and balance energy facility development with protection of agricultural land.	✓			
* HB 3274 <i>Representative Daniel Bonham (R)</i> Encourages the production of small-scale renewable energy, including biomass and low-impact hydro-electric generation.	✓			
SB 235 <i>Senate Interim Committee on Veterans and Emergency Preparedness</i> Eliminates a cap on the total amount authorized for a grant program for installation of generator connectors on fuel sources at cardlock fuel facilities. Appropriates funds to the Oregon Military Department for deposit in the Fuel Storage Facility Compatibility Fund.	✓			
SB 503 <i>Senator Dennis Linthicum (I)</i> Specifies that electricity generated by a hydroelectric facility or other equipment that generates electricity through use of hydroelectric energy may be used to comply with renewable portfolio standard.	✓			
SB 508 <i>Senator Elizabeth Johnson (D)</i> Specifies that electricity generated by a hydroelectric facility or other equipment that generates electricity through use of hydroelectric energy may be used to comply with renewable portfolio standard.	✓			
LAND USE				
NATURAL RESOURCES				
SB 447 <i>Senator Arnie Roblan (D)</i> Directs the State Parks and Recreation Commission to study and make recommendations on collaboration between the commission and federal government regarding implementation of Siskiyou National Monument.	✓			

Oregon Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
OTHER				
HB 2373 <i>Representative David Brock Smith (R)</i> Allows the State Forester to order use of wildfire suppression personnel, equipment, and services on any federal lands within state borders.	✓			
HB 2619 <i>Representative Marshall Wilde (D)</i> Prohibits sale, offering for sale, purchase, or use of pesticide products containing neonicotinoid.	✓			
SB 440 <i>Senator Brian J. Boquist (R)</i> Directs the Oregon Military Department to end any suspension of the Oregon Civil Defense Force. Directs the Adjutant General to report to committee of Legislative Assembly on the status of the Oregon Civil Defense Force. Directs the department to institute ongoing basic training program. Appropriates funds.	✓			
WASTE				
SB 96 <i>Senate Interim Committee on Environment and Natural Resources</i> Requires manufacturers whose products contain hazardous materials to establish a product stewardship program that provides for the collection and management of household hazardous waste.	✓			
WATER				
HB 2851 <i>Committee on Energy and Environment</i> Authorizes the Water Resources Department to require reporting of water use measurements.	✓			
HB 2854 <i>Committee on Energy and Environment</i> Establishes a task force to study measurement and reporting of appropriated water use. Sunsets 31 DEC 20.	✓			
SB 95 <i>Senate Interim Committee on Environment and Natural Resources</i> Requires owners and operators of bulk petroleum terminals to conduct and submit to the Department of Environmental Quality seismic vulnerability assessments by 2020. Prohibits operation of a bulk petroleum terminal without an approved vulnerability assessment and an implemented seismic risk mitigation plan.	✓			
SB 347 <i>Senator Dennis Linthicum (I)</i> Exempts collection, storage, or use of diffuse surface water from falling rain, melting snow, or other precipitation from requirements to obtain water right permit or certificate.	✓			

WATER

WATER QUALITY PERMIT FEES. The Washington Department of Ecology (WADOE) has [proposed](#) to increase water quality permit fees for fiscal years 2020 and 2021. The fees apply to state water discharge permits and National Pollutant Discharge Elimination System permits issued by WADOE. A public hearing is scheduled for 23 APR 19. Comments are due 30 APR 19.

WASTEWATER TREATMENT PLANT OPERATOR REQUIREMENTS. WADOE has [proposed](#) to amend certification requirements for operators of wastewater treatment plants, Chapter 173-230 Washington Administrative Code. The rulemaking will:

- Amend existing fee requirements;
- Revise definitions and rule language for new treatment technologies;
- Specify education and experience qualifications for “operator in training” and operator groups II-IV;
- Update professional growth requirements;
- Revise language regarding revocation and suspension of a certificate; and
- Reorganize and clarify rule language.

Public hearings are scheduled for 23 and 25 APR 19. For more information, click [here](#) to view the rulemaking website.

