



Southern Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

November 2012

THE SOUTHERN REGION REVIEW provides current information regarding environmental and energy-related actions and events throughout Federal EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The events reported may be relevant to U.S. Army and other Military Services' activities and operations. The Review is designed to alert environmental decision makers, planners, and program managers of developments potentially relevant to overall responsibilities.

The Review is a monthly electronic publication. To receive this publication, please email a request to rebecca.d.shanks.ctr@mail.mil. Please include a contact name and email address in the body of the message.



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2012 ARMY SUSTAINABILITY REPORT

2102 ARMY SUSTAINABILITY REPORT (10/31/12): The Assistant Secretary of the Army for Installations, Energy and Environment released the [Army Sustainability Report 2012](#), which describes the Army's sustainability efforts and progress during years 2010 and 2011.

BUFFER CREATED BY FORT STEWART

The 2012 REPI Challenge resulted in the following outcome: The Georgia Land Trust received \$4.5 million in REPI funds to purchase 5,508 acres in Ft. Stewart's Priority Area 1, where potential changes in current land use would have the most significant negative effect on training operations. This single transaction protected 24% of Stewart's Priority 1 Area, 74% of which has now been protected from development and other incompatible uses. This tract is located between two rapidly-growing communities, and the potential for development here represented a significant threat to Ft. Stewart's military operations. Protecting this parcel also removes potential constraints to prescribed burning on Ft. Stewart, which plays an important role in maintaining habitat for Red-cockaded Woodpeckers and other Longleaf Pine community species. The Rayonier Company will retain near-term timber rights to the property, which will be managed in a way that meets or exceeds Sustainable Forestry Initiative standards. The \$4.5 million REPI award was matched by \$5.5 million in cash contributions and bargain sale value from the property owner. This was the 6th largest of more than 500 land transactions completed since the REPI program's inception.

A [full article](#) was published in the Savannah Morning News on 08/14/12.

Region 4

For more information on any state issue in Region 4, please contact [Marshall Williams](#), Army Regional Environmental Coordinator, (404)460-3136.



PROPOSED RULES

SOLID WASTE STUDY (NEWS RELEASE): The Alabama Department of Environmental Management (ADEM) has announced the scheduling of the first in a series of public meetings to be held throughout the State focusing on solid waste management. ADEM is working with Auburn University to facilitate the meetings and compile public input into a final report. Once completed, the final report and any program enhancements will be presented to ADEM and the Alabama Legislature. In its 2011 Regular Session, the Alabama Legislature directed ADEM to evaluate current Alabama solid waste management procedures, including those for permitting new solid waste landfills. The Legislature imposed a 24-month moratorium on issuance of permits to certain new landfills, and passed a one-year extension of this moratorium (through May 2014). For further information, contact Scott Hughes, (334) 271-7955.

GENERAL PERMIT ALG120000 METAL FINISHING DISCHARGES (NOTICE): ADEM is proposing to reissue General NPDES Permit ALG120000 that regulates discharges from primary metals, metal finishing, fabricated metal products, industrial commercial machinery, electronic equipment, measuring and analyzing instruments, foundries consisting of storm water, hydrostatic test water from new containers, non-contact cooling water, cooling tower blowdown, boiler blowdown, demineralizer wastewater, vehicle and equipment exterior wash water, storm water from petroleum storage and handling, and equipment storage and maintenance areas that discharge to waters of the State of Alabama (not designated outstanding national resource water, outstanding Alabama water, or treasured Alabama Lake). Individual facilities and/or operations may propose to operate under this general permit, if reissued, by notifying ADEM and providing required documentation. After receiving such notice of intent, ADEM may regulate discharge under the General Permit. A [Notice](#) was issued 07/26/12. Comments were due 08/25/12. For further information, contact Russell A. Kelly, (334) 271-7714.

HAZARDOUS WASTE (335-14-1-.01, 335-14-1-.02, 335-14-2-APPENDIX IX, 335-14-3-.09, 334-14-4-.03, 335-14-4-.04, 335-14-5-.08, 335-14-6-.16, 335-14-7-.03, 335-14-9 APPENDIX IV, 335-14-9 APPENDIX VI, 335-14-17-.05): ADEM has proposed amendments to hazardous waste rules. RCRA §3006(b) requires authorized State Programs to be "equivalent" to the Federal program and to maintain equivalency as the Federal program changes. In order to retain state primacy in the hazardous waste program, ADEM must update its Administrative Code to reflect changes in federal requirements for regulation of hazardous waste. ADEM is proposing that the Environmental Management Commission adopt regulations reflecting changes made to EPA's regulations from 07/01/11 through 06/30/12, including adoption of the Federal technical corrections rule. Wastewater treatment sludge (EPA Hazardous Waste No. F019) generated by ISE Innomatic Systems US, Inc. was added to the list of hazardous wastes excluded from nonspecific sources. Chlorination reactor dust (EPA Hazardous Waste No. D007) generated by Mitsubishi Polycrystalline Silicon America Corporation was added to the same list. Language was removed from the letter from the chief financial officer referencing corrective action. ADEM is also proposing to correct a number of typographical and citation errors in existing regulations. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was filed 09/28/12. A hearing is scheduled for, and comments are due 12/13/12. For further information, contact the [ADEM Hearing Officer](#).

UNDERGROUND STORAGE TANKS, ENVIRONMENTAL COVENANTS (335-5-1-.02, .03, .05, .06, .07, 335-5-3-.02): ADEM has proposed rule amendments to address changes required by Alabama Act 2-12-317 concerning USTs, to address applicability to federal facilities, and to clarify programmatic requirements for environmental covenants. The [Summary of Reasons to Adopt, Amend, or Repeal Rules](#) was filed 09/28/12. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was published 10/31/12. A Hearing is scheduled for, and comments are due 12/13/12. For further information, contact the [ADEM Hearing Officer](#).



FINAL RULES

WATER SHORTAGE PLAN (40D-21.275): The Southwest Florida Water Management District (SFWMD) has amended Rule 40D-21.275, F.A.C., so that its rule requirements are consistent with those of Section 373.246(6), FS., which requires a WMD to "notify each permittee in the district by regular mail of any change in the condition of his or her permit, or any suspension of his or her permit or of any other restriction on the permittee's use of water" upon the issuance of a Water Shortage Declaration. A [Notice of Rulemaking Development](#) was published 08/17/12, and the [Notice of Proposed Rules](#) was published 08/24/12. Comments were due 09/14/12. The [Rule](#) became effective 10/30/12.

PROPOSED RULES

ENVIRONMENTAL RESOURCE PERMITTING (62-330): The Florida Department of Environmental Protection (FLDEP) has proposed rulemaking relating to environmental resource permitting rules. Section 373.4131, F.S., created by Chapter 2012-94, Laws of Florida, and effective 07/01/12, requires FLDEP, in coordination with the five Water Management Districts (WMDs), to develop statewide environmental resource permitting (ERP) rules governing construction, alteration, operation, maintenance, repair, abandonment and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works or works, or combinations thereof, to implement Part IV of Chapter 373, F.S. FLDEP proposes to substantially amend existing provisions of Chapter 62-330, F.A.C., and add new rules to be implemented by FLDEP, the WMDs, and local governments delegated under Section 373.441, F.S., without the need for further rulemaking by the WMDs and local governments, pursuant to Section 373.4131, F.S. Rulemaking seeks to establish statewide ERP rules that will rely upon existing rules, revised as necessary to achieve a more consistent, effective and streamlined approach to implement the ERP program. New rules will reduce regulatory costs and burdens for the public, while not lowering environmental standards and continuing to protect the state's water resources. A [Notice of Rulemaking Development](#) published 06/22/12, with an Advisory issued 07/06/12. [Workshops](#) were held/scheduled 07/26/12, 08/07/12 and 08/16/12. Each WMD will propose rule amendments for consistency with statutes. A [Notice of Rulemaking Development](#) for those amendments was issued 09/28/12. For further information, contact [Mary VanTassel](#), (850) 245-8486.

ERP HANDBOOK REVISION (40D-4.091): This rulemaking will incorporate the proposed Environmental Resource Permit Applicant's Handbook Volume II which, together with an Applicant's Handbook Volume I, will be adopted by FLDEP to provide guidance to applicants seeking ERPs, and following FLDEP adoption of proposed new ERP rules mandated by Section 373.4131, F.S. FLDEP has proposed to amend Chapter 62-330, F.A.C., which will become the statewide ERP rules. Each WMD is expected to adopt an Applicant's Handbook Volume II containing District-specific design and performance criteria relating to water quality and quantity, as well as special basin criteria or other statutory requirements. Upon adoption of the Handbook Volume II, it will be incorporated by reference into FLDEP's statewide ERP rules. A [Notice of Rulemaking Development](#) was published 09/21/12. For further information, contact Sonya White, (813)985-7481, x4660.

MANATEE MEETING: The Fish and Wildlife Conservation Commission (FWCC) has announced a facilitated stakeholder meeting to discuss and examine manatee issues. The purpose of the meeting is exchange of information and fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. Limited public comments will be taken. A [Meeting Notice](#) was issued 09/28/12. The meeting was held 10/11/12.

USED OIL REGULATIONS (62-710): FLDEP has proposed to amend rules identified in its 2011-2012 Regulatory Plan to delete unnecessary subsections, clarify and ensure internal consistency, and amend rules identified by stakeholders for clarification and simplification. The subject areas to be addressed include technical corrections to the used oil management regulations in Chapter 62-710, F.A.C. The [Notice of Rulemaking Development](#) was published 06/22/12, and a [Workshop](#) was held 08/22/12. For further information, contact [Julie Rainey](#), (850) 245-8713.

SOLID WASTE/RECYCLING (62-716.100 - 62-716.900): FLDEP has proposed rulemaking related to solid waste grants and recycling programs: Chapter 2010-143, Laws of Florida, creates new requirements to be implemented by rule. It requires FLDEP to develop a reporting format for recycling rates; create a voluntary certification program for materials recovery facilities; and establish a method and criteria to be used by counties in calculating recycling rates. FLDEP intends to amend the title of this Chapter to broaden its scope to include new provisions. Amendments to the solid waste management grant program made it necessary to amend Chapter for consistency. A [Notice of Rulemaking Development](#) was published 08/13/10, a hearing was held 09/30/10, and an advisory was issued 07/06/12. A [Workshop](#) was held 07/27/12. For further information, contact [Raoul Clarke](#), (850) 245-8750.

CONSISTENCY IN CONSUMPTIVE USE PERMITTING PROGRAMS IN WMDs/GREY WATER (62-40.110, .210, .310, .410, .412, .416, .473, .474, .510, .520, .530, .531, .540, 40A (MISCELLANEOUS)): FLDEP has proposed rulemaking as instructed by House Bill (HB) 639 and as part of a statewide effort to improve consistency among Consumptive Use Permitting (CUP) Programs implemented by WMDs. HB 639 requires FLDEP to initiate rule making by 10/01/12 to revise the Water Resource Implementation Rule, Chapter 62-40, F.A.C., to include criteria for reuse offsets and credits. Proposed criteria are the product of the Reclaimed Water Policy Workgroup, which is comprised of representatives of FLDEP, Florida's five WMDs, Florida Water Environment Association Utility Council, Florida League of Cities, Florida Association of Counties, individual local government utilities, and environmental consulting firms. The Workgroup was convened to discuss how state regulatory policy could better optimize reuse of reclaimed water. In addition to offsets and credits, Chapter 62-40 will be revised to include recommendations of the Reclaimed Water Policy Workgroup and recommendations resulting from the CUP Consistency Initiative. The initiative began in the fall of 2011 as a statewide effort headed by FLDEP and joined by all five WMDs, to increase consistency in CUP, minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is to be coordinated with similar rule development by other Florida WMDs. It will make appropriate rule amendments to FLDEP Chapter 62-40, F.A.C., and to individual WMD Chapters 40A-1, 40A-2, and 40A-21, F.A.C., to address the following goals of FLDEP and the WMDs for the rulemaking: make CUP rules less confusing for applicants; treat applicants equitably statewide; provide consistent protection of the environment; streamline application and permitting processes; and incentivize behavior that protects water resources, including water conservation. The Notice of Rulemaking Development was published 07/20/12. Workshops were held 08/07/08/08/12, 08/10/12, 08/15/12, 08/16/12, 08/21/12, 08/22/12, 08/29/12, 08/31/12, and other September dates, per the [Notice](#). Workshops were held in August and September, and are scheduled for November (14, 15, 16). For further information, contact [Kathleen P. Greenwood](#), (850) 245-3147.

AQUATIC PLANT MANAGEMENT (68F-54.001, .003, .0035, .005): The FWCC has proposed amendments to clarify that the program operates as a cost reimbursement program and utilizes government agencies and private sector contractors to manage aquatic plants in public water bodies. Additional waters are being added to the list of waters eligible for funding of aquatic plant management. A [Notice of Rulemaking Development](#) was published 03/23/12, and Workshops were held 04/17/12 and 04/18/12. [Notice of Proposed Rules](#) was published 07/27/12, and comments were due 08/17/12. For further information, contact William Caton.

RENEWABLE ENERGY TAXES AND PRODUCTION CREDITS (50-2.001, 50-2.002, 50-2.003): The Department of Agriculture and Consumer Services, Office of Energy has proposed a new rule that will provide guidance to interested taxpayers for the application process, review and administration of the Florida Renewable Energy Technology Sales Tax Refund, the Florida Renewable Energy Technology Investment Tax Credit and the Florida Renewable Energy Production Credit. A [Notice of Rulemaking Development](#) was published 07/27/12. A Workshop was held 08/15/12. For further information, contact April Groover, (850) 617-7470.

ENERGY EFFICIENT BUILDINGS AND STANDARDS (61G20-1.001): The Department of Business and Professional Regulation, Florida Building Commission, has proposed rules to address inconsistencies in the 2010 Florida Building Code, including the applications of the 30% of assessed value language pertaining to renovations and the affirmative obligation for energy efficiency requirements for change outs, be it windows, AC units, swimming pool pumps or other particular items. The rule also adopts updated standards for visually graded Southern Pine and Mixed Southern Pine. A [Notice of Rulemaking Development](#) was published 05/18/12, and Workshops were held 06/12/12 and 08/07/12. For further information, contact Mo Madani at (850) 487-1824.