LEGISLATIVE SESSION: 14 JAN 19 THROUGH 22 APR 20

<i>Washington 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 1040 <i>Representative Kristine Reeves (D)</i> Creates a work group to study and make recommendations on natural disaster and resiliency activities. Companion bill is SB 5106.	✓			
HB 1110 <i>Representative Joe Fitzgibbon (D)</i> Supports the deployment of clean transportation fuel technologies through a program that reduces the carbon intensity of fuel used in the state. Companion bill is SB 5412.	✓	✓		
HB 1112 <i>Representative Joe Fitzgibbon (D)</i> Phases out the use of hydrofluorocarbons in various applications in the state. Requires the state to establish procurement policies for purchase of low global warming potential products. Companion bill is SB 5426.	✓	✓		
HB 1332 <i>Representative Sharon Wylie (D)</i> Streamlines and updates the operations of the Energy Facility Site Evaluation Council. Companion bill is SB 5329.	✓	✓		

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
HB 1549 <i>Representative Brian Blake (D)</i> Directs the Department of Ecology to adopt a rule establishing the process by which lead agencies evaluate the environmental impacts of direct and indirect greenhouse gas emissions as part of their environmental review of proposed projects. Requires the rule to establish thresholds for determining adverse impact. Specifies other rule content. Companion bill is SB 5561.	✓			
SB 5106 <i>Senator Mark Mullet (D)</i> Creates a work group to study and make recommendations on natural disaster and resiliency activities. Companion bill is HB 1040.	✓	✓		
SB 5329 <i>Senator Joe Nguyen (D)</i> Streamlines and updates the operations of the Energy Facility Site Evaluation Council. Companion bill is HB 1332.	✓			
SB 5412 <i>Senator Rebecca Saldana (D)</i> Supports the deployment of clean transportation fuel technologies through a program that reduces the carbon intensity of fuel used in the state. Companion bill is HB 1110.	✓			
SB 5426 <i>Senator Mark Mullet (D)</i> Phases out the use of hydrofluorocarbons in various applications in the state. Requires the state to establish procurement policies for purchase of low global warming potential products. Companion bill is HB 1112.	✓			
SB 5561 <i>Senator Dean Takko (D)</i> Directs the Department of Ecology to adopt a rule establishing the process by which lead agencies evaluate the environmental impacts of direct and indirect greenhouse gas emissions as part of their environmental review of proposed projects. Requires the rule to establish thresholds for determining adverse impact. Specifies other rule content. Companion bill is HB 1549.	✓			
* SB 5981 <i>Senator Reuven Carlyle (D)</i> Establishes a cap and trade program for greenhouse gas emissions to be implemented by the Department of Ecology. Requires the program to limit greenhouse gas emissions to meet statewide emission levels, as revised for 2035 and 2050. Specifies allocation of revenues from the program.	✓			
ENERGY				
HB 1129 <i>Representative Jeff Morris (D)</i> Promotes net metering. Authorizes electric utilities to offer net metering programs, incentives, and credits.	✓			

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 1211 <i>Representative Gael Tarleton (D)</i> Establishes the Washington Clean Energy Transformation Act. Transitions the state's energy supply to carbon-neutral sources by 2030. Convenes an energy and climate policy advisory committee. Establishes penalties for electric utility non-compliance. Companion bill is SB 5116.	✓			
SB 5116 <i>Senator Reuven Carlyle (D)</i> Establishes the Washington Clean Energy Transformation Act. Transitions the state's energy supply to carbon-neutral sources by 2030. Convenes an energy and climate policy advisory committee. Establishes penalties for electric utility non-compliance. Companion bill is HB 1211.	✓	✓		
LAND USE				
HB 1628 <i>Representative Kristine Reeves (D)</i> Creates an account to be used to support community efforts to reduce development conflicts with nearby military installations.	✓			
HB 1683 <i>Representative Tina Orwall (D)</i> Creates a Commercial Aviation Coordinating Commission tasked with identifying a location for a new primary commercial aviation facility. Companion bill is SB 5370.	✓			
SB 5370 <i>Senator Karen Keiser (D)</i> Creates a Commercial Aviation Coordinating Commission tasked with identifying a location for a new primary commercial aviation facility. Companion bill is HB 1683.	✓	✓		
NATURAL RESOURCES				
HB 1287 <i>Representative Daniel Griffey (R)</i> Requires the Department of Natural Resources to recommend to the governor a prioritized list of all property acquisitions for the purpose of creating a list of Washington natural resources conservation areas and a Washington natural area preserve. Authorizes the governor to remove projects from the list and submit the amended list in the capital budget request to the Legislature. Companion bill is SB 5103.	✓			
SB 5103 <i>Senator Tim Sheldon (D)</i> Requires the Department of Natural Resources to recommend to the governor a prioritized list of all property acquisitions for the purpose of creating a list of Washington natural resources conservation areas and a Washington natural area preserve. Authorizes the governor to remove projects from the list and submit the amended list in the capital budget request to the Legislature. Companion bill is HB 1287.	✓			