CONSTRUCTION AND DEMOLITION WASTE LANDFILLS (62-701.100, .200, .210, .220, .300, .310, .315, .320, .330, .340, .400, .410, .430, .500, .510, .520, .530, .600, .610, .620, .630, .710, .730, .802, .803, .900): FLDEP has proposed rulemaking regarding solid waste management; subsection 403.707(9), F.S., requires all construction and demolition debris landfills be constructed with liners and leachate control systems. This subsection also requires all construction and demolition debris be processed prior to disposal when economically feasible. Section 403.087(6), F.S., requires permit fees be updated every five years to account for inflation. The rule chapter must be amended to address these new requirements. There are several minor changes to update and clarify the chapter. The [Notice of Rulemaking Development](#) was published 08/17/12. For further information, contact [Richard Tedder](#), (850) 245-8735.

WATER SHORTAGE PLAN (40D-21.275): The SFWMD has proposed rulemaking to establish that the District will provide notice of a Declaration of Water Shortage to permittees whose permits will be affected or whose permitted water use will otherwise be restricted by a Water Shortage Declaration. The [Notice of Rulemaking Development](#) was published 08/17/12. A Notice of Proposed Rules was published 08/24/12, and comments were due 09/14/12. For further information, contact Sonya White, (813) 985-7481, ext. 4660.

BROWNFIELDS (62-785.100, .150, .200, .220, .300, .400, .450, .500, .600, .610, .650, .680, .690, .700, .750, .900): FLDEP has proposed rule that would merge existing Brownfield site rehabilitation criteria, processes and procedures contained in Chapter 62-785, F.A.C., into Chapter 62-780, F.A.C. Chapter 62-785, F.A.C., is being repealed, and all Risk-Based Corrective Action (RBCA) rule chapters being merged into Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria. This action will provide rule consistency across cleanup programs, where possible, based on governing statutes. Concurrently, FLDEP is proposing to expand Chapter 62-780, F.A.C., to include program-specific provisions from the Petroleum, Dry cleaning Solvent, and Brownfields RBCA cleanup rules. The [Notice of Rulemaking Development](#) was published on 03/16/12, a Workshop was held 03/28/12, the [Notice of Proposed Rules](#) was published 09/07/12, and comments were due 09/28/12. For further information, contact [Kim Walker](#), (850) 245-8934.

REGIONAL LAND USE PLANNING (29F-21.001): The East Central Florida Regional Planning Council has proposed rules to review and refine regional goals and policies within its Strategic Regional Policy Plan (2060 Plan). New rules will assist local decision making in planning, development and growth issues in Brevard, Lake, Orange, Osceola, Seminole and Volusia Counties, and encourage implementation of the Central Florida Regional Vision, adopted by representatives of 93 communities that participated in an 18-month regional visioning process involving about 20,000 citizens. The [Notice of Rulemaking Development](#) was published 09/28/12. For further information, contact [Hugh W. Harling, Jr.](#), (407) 262-7772.

CENTRAL FLORIDA WATER INITIATIVE MEETING: The Central Florida Water Initiative (CFWI) Steering Committee consists of a Governing Board member from the St. Johns River WMD, South Florida WMD, and Southwest Florida WMD, as well as a representative from each of the following: FLDEP, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announced a public meeting. The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. [Additional information](#) about the effort is available. One or more additional Governing Board members from each of the three WMD districts named may attend and participate in the meeting of the CFWI Steering Committee. The [Notice](#) was issued 10/31/12, and the meeting is scheduled for 11/9/12. For further information, contact [Woody Boynton Jr.](#), (386) 329-4101.

FLORIDA WATER RESOURCES MONITORING COUNCIL SALINITY NETWORK WORKGROUP: Summary is currently being updated. FLDEP, Bureau of Assessment and Restoration Support, has announced a meeting of the Florida Water Resources Monitoring Council Salinity Network Workgroup to discuss development of indices for groundwater levels and groundwater quality. The [Meeting Notice](#) was issued 10/24/12. The meeting was held 11/07/12. For further information, contact [Stephanie Sunderman](#), (850) 245-8478,

ONSITE SEWAGE PROGRAMS: The Department of Health (DOH), Bureau of Environmental Health, Onsite Sewage Programs announces a public meeting to discuss and guide current, proposed and potential future onsite sewage research projects. The meeting will discuss the Nitrogen Reduction Strategies Study, the draft report for an EPA Non-Point Source Pollution Grant on performance and management of advanced onsite sewage treatment and disposal systems in Florida, and other ongoing and possible future research projects. The [Meeting Notice](#) was issued 10/31/12. The meeting is scheduled for 11/14/12. For further information, contact [Elke Ursin](#), (850) 245-4070 x2708.

ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (64E-6.001, .002, .003, .008, .010, .011, .014, .017, .018, .0181, .028): DOH has proposed rules to incorporate technical changes and modifications proposed through the Technical Review and Advisory Panel, and to implement statutory requirements. Areas to be discussed include, but are not limited to: onsite sewage treatment and disposal system definitions, design, permitting, construction, modification, repair, maintenance and abandonment; septic treatment and disposal; standards for systems in the Florida Keys; and performance-based treatment standards. A [Notice of Rulemaking Development](#) was published 11/01/12.

SFWMD CONSUMPTIVE USE PERMITTING EFFORT (40D-2.011): The Southwest Florida WMD has proposed to amend Rule 40D-2.321, F.A.C., to be more consistent with Section 373.236, F.S. and other WMDs rules by eliminating additional requirements. Amendment will allow an applicant to avoid having to satisfy additional requirements to be granted a 20 year permit. Certain permits that were granted for shorter durations may also be extended up to a total of 20 years. The [Notice of Rulemaking Development](#) was published 07/20/12. Workshops were held in August 2012. The [Notice of Proposed Rules](#) was published 10/29/12. Comments are due 11/19/12.

VOLUNTARILY IMPLEMENTATION OF MONITORING REQUIREMENTS (40B-2.331): The Suwannee River WMD has proposed a rule to provide incentive for water use permittees to voluntarily implement WMDs' water use monitoring re-

quirements prior to expiration of current permits. The proposed rule would extend the duration of a water use permit if the permittee voluntarily implements the required water use monitoring program. The [Notice of Rulemaking Development](#) was published 07/20/12, and the [Notice of Proposed Rules](#) was published 10/22/12. Comments are due 11/12/12. For further information, contact Robin Lamm, (386) 362-1001.



PROPOSED RULES

SPILL REPORTING (GAC 391-3-6-05): The Georgia Environmental Protection Division (GAEPD) proposed amendments that would modify the definition of "Major Spills," revise reporting requirements for non-major spills and amend the monitoring program protocol. The [Proposed Rule](#) was published 09/08/10, and a public hearing was held 10/15/10. Comments were due 10/29/10. Substantial comments were received; GAEPD is reconciling them. GAEPD will then take the rule before the Board. An additional hearing was held 04/10/12, comments were due 04/19/12, and adoption was considered at the 05/23/12 Natural Resources Board meeting. For further information, contact Marzieh Shahbazaz, (404) 362-2680.

VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS (391-3-1-.02(2)(A)6, 391-3-1-.02(2)(KKK)): The Georgia Department of Natural Resources (GADNR) has proposed amendments to Georgia's Rules for Air Quality Control, Chapter 391-3-1. Rule 391-3-1-.02(2)(a)6, "General Provisions, VOC Emission Standards, Exemptions, Area Designations, Compliance Schedules and Compliance Determinations" is amended to lower the applicability threshold for 14 VOC rules from 100 tons per year to 15 pounds per day for sources located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties, effective 01/01/15. Rule 391-3-1-.02(2)(kkk), "VOC Emissions from Aerospace Manufacturing and Rework Facilities," is amended to lower the applicability threshold from 100 tons per year to 25 tons per year for sources located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties effective 01/01/15. A [Notice of Proposed Amendments](#) was filed 07/16/12. A Hearing was held 08/20/12, and comments were due 08/21/12. For [further information](#), contact the Air Quality Branch, 404-363-7000.

CHATTahoochee AND Flint River Basin TMDLs (Notice): GAEPD has given notice of [proposed total maximum daily loads \(TMDLs\)](#) for individual pollutants for a number of segments of rivers and streams in the Chattahoochee and Flint River Basins. The [Notice](#) was issued 08/29/12. Comments were due 09/28/12. For further information, contact Debbie Siemon, (404) 675-1673.

SLUDGE INCINERATION UNITS (Notice): GAEPD has proposed a [State plan](#) to implement EPA's "Emissions Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units." The plan is required by the Federal rule and includes the following: facility and unit-level emissions inventories; emissions limits and standards; compliance dates and increments of progress for affected units; performance testing, recordkeeping and reporting requirements; operator training and qualification requirements; documentation of public notification and participation; provision for State progress reports to EPA; identification of enforceable state mechanisms for implementing emission guidelines; demonstration of the State's legal authority to carry out the plan; and requirement for Title V permits. The [Notice of Public Hearing](#) was issued 09/17/12. A hearing was held and comments were due 10/23/12. For further information, contact the EPD Air Protection Branch, (404) 363-7000.

INERT WASTE LANDFILLS (391-3-4-.06(3)(c), 391-3-4-.07(4)(c), 391-3-4-.07(4)(d)): GAEPD has proposed amendments to the Georgia Rules for "Solid Waste Management", Chapter 391-3-4. Rule 391-3-4-.06(3)(c), "Inert Waste Landfill Operations," is being amended to require all new inert waste landfills obtain a full solid waste handling permit to operate. It provides for an 18-month transition period for existing inert waste landfills to come into compliance with new permitting requirements or close under current inert waste landfill permit by rule conditions. Rule 391-3-4-.07(4)(c), "Inert Waste Landfill Facilities," is a new rule outlining design and operational standards to be met before an inert waste landfill can obtain a solid waste handling permit for construction and operation. Rule 391-3-4-.07(4)(d) has been re-numbered from c to d. The [Notice of Proposed Rules](#) was published 08/31/12, and a hearing was held 09/24/12. [Proposed Rules](#) are available. Comments were due 10/01/12. GAEPD indicates that revisions were received and incorporated. The action may be on the December Board agenda, but there was no additional information. A copy of the revised rule was requested. **REEO-S commented on the proposals regarding impact to DoD installations.** For further information, contact the EPD Land Protection Branch, (404) 362-2696.



Kentucky

FINAL RULES

LICENSING REQUIREMENTS FOR THE STRUCTURAL PEST CONTROL INDUSTRY (302 KAR 29:020, 60): The Department of Agriculture adopted an administrative regulation for compliance with KRS 217B.050. The regulation establishes requirements for recordkeeping, storage and handling of restricted-use pesticides, trainee supervisions, and certification denial, suspension, modification, or revocation. [Proposed Rules](#) were filed 08/15/12. A hearing was held 09/25/12, comments were due 10/01/12, and the [amendments](#) were adopted 11/01/12. For further information, contact [Clint Quarles](#), (502) 564-1155.

PROPOSED RULES

PM2.5 NAAQS (401 KAR 51:017): The Kentucky Department of Environmental Protection (KDEP) has proposed an amendment to reflect revisions to the federal Prevention of Significant Deterioration (PSD) program to address PM2.5 NAAQS. Amendment includes maximum allowable increases for Class I and II PM2.5 at annual and 24-hour levels. It includes de minimis levels to preclude further evaluation for sources emitting or increasing emissions by an amount less than the air quality impact levels for PM2.5. Amendments are necessary to ensure consistency between state and federal programs. The [Proposed Rules](#) were filed 06/19/12, and published 07/01/12. A [Hearing](#) was held 07/24/12, and comments were due 07/31/12. A [meeting](#) was held 08/14/12. The [proposed rules were amended](#) and another meeting was held 10/09/12. For further information, contact [Laura Lund](#), (502) 564-3999, ext. 4428.

KPDES PROGRAM SCOPE (401 KAR 5:055): KDEP has proposed an amendment to the administrative regulation that establishes scope and applicability of the KPDES program, including specific inclusions, exclusions, prohibitions, requirements for general permits, requirements for disposal into wells and publicly-owned treat works (POTW), and disposal by land application. Amendment updates citations to corresponding federal regulations, and clarifies that state requirements are the same as federal requirements. Amendment clarifies that the KEEC will consult with EPA's Regional Administrator as required by 40 C.F.R. 124.62(a)(2), before approving innovative technology. [Proposed Rules](#) were filed 07/09/12, a hearing was held 08/28/12, and comments are due 08/31/12. The amendment was considered at the Administrative Rule Review Subcommittee meeting on 09/11/12, and scheduled for consideration again at a later date. An advisory was issued 10/01/12, and the [Notice](#) was amended 11/01/12. An adoption meeting is scheduled for 11/13/12. Adoption is pending. For further information, contact [Karen Cronen](#), (502) 564-3410.

ANTIDEGRADATION POLICY IMPLEMENTATION METHODOLOGY (401 KAR 10:030): KDEP has proposed rulemaking to add 16 streams or stream segments as exceptional water bodies in Table 2. Updates to 19 streams or stream segments in Table 1 and Table 2 for segment mile point reconciliation correspond to current National Hydrography Database version updates, or for other administrative purposes. KDEP is proposing to amend Section 1 to clarify that an Outstanding State Resource Water shall not be categorized as impaired for the purpose of antidegradation review. Rulemaking is part of the triennial review of water quality standards required by CWA Section 303(c) and 40 CFR Section 131.20. [Proposed Rules](#) were filed on 08/15/12 and published 09/12/12. A Hearing was held 09/27/12, and comments were due 10/01/12. The rule was adopted, and an advisory was issued on 11/01/12. Final adoption is pending. For further information, contact [Peter Goodmann](#), (502) 564-3410.

JURISDICTION OF THE KENTUCKY AIRPORT ZONING COMMISSION (602 KAR 50:030, 50): The Department of Aviation has proposed updates to 602 KAR 50:30 and 50:50 to include a statutory revision that expanded the types of airports under Kentucky Airport Zoning Commission jurisdiction. The [Proposed Rules](#) were published 11/01/12, a Hearing is scheduled for 11/27/12, and comments are due 11/30/12. For further information, contact D. Ann DAngelo, (502) 564-7650.