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
OTHER				
HB 1143 <i>Representative Kristine Reeves (D)</i> Addresses notification requirements for the discharge of per- and polyfluoroalkyl substances. Requires a person or entity discharging or using class B firefighting foam containing per- and polyfluoroalkyl substances that could lead to a discharge to notify the Department of Ecology and the Division of Emergency Management with the state military department within 24 hours.	✓			
HB 1200 <i>Representative Laurie Dolan (D)</i> Addresses emergency preparedness. Requires the Adjutant General of the state military department to develop guidance, in consultation with the office of the superintendent of public instruction, which may be used by local school districts in developing, maintaining, training, and exercising catastrophic incident plans. Companion bill is SB 5247.	✓			
HB 1386 <i>Representative Christine Kilduff (D)</i> Creates a military benefit zone program. Allows local governments located within the vicinity of military facilities to finance public improvements through proceeds from the military benefit zone. Companion bill is SB 5571.	✓			
SB 5247 <i>Senator David Frockt (D)</i> Addresses emergency preparedness. Requires the Adjutant General of the state military department to develop guidance, in consultation with the office of the superintendent of public instruction, which may be used by local school districts in developing, maintaining, training, and exercising catastrophic incident plans. Companion bill is HB 1200.	✓	✓		
SB 5571 <i>Senator Emily Randall (D)</i> Creates a military benefit zone program. Allows local governments located within the vicinity of military facilities to finance public improvements through proceeds from the military benefit zone. Companion bill is HB 1386.	✓			
SB 5971 <i>Senator Steve Hobbs (D)</i> Raises funds for transportation planning. Implements a carbon pollution fee, increases the state gas tax by \$0.06, raises various vehicle and driver fees, implements a sales tax on auto parts and bicycles, increases other fees, and modifies distribution of funds related to the low carbon fuel standard. Specifies exemptions.	✓			
WASTE				

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
WATER				
HB 1747 <i>Representative Beth Doglio (D)</i> Addresses risk-based water quality standards for on-site nonpotable water systems. Requires the Department of Health to adopt rules for risk-based water quality standards applicable to on-site treatment and reuse of nonpotable alternative water sources for nonpotable end uses.	✓	✓		
HB 1831 <i>Representative Zack Hudgins (D)</i> Addresses the testing of drinking water for emerging contaminants. Authorizes the Department of Health to establish action levels for emerging contaminants and to require public water systems to monitor for emerging contaminants and take specified responses if action levels are exceeded. Specifies per- and polyfluoroalkyl substances and cyanotoxins as emerging contaminants.	✓			

Federal Activity

AIR

REVIEW OF PRIMARY NATIONAL AMBIENT AIR QUALITY STANDARDS FOR SULFUR OXIDES. EPA has issued a final rule announcing that based on its review of the air quality criteria addressing human health effects and the primary NAAQS for sulfur oxides, EPA is retaining the current standard, without revision ([84 FR 9866](#)). The final rule becomes effective 17 APR 19.