KENTUCKY HERITAGE LAND CONSERVATION FUND – ACQUISITION, MANAGEMENT, GRANTS, AND REMEDIES, AND REPEAL (418 KAR 1: 010, 020, 031, 040, 050, 060, 70): The KY Department for Natural Resources has proposed amendments to [Kentucky Heritage Land Conservation Fund](#) regulations to: remove outdated and unnecessary information; remove unused definitions; provide updated information to current definitions; streamline the process of removing requirements that were duplicative and moved information from 418 KAR 1:030 into this administrative regulation; remove the list of items required to be submitted as part of the Preliminary and Final Resource Management Plan (RMP); insert references in appropriate forms that contain information regarding those forms; add information on appropriate deed restriction language and information on conservation easements; and ensure the administrative regulation conforms to current KRS 13A standards. Adoption is pending. [Proposed Rules](#) were filed 09/13/12. A hearing was held 10/01/12, and comments were due 10/13/12. The [ARRS Agenda](#) was published 11/01/12. An action meeting is sched-

uled for 11/13/12. For further information, contact [Michael Mullins](#), (502) 564-6940.



PROPOSED RULES

HYDRAULIC FRACTURE STIMULATION PROCEDURES (STATEWIDE RULE 1.26): The State Oil and Gas Board has [proposed amendments and revisions](#) to existing Statewide Rule 1.26 to prescribe new regulatory, permitting and notification requirements applicable to hydraulic fracture stimulation procedures on oil and gas wells. The Proposed Rules were filed 06/29/12, and comments were due 07/24/12. A Hearing was held 08/15/12. For further information, contact [Howard O. Leach](#), (601) 576-4921.



PROPOSED RULES

WASTEWATER OPERATOR CERTIFICATION (NEW 21 NCAC 39 .0202; AMEND 21 NCAC 39 .0101, .0601, .1005): The On-Site Wastewater Contractors and Inspectors Certification Board has proposed rule changes to 21 NCAC 39 .0101 to clarify the meaning of "ancillary" as used in the Board's practice act, and 21 NCAC 39 .0202 to facilitate transition of a certified contractor to another employee. Changes to 21 NCAC 39 .0601 reduce continuing education requirements to reflect requirements that other industry-related certifications impose that have a long term history and are sufficient to protect the environment and public welfare; remove carryover of continuing education if such requirements are reduced as proposed; require each certificate holder to be present for a minimum amount of time at each class, verified by the provider. Changes to 21 NCAC 39 .1005(c)(1) correct a word error overlooked in the current version of the rule. The [Proposed Rules](#) were published 06/15/12. A Hearing was held 08/01/12. Comments were due 08/14/12. For further information, contact [Connie Stephens](#), (336) 202-3126.

GENERAL NPDES WASTEWATER PERMIT (NOTICE): The Environmental Management Commission has proposed to reissue an expiring wastewater discharge permit for NPDES General Permit No. NCG550000, associated with discharges of domestic wastewater from single family residences and other 100% domestic discharges with similar characteristics. The NC Division of Water Quality (DWQ) is noticing intent to reissue a revised version of the permit with changes in conditions. This draft will be available for public comment and written comments regarding the proposed permit will be accepted until 30 days after the publish date of this notice. DWQ is noticing the existing permit with the expectation that it might be reissued with an expiration date of 07/31/13, or until the revised permit draft is finalized, whichever comes first. The [Notice](#) was issued 06/15/12, and comments were due 07/15/12.

DAQ REVIEW OF NC AIR TOXICS RULES (NOTICE): The North Carolina Department of Natural Resources (NCDENR) Division of Air Quality (DAQ) encouraged the public to review and comment on North Carolina's rules for controlling toxic air pollutants at a public meeting scheduled held 09/25/12. The General Assembly adopted legislation during the 2012 session (Session Law 2012-91) that requires DAQ to review state air toxics rules and determine whether changes could be made to reduce unnecessary regulatory burden and increase efficient use of DAQ resources, while maintaining protection of public health. A [Press Release](#) was issued 09/07/12, and a Public Meeting was held 09/25/12. Comments were due 10/09/12. For further information, contact the [Division of Air Quality](#).

NPDES GENERAL STORMWATER PERMITS FOR AUTO SCRAP AND LANDFILL OPERATIONS (NOTICE): The NCDENR Division of Water Quality (DWQ) invited public comment on, or objections to, the stormwater permitting action. DWQ intends to renew the following NPDES General Permits for the discharge of stormwater from the listed industry categories: NCG100000, used auto parts and automobile scrap operations (Stormwater Permitting Unit (SPU) contact is Bethany Georgoulias); NCG120000, landfill operations (SPU contact is Ken Pickle). The [Notice](#) was issued 09/04/12, and comments were due 10/01/12. For further information, contact [Bethany Georgoulias](#).

AIRPORT STORMWATER BMP MANUAL CHAPTER 13 REVIEW (BMP MANUAL CHAPTER 13): NCDENR has invited public comment on draft Chapter 13: Airports of the NCDENR Stormwater BMP Manual. This chapter was developed based on S.L. 2011-394. The [Draft](#) was issued 10/02/12. Comments are due 12/02/12. For further information, contact [Mike Randal](#).

NORTH CAROLINA COASTAL MANAGEMENT PROGRAM (NEWS RELEASE): The North Carolina Coastal Resources Commission (CRC) is notifying the public that a change to the Coastal Area Management Act (CAMA) is being submitted to the

National Oceanic and Atmospheric Administration Office (NOAA) of Ocean and Coastal Resource Management (OCRM) for incorporation into the state's federally-approved Coastal Management Program. The commission is required by law to alert the public to such changes. The federal Coastal Zone Management Act authorizes state coastal zone management programs to formally incorporate changes made to state laws, rules and policies for use in the review of federal permits and projects. This routine program change concurrence request does not involve direct changes to the program's regulations, but to a section of its enabling legislation, General Statute 113A-115.1 (CAMA). The primary change to the legislation under Session Law 2011-387 gives the CRC authority to permit up to four terminal groins on the oceanfront without having to meet one of the previously existing exemptions for permanent erosion control structures. The CRC considers this to be a routine program change that does not significantly affect the uses subject to management, special management areas, boundaries, authorities and organization, or coordination, public involvement and national interest components of the North Carolina Coastal Management Program. The CRC is requesting concurrence with this finding from the NOAA's Office of Ocean and Coastal Resource Management, or OCRM. OCRM will review changes to ensure they do not constitute a program amendment as described in 15 CFR §923.80. A [Press Release](#) was issued on 10/23/12. Comments are due 11/23/12. For further information, contact [Tancred Miller](#), (252) 808-2808.



PROPOSED RULES

GENERAL PERMIT FOR FUEL COMBUSTION: The South Carolina Department of Health and Environmental Control (SCDHEC) has proposed revisions to the general conditional major air pollution operating permit for fuel combustion operations to update emission limitations to include federally enforceable GHG limitations. The permit limits a facility's potential to emit below major source thresholds for the Title V permit program and New Source Review, and contains conditions to assure that these facilities are operated as non-major sources. SCDHEC examined fuel combustion operations and has concluded that the general permit, as proposed, is consistent with state and federal air pollution regulations. "Fuel combustion operations," for purpose of this permit, are defined as facilities comprised of one or more fuel combustion sources (including boilers, emergency generators, and non-emergency generators) fired on natural gas, propane, virgin fuel oil, and/or used spec oil as defined in S.C. Regulation 61-62.1, Section 1, fuel storage tanks, ethylene oxide sterilizers located at hospitals, or other sources approved by SCDHEC. The [Notice](#) was issued 05/30/12, and comments were due 06/24/12. For further information, contact Alyson Hayes, (803) 898-3836.

PERMITS FOR PETROLEUM DISTRIBUTION OPERATIONS (NOTICE): SCDHEC is proposing to issue general air pollution operating permits for Petroleum Distribution Operations (PDOs). The general permit will cover a large number of facilities that have similar operations. Such permits limit a facility's potential to emit below major source thresholds for the Title V permit program, and contain conditions to assure that these facilities are operated as non-major sources. SCDHEC has examined PDOs and has concluded that the general permit, as proposed, is consistent with state and federal air pollution regulations. Once a general permit is issued, any eligible facility may request coverage under that permit. SCDHEC will maintain a list of facilities that receive authorization to operate under a general permit. PDOs, for purposes of this permit, will cover a variety of sources that provide bulk storage and distribution of gasoline, petroleum distillates, fuel additives and ethanol. Criteria for a General Conditional Major Operating Permit for Petroleum Distribution Operations are as follows: A facility may only have the following at the facility: storage tanks, loading racks with associated control devices where applicable, emergency generators and other sources that are exempt per S.C. Regulation 61-62.1, Section II(B), and other approved equipment. Operational restrictions will limit a facility's potential to emit to below major source thresholds for Title V, Nonattainment New Source Review and Prevention of Significant Deterioration. Specifically, criteria pollutants are limited to less than 100 tons per year (TPY) each, any single hazardous air pollutant (HAP) to less than 10 TPY, and any combination of HAPs to less than 25 TPY. A facility is not subject to 40 CFR 63 Subpart R (National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)). The [Notice](#) was issued 08/24/12, a [Statement of Basis](#) was developed, [Draft Permit](#) issued and comments were due 09/24/12. For further information, contact Alyson Hayes, (803) 898-4123.

BEAUFORT COUNTY TMDLs (NOTICE): SCDHEC invited public comment on fecal coliform TMDLs for Chechessee Creek in Beaufort County. The [Notice](#) was issued 09/13/12. Comments were due 10/15/12. For further information, contact [Matt Carswell](#), (803) 898-3609.



PROPOSED RULES

BIOSOLIDS MANAGEMENT (0400-40-15-.01 THROUGH -.06): TDEC has proposed rulemaking to promulgate rules for land application of biosolids. Biosolids are currently regulated under 40 CFR Part 503, although Tennessee has no authority to enforce 40 CFR Part 503. EPA Region 4 is the permitting authority per Part 503, but has had a very small presence in Tennessee since promulgation of 40 CFR Part 503 in 1993. With EPA's national divestment in biosolids enforcement, it is unlikely that there will be a future EPA presence in Tennessee relative to the matter. For all practical purposes, requirements of the proposed Tennessee rules are virtually the same as those stipulated in 40 CFR Part 503 for land application of Class B biosolids. To land apply Class B biosolids under 40 CFR Part 503, pathogen reduction and vector attraction reduction options must be met, and the concentrations of certain metals (pollutants or contaminants) must not exceed safe levels; requirements of these proposed rules for pathogen reduction and vector attraction reduction are the same as those in 40 CFR Part 503. Monitoring frequency, record keeping and reporting requirements are also the same. Proposed rules provide specifics for the agronomic rate calculation and add setbacks to ensure protection State waters. A [Notice of Rule Making Hearing](#) was filed 05/23/12. Hearings were held 07/23/12, 07/24/12, 07/30/12, and 07/31/12. Comments were due 09/07/12. For further information, contact [Robert Dette](#), (615) 253-5319.

Department of Defense Activity

SECRETARY OF THE ARMY ENERGY AND WATER MANAGEMENT AWARDS (08/11/12): The 33rd annual awards were presented at the Army Energy Manager Training event in Cincinnati by Katherine Hammack, Assistant Secretary of the Army for Installations, Energy, and Environment, and Major General Al Aycock, Director of Operations, Office of the Assistant Chief of Staff for Installation Management. Fort Knox took home the Small Group Award for Innovative/New Technology.

ARMY ENVIRONMENTAL AWARDS: The 2012 Secretary of the Army (SecArmy) Environmental Awards program [guidance and call for nominations](#) is now available. This program recognizes exceptional performance in environmental programs and sustainability in both installation and team/individual categories. SecArmy award winners will represent the Army in the Secretary of Defense (SecDef) Environmental Awards later this year. Nominations are due 11/16/12.

2012 GREENGOV AWARDS (09/24/12): The White House Council on Environmental Quality (CEQ) announced the winners of the [2012 GreenGov Presidential Awards](#), honoring Federal agency teams and individuals who are taking innovative approaches to curbing waste, reducing energy use and saving taxpayer money in Federal agency operations. The GreenGov Presidential Awards celebrate extraordinary achievement in the pursuit of President Obama's Executive Order on Federal Leadership in Environmental, Energy and Economic Performance (Executive Order 13514). The awards highlight Federal civilian and military personnel, and agency teams, facilities, and programs that exemplify President Obama's charge to lead by example. The award winners were honored by senior Administration officials at a White House ceremony yesterday. Fort Stewart/Hunter Army Airfield, DPW, Environmental Division won the "Building the Future" category. The Fort Stewart-Hunter Army Airfield has incorporated sustainability into forward-thinking policies and daily operations, achieving significant, quantifiable accomplishments. The Airfield has reduced water intensity, increased waste diversion, reduced energy intensity, and helped protect more than 28,000 acres of surrounding wildlife. These milestones have been accomplished through partnerships with local governments and communities, and an intensive outreach campaign.

FY 2011 ANNUAL ENERGY MANAGEMENT REPORT (09/2012): For Fiscal Year (FY) 2011, DoD reported on its activities to promote energy security and leverage new energy technologies. The report provides a comprehensive snapshot of DoD activities to promote energy security and leverage new energy technologies on its installations. The report discusses DoD efforts related to managing its facility energy program, reducing energy demand, increasing the supply of renewable energy, enhancing energy security, managing energy data and metering, funding energy projects and reporting on federal building energy standards.

DoD SOLICITS NOMINATIONS FOR 2013 SECRETARY OF DEFENSE ENVIRONMENTAL AWARDS (10/02/12): Nominations are being accepted until 03/01/13 in the following categories: Natural Resources Conservation; Cultural Resources Management; Sustainability; Environmental Quality; and Environmental Restoration.

FEDERAL FACILITIES SITE EVALUATION (10/18/12): EPA has posted information from the [Federal Facilities Site Evaluation Project \(FFSEP\)](#), a two-year effort to determine assessment and cleanup status of 514 federally owned sites that, at the start of the project in FY2010, had not been fully assessed. The 514 sites evaluated under the FFSEP were identified from the Comprehensive Environmental Response, Compensation, and Liability Information System database. The FFSEP website allows searching by agency, and includes 42 DoD sites, and their statuses. Most indicate "no further action planned," or "known progress." Four sites indicated stalled or undetermined documentation.