CLEAN AIR ACT CITIZEN SUIT—PROPOSED CONSENT DECREE. EPA issued notice of a proposed consent decree that would establish deadlines for EPA to review and revise if necessary the Furnaces and Bulk Gasoline NSPS at least every eight years; and to review and revise if necessary the Major Source Bulk Gasoline, Area Source Bulk Gasoline, Foundries, and Wood Preserving NESHAP no less often than every eight years under CAA section 112(d)(6) ([84 FR 7895](#)). The proposed consent decree would resolve a lawsuit filed by Our Children's Earth Foundation seeking to compel EPA to take action under the Clean Air Act (CAA) to review the existing New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) governing several source categories. Comments were due 4 APR 19.

NEW EQUIVALENT METHOD FOR OZONE MEASUREMENT. EPA has designated one new equivalent method for measuring concentrations of ozone (O₃) in ambient air ([84 FR 11973](#)). The new equivalent method for O₃ is an automated method (analyzer) utilizing the measurement principle based on UV photometry. A list of all reference or equivalent methods previously designated by EPA is available [here](#).

ENERGY

ETHANOL-GASOLINE BLENDS. EPA has issued a proposed rule to allow gasoline blended with up to 15 percent ethanol (E15) to take advantage of the 1-psi Reid Vapor Pressure (RVP) waiver for the summer months. Historically, the waiver has been applied only to gasoline blended with 10 percent ethanol (E10) ([84 FR 10584](#)). Under the proposed rule, E15

could be sold year-round without additional RVP control, rather than just eight months of the year. EPA is also proposing regulatory changes to modify elements of the renewable identification number compliance system under the Renewable Fuel Standard program. A public hearing was held 29 MAR 19 and comments are due 29 APR 19. For more information, click [here](#).

WESTERN ENERGY CORRIDORS. The Bureau of Land Management (BLM), U.S. Forest Service (USFS), and U.S. Department of Energy (DOE) [announced](#) they have published draft energy corridor abstracts for their regional review of 59 energy corridors across BLM and USFS lands, in accordance with section 368 of the Energy Policy Act of 2005. The energy corridors are located in California, Idaho, Montana, Nevada, Oregon, Washington, and Wyoming. The purpose of the regional reviews is to examine new relevant information and stakeholder input on the section 368 energy corridors, including corridors of concern. Based on this information, the agencies identify potential revisions, deletions, or additions to the corridors and identify possible changes to the interagency operating procedures. Comments were due 8 APR 19.

HAZARDOUS MATERIAL

NEW MAILING STANDARDS FOR MAILPIECES CONTAINING LIQUIDS. The U.S. Postal Service has issued a final rule revising the Domestic Mail Manual, and 39 CFR Part 111, to clarify and supplement the mailing standards for mailpieces containing liquids ([84 FR 9716](#)). Current mailing standards require triple packaging only for “breakable” primary containers over four ounces. The revision requires mailers of all liquids in nonmetal containers and certain metal containers to provide triple packaging, including absorbent cushioning materials, sealed secondary packaging, and a strong outer mailing container. Breakable containers include those made of glass, plastic, porcelain, and earthenware. Metal containers with pull-tabs or friction-top closures, having a capacity of more than four fluid ounces, must be triple-packaged. The final rule became effective 28 MAR 19.

NATURAL RESOURCES

NATIONAL CONSERVATION PRACTICE STANDARDS. The Natural Resource Conservation Service will review the national conservation practice standards in the National Handbook of Conservation Practices and is requesting comments from the public about how to improve conservation practice standards ([84 FR 8663](#)). Comments are due 25 APR 19.

GREATER SAGE-GROUSE PLAN AMENDMENTS. BLM revised six resource management plans (RMPs) for the greater sage-grouse in California, Colorado, Idaho, Nevada, Oregon, Utah, and Wyoming. The RMPs guide conservation of greater sage-grouse habitat on BLM-managed lands. As part of the RMP amendment process, BLM prepared six environmental impact statements (EISs) that analyze the amendments to the 2015 RMPs. Records of Decision (RODs) for the EISs and RMP amendments were issued 15 MAR 19. The EISs, RODs, and RMP amendments are available [here](#).