AMERICAN INDIANS AND ALASKA NATIVES (10/24/12): The American Indian and Alaska Native Policy, establishes Department of Army policy for interaction with Federally-recognized American Indian and Alaska Native Tribes (Federally-recognized Tribes), in accordance with references 1.a. and 1.b. This [memorandum](#) is provided for information and appropriate action. AKO access is required.

2014 SERDP SOLICITATION (10/29/12): DoD's Strategic Environmental Research and Development Program (SERDP) is seeking environmental research and development proposals for funding beginning in Fiscal Year (FY) 2014. Projects will be selected through a competitive process. [Details](#) are available under Funding Opportunities. For further information, contact [Andrew Rak](#).

2102 ARMY SUSTAINABILITY REPORT (10/31/12): The Assistant Secretary of the Army for Installations, Energy and Environment released the [Army Sustainability Report 2012](#), which describes the Army's sustainability efforts and progress during years 2010 and 2011.

Federal Activity

AIR

RENEWABLE FUEL STANDARD AND DIESEL SULFUR PROGRAMS (10/09/12, [77 FR 61281](#)): This direct final rule amends the definition of heating oil in the Renewable Fuel Standard ("RFS" or "RFS2") program under section 211(o) of the CAA. Amendment will expand the scope of renewable fuels that can generate Renewable Identification Numbers (RINs) as heating oil to include fuel oil produced from qualifying renewable biomass that will be used to generate heat to warm buildings or other facilities where people live, work, recreate, or conduct other activities. EPA is also amending the requirements under EPA's diesel sulfur program related to the sulfur content of locomotive and marine diesel fuel produced by transmix processors. This rule is effective 12/10/12 without further notice, unless EPA receives adverse comment or a public hearing request by 1/08/12. For further information, contact [Kristien Knapp](#), 202-343-9949.

ENERGY

COMMIT TO EFFICIENCY CAMPAIGN (10/02/12): Sponsored by the Federal Energy Management Program, the Commit to Efficiency campaign allows those involved in Federal purchases to commit to buying energy-efficient products. The effort is implemented by taking a [pledge](#); buying and specifying energy-efficient for every purchase; and spreading the word. For further information, contact [Amanda Sahl](#), 202-586-1662.

FEDERAL COLLABORATION (10/04/12): The White House Council on Environmental Quality is looking to spotlight energy and sustainability projects that involve the collaboration of multiple federal agencies. GreenGov Spotlight Communities demonstrate how leveraging regional co-location and shared targets are helping agencies achieve the energy and sustainability goals and targets in [Executive Order 13514 Federal Leadership in Environmental, Energy and Economic Performance](#). If your team is working with other federal agencies to reduce your environmental footprint through joint purchasing agreements, fleet sharing, or other Executive Order 13514 projects, you might be eligible to become a GreenGov Spotlight Community. More [information and the online application form](#) are available. Applications must be submitted by 11/16/12.

2012 FEDERAL ENERGY AND WATER MANAGEMENT AWARDS: The Department of Energy (DOE) announced the winners of the [31st annual Federal Energy and Water Management Awards](#). The awards recognize the commitment made by federal agencies to invest in efficiency measures that save taxpayer money and increase US energy security.

EISA SECTION 432 GUIDANCE: The Federal Energy Management Program (FEMP) released [Final Guidance for the Implementation and Follow-up of Identified Energy and Water Efficiency Measures in Covered Facilities](#). This guidance pertains to implementation and follow-up of energy and water efficiency measures identified and undertaken per Section

432 of the Energy Independence and Security Act of 2007 (EISA). This guidance also provides context for how these activities fit into the comprehensive approach to facility resource (energy and water) management outlined by the statute and incorporates by reference previous DOE guidance released for Section 432 of EISA and other related documents.

HAZARDOUS WASTE

ELECTRONIC MANIFEST ESTABLISHMENT (10/05/12, P.L. 112-195): The Hazardous Waste Electronic Manifest Establishment Act, Public Law 112-195, was enacted. The legislation provides for EPA to establish a federally operated system of electronic hazardous waste manifests available to users in all 50 states. To carry out this effort, EPA is directed to promulgate regulations effective simultaneously in all states, including requirements deemed necessary to facilitate transition from use of paper manifests. The federal manifest system will accept paper manifests for entry of data. EPA is directed to contract the effort and to impose fees sufficient to fund and sustain the electronic manifest system. An initial appropriation of \$2 million annually for three years is provided for startup.

NATURAL RESOURCES

FLORIDA BONNETED BAT (10/04/12, 77 FR 60749): USFWS proposes to list the Florida bonneted bat as an endangered species. The species occurs in Miami-Dade, Collier, Charlotte, Lee, Polk, Okeechobee, and Monroe Counties, FL. USFWS finds that critical habitat is prudent, but not currently determinable due to lack of knowledge regarding which physical and biological features are essential to species conservation. Results of a 2006-2007 range-wide survey suggested that the Florida bonneted bat is a rare species with limited range and low abundance. Comments and information about the species are due by 12/03/12. For further information, contact Larry Williams, 772-562- 3909, ext. 285.

TRIBAL MEMBER USE OF FEATHERS OR OTHER PARTS OF FEDERALLY PROTECTED BIRDS: Eagles and other migratory birds are protected under federal wildlife laws that generally prohibit the possession, use and sale of feathers or other parts of federally protected birds, as well as unauthorized killing of such birds. These restrictions help ensure that eagle and other bird populations remain healthy and sustainable. At the same time, eagles and other raptors hold great meaning for many Indian tribes and may play a role in tribal religious and cultural practices. In recognition of this, and in keeping with the US government-to-government relationship with federally recognized tribes, the Department of Justice (DOJ) has announced a [policy](#) addressing the ability of members of federally recognized tribes to use the feathers and other parts of federally protected birds. DOJ worked closely with the Department of the Interior, and consulted extensively with tribes in developing this policy. This policy balances the DOJ commitment to enforce federal wildlife laws with its commitment to support tribal sovereignty and tribal self-determination. A [fact sheet](#) is available.

FRESHWATER MUSSEL SPECIES (10/10/12, 77 FR 61663): USFWS has determined endangered or threatened status for eight freshwater mussel species that occur in Alabama and Florida. The endangered are Alabama pearlshell, round ebonyshell, southern kidneyshell, and Choctaw bean; threatened are tapered pigtoe, narrow pigtoe, southern sandshell, and fuy pigtoe. Critical habitat being designated comprises 1,494 miles of stream and river channels in nine units in Bay, Escambia, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington Counties, Florida; and Barbour, Bullock, Butler, Coffee, Conecuh, Covington, Crenshaw, Dale, Escambia, Geneva, Henry, Houston, Monroe, and Pike Counties, Alabama. Habitat degradation and loss as a result of excessive sedimentation, bed destabilization, poor water quality, and environmental contaminants are considered the most significant threats to these eight mussels. For further information, contact Don Imm, 850-769-0552.