S. 47 JOHN D. DINGELL, JR. CONSERVATION, MANAGEMENT, AND RECREATION ACT. This bill addresses provisions regarding various programs, projects, activities, and studies for the management and conservation of natural resources on federal lands, including multiple land withdrawals, conveyances, and boundary adjustments. The bill also provides for a desert tortoise conservation center, wildlife habitat and conservation, and endangered fish recovery programs. The bill became law 12 MAR 19.

THREATENED AND ENDANGERED SPECIES

GRAY WOLF. The U.S. Fish and Wildlife Service is proposing to remove the [gray wolf](#) (*Canis lupus*) from the List of Endangered and Threatened Wildlife ([84 FR 9648](#)). The gray wolf is currently listed as endangered (threatened in Minnesota) in the contiguous United States and Mexico. The proposed removal is based on recovery of the species. The proposed rule does not have any effect on the separate listing of the Mexican wolf (*Canis lupus baileyi*) as endangered. Comments are due 14 MAY 19.

TOXICS

HEXAVALENT CHROMIUM. EPA released the *Systematic Review Protocol for the Hexavalent Chromium (Cr(VI)) Integrated Risk Assessment Protocol (IRIS) Assessment* ([84 FR 9516](#)). The document communicates the rationale for conducting the assessment of Cr(VI), describes screening criteria to identify relevant literature, outlines the approach for evaluating study quality, and describes the process of evidence synthesis/integration and dose-response methods. The protocol includes the list of studies currently considered in the IRIS assessment. A public science webinar is scheduled for 24 APR 19. Comments on the IRIS assessment are due 29 APR 19. For more information about the Cr(VI) IRIS assessment, click [here](#).

CONSUMER SALE OF PAINT REMOVERS WITH METHYLENE CHLORIDE BANNED. EPA issued a final rule prohibiting the manufacture (including import), processing, and distribution of methylene chloride in all paint removers for consumer use ([84 FR 11420](#)). EPA has taken this action because of fatalities that have resulted from exposure to the chemical. Paint removal products containing methylene chloride may not be sold at any retail or distribution establishments that have consumer sales, including e-commerce sales. Those prohibitions start 180 days after the effective date of the final rule, which provides time for establishments selling this chemical to consumers to come into compliance with EPA's ban. EPA is also requiring manufacturers, processors, and distributors to notify retailers and others in their supply chains of the prohibitions and to keep basic records. In a related matter, EPA is also soliciting public input for a future rulemaking that could establish a training, certification, and limited access program for methylene chloride for commercial uses ([84 FR 11466](#)). EPA is asking for input on the key elements required for such a program; comments are due 28 MAY 19. The final rule becomes effective 28 MAY 19.

2017 TOXIC RELEASE INVENTORY. EPA has made available the 2017 Toxics Release Inventory data and analyses. EPA notes significant reductions in the 10 year period from 2007 to 2017, adding that "Almost every sector reduced its releases to air, with the largest reduction coming from the electric utilities sector." An executive summary, full report, and summary data are available [here](#).

SIGNIFICANT NEW USE RULES ON CERTAIN CHEMICAL SUBSTANCES. EPA has issued proposed significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 28 chemical substances that were the subject of premanufacture notices ([84 FR 9999](#)). The chemical substances are subject to consent orders issued by EPA pursuant to section 5(e) of TSCA. This action would require persons who intend to manufacture, import, or process any chemical substances for an activity that is proposed as a significant new use to notify EPA at least 90 days before commencing that activity. The required notification initiates EPA's evaluation of the intended use within the applicable review period. Persons may not commence manufacture, importing, or processing for the significant new use until EPA has conducted a review of the notice, made an appropriate determination on the notice, and has taken such actions as are required with that determination. Comments are due 3 MAY 19.

INITIATION OF PRIORITIZATION UNDER TSCA. EPA, as required under TSCA and related implementing regulations, has initiated the prioritization process for 20 chemical substances as candidates for designation as High Priority Substances for risk evaluation, and for 20 chemical substances as candidates for designation as Low Priority Substances for risk evaluation ([84 FR 10491](#)). The Federal Register notice provides the identity of the chemical substances being initiated for prioritization, a general explanation of why EPA chose these chemical substances, and information on the data sources EPA plans to use to support the designation. Comments are due 19 JUN 19.

GAO REPORT—TSCA ASSESSMENTS. The Government Accountability Office (GAO) issued the report, *Status of EPA's Efforts to Produce Assessments and Implement the Toxic Substances Control Act* ([GAO-19-270](#)). The report describes the extent to which EPA's IRIS program has addressed identified challenges and made progress toward producing chemical assessments, and implementing TSCA. GAO found that EPA made improvements in timeliness and transparency of its assessment process until May 2018, when progress stalled.

LITHIUM BATTERY AIR TRANSPORT. The Pipeline and Hazardous Materials Safety Administration issued an interim final rule (IFR) revising the Hazardous Materials Regulations for lithium cells and batteries transported by aircraft ([84 FR 80016](#)). The IFR prohibits the transport of lithium-ion cells and batteries as cargo on passenger aircraft; requires lithium-ion cells and batteries to be shipped at not more than a 30 percent state of charge aboard cargo-only aircraft when not packed with or contained in equipment; and limits the use of alternative provisions for small lithium cell or battery shipments to one package per consignment. The IFR does not restrict passengers or crew members from bringing personal items or electronic devices containing lithium cells or batteries aboard aircraft or restrict cargo-only aircraft from transporting lithium-ion cells or batteries at a state of charge exceeding 30 percent when packed with or contained in equipment or devices. The interim final rule was effective 6 MAR 19. Comments are due 6 MAY 19.

HR 535. The PFAS Action Act of 2019 would require EPA to designate per- and polyfluoroalkyl substances (PFAS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. Introduced.

HR 7284. The PFAS Detection Act of 2018 would require the U.S. Geological Survey to perform a nationwide survey of perfluorinated compounds in estuaries, lakes, streams, springs, wells, wetlands, rivers, aquifers, air, and soil using a performance standard developed in accordance with the act. Introduced.

WASTE

LIQUIDS MANAGEMENT AT MUNICIPAL SOLID WASTE LANDFILLS—COMMENT PERIOD EXTENDED. In December 2018, EPA issued an [advance notice of proposed rulemaking](#) to solicit comment on potential revisions to the criteria for municipal solid waste landfills and associated issues related to advances in liquids management. The comment period has been extended to 10 MAY 19 ([84 FR 8496](#)).

Department of Defense Activity

SUPPLY CHAIN MATERIEL MANAGEMENT POLICY. [DOD Instruction \(DODI\) 4140.01](#), DOD Supply Chain Materiel Management Policy, was released effective 6 MAR 19. The DODI establishes policy and assigns responsibilities for management of materiel across the DOD supply chain.

REASSIGNMENT OF ARMY INSTALLATION MANAGEMENT COMMAND. Effective 1 MAR 19, Army Installation Management Command (IMCOM) together with its subordinate element (U.S. Army Environmental Command) authorities, responsibilities, personnel, and resources (including funding and equipment) is discontinued as a direct reporting unit to the Chief of Staff, Army, and is reassigned as a major subordinate command of U.S. Army Materiel Command ([GO 2019-13](#)).

Professional Development

US ARMY CORPS OF ENGINEERS PROSPECT TRAINING. USACE released the [FY 2020 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.

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 Readiness and Environmental Protection Integration (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.

- 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](#)

***AIR FORCE REGIONAL ENVIRONMENTAL SUMMITS.** The Air Force invites attendees to their Regional Environmental Restoration Summits to join the environmental restoration conversation with their regional EPA partners. Upcoming Air Force Summits are as follows:

- 22-23 MAY, Western Summit, Phoenix, Arizona
- 26-27 JUN, Central Summit, New Orleans, Louisiana
- 24-25 JUL, Eastern Summit, Chicago, Illinois

* indicates the first time a professional development opportunity appears in the *Review*.

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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](#).