NEPA

e-NEPA (10/04/12): Traditionally, Environmental Impact Statements (EIS) have been submitted to EPA in hard copy. e-NEPA eliminates the need to mail or deliver copies of EIS to EPA headquarters, which reduces printing, shipping and delivery costs. Beginning on 10/01/12, all agencies are required to use the e-NEPA filing system. [Further information](#) is available.

WATER

WATER REUSE GUIDELINES, 2012 (10/02/12): The [2012 water reuse guidelines](#) update and build upon EPA's previous reuse [guidelines issued in 2004](#), incorporating information on water reuse developed since the 2004 document was issued. In addition to summarizing existing regulations, the document includes water reuse practices outside of the US, case studies, information on planning for future water reuse systems, and information on indirect potable reuse and industrial reuse. Disinfection and treatment technologies, emerging contaminants, and public involvement and acceptance are also discussed.

Professional Development

VARIOUS DATES AND TIMES ONLINE: [NPDES TRAINING COURSES AND WORKSHOPS](#). Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program; designed for permit writers, dischargers, USEPA officials and other interested parties.

VARIOUS DATES AND TIMES ONLINE: [2013 USACE 2012 TRAINING PROGRAM \(PURPLE BOOK\)](#). US Army Corps of Engineers FY 2012 training program is open for registration. For further information, contact USACE at (402) 697-2559.

VARIOUS DATES AND TIMES ONLINE: [INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#). ITRC is a state-led coalition working together 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 (TIFSD), ITRC delivers training courses via the Internet 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.

VARIOUS DATES AND TIMES: [EPA RCRA TRAINING](#). RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations and implementation.

VARIOUS DATES AND TIMES: [NATIONAL ENFORCEMENT TRAINING INSTITUTE](#). EPA environmental enforcement training opportunities offered (E-Learning, Classroom, Webinar) for federal, state, tribal and local government environmental enforcement professionals.

ANYTIME ONLINE: [EPA WATERSHED ACADEMY](#). The website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in time to complete, from 1/2 hour to 2 hours.

ANYTIME ONLINE: [EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY](#). Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make your program more successful. The format for the calls will be a formal presentation followed by a question and answer session and discussion time.

ANYTIME ONLINE: [EPA REDUCES RUNOFF VIDEO](#). Online video highlights green building techniques (rain gardens, green roofs, etc.) to help manage storm water runoff.

ANYTIME ONLINE: [DEFENSE ACQUISITION UNIVERSITY \(DAU\)](#). DAU developed on-line resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations. The on-line resources provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other documents, link to related learning and knowledge content, ask a professor a question, contribute knowledge objects (such as lessons learned, best practices, templates, or samples), or collaborate with peers on work issues.

ANYTIME ONLINE: [DOILEARN](#). DOI Learn houses natural resource courses and training offered by all organizations within the Department of Interior, to include the National Park System, Fish and Wildlife Service, Bureau of Land Management, etc.

ANYTIME ONLINE: [GOLEARN](#). GoLearn provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

ANYTIME ONLINE: [ARMY PODCAST SERVICE](#). The Army offers free podcasts on a wide variety of topics, including an environmental series, an Army Corps of Engineers series, and many more. The podcasts are available through a free subscription service. It is not necessary to own an ipod in order to view or listen to a podcast.

ANYTIME ONLINE: [TRAINING FOR FEDERAL GHG INVENTORIES](#). A component of FedCenter's broader Greenhouse Gas Inventory Reporting" site is available. The FEMP-developed training offers three types of training that can help in understanding the processes needed to develop an agency's GHG inventory under EO 13514 section 9. These trainings include online interactive courses, archived webinar videos and PowerPoint files from training courses.

ANYTIME ONLINE: [BUILDING RETUNING](#). The purpose of this course is to enable you to reduce operating cost and provide energy savings to buildings. The focus is on large (100,000 sq. ft.) commercial buildings, but the concepts and techniques presented can be applied to any type and size of facility that has a building automation system (BAS).

ANYTIME ONLINE: [ACHIEVING ENERGY SECURITY IN FEDERAL FACILITIES](#). Achieving Energy Security in Federal Facilities builds competency in protecting critical missions by integrating energy security measures into all aspects of operations. Employ critical principles, such as diversity, redundancy, reducing demand, planning, and emergency management as you consider energy security. Consider technologies that support energy security and develop an understanding of key issues related to short- and long-term energy disruptions, including storage and maintenance issues.

ANYTIME ONLINE: [ADVANCED METERING SOLUTIONS FOR FEDERAL AGENCIES](#). This one-day FEMP-sponsored symposium (targeting Federal energy managers, contractors, and software and system providers) consisted of two sections. The morning session consisted of presentations by Federal agencies highlighting their successful applications of advanced metering, data analysis, and diagnostic software. The afternoon session will feature panel discussions by invited metering hardware and software providers highlighting the capabilities of such systems.

NOVEMBER 14-15 WASHINGTON, DC: [CONFERENCE ON MILITARY SMART GRIDS AND MICROGRIDS](#). Over 30 leading experts examine: DoD and Service Energy Strategy and Plans, Incorporating Smart and Microgrids; Intersections with National Grid, Commercial Developments, DOE Strategies/Plans, etc.; Electric Vehicles and Smart/Microgrids Integration; Smart/Microgrid Design, Development and Implementation – Success Stories and Lessons Learned; Emerging Technologies and Capabilities – Net-Zero, Islanding, Smart Metering and more.

NOVEMBER 16, ONLINE: [RESOURCE CONSERVATION AND RECOVERY ACT \(RCRA\): CRADLE TO GRAVE](#). Offered by EPA's National Environmental Training Institute (NETI), this webinar addresses what it means to manage waste from cradle to grave. Learn how this important, cross-cutting regulatory program manages the toxic refuse of a consumer society.

NOVEMBER 27-30, DENVER, CO: [THE NATIONAL WIND COORDINATING COLLABORATIVE \(NWCC\) BIENNIAL WIND WILDLIFE RESEARCH MEETING](#). The meeting provides an internationally recognized forum for researchers and wind-wildlife stakeholders to hear contributed papers, view research posters, and listen to panels that synthesize the most recent wind power-related wildlife research. Academics, researchers, conservation scientists, consultants, federal and state officials, NGO representatives, and industry professionals come together for this unique opportunity.

NOVEMBER 30, ONLINE: [ENVIRONMENTAL JUSTICE: CHALLENGES AND OPPORTUNITIES](#). A safe and healthy environment for all Americans; join EPA's National Environmental Training Institute (NETI) to consider the wide range of issues confronting this important topic.

NOVEMBER 30-DECEMBER 3, AUSTIN, TX: [2012 COUNCIL OF STATE GOVERNMENTS NATIONAL CONFERENCE](#): CSG is an organization serving all three branches of state government and is a region-based forum that fosters exchange of insights and ideas to help state officials shape public policy.

DECEMBER 10-14, FORT LAUDERDALE, FL: [A COMMUNITY ON ECOSYSTEM SERVICES \(ACES\), THE ECOSYSTEM MARKETS CONFERENCE](#). This conference will provide an open forum to share experiences and state-of-the-art methods, tools, and processes for assessing and incorporating ecosystem services into public and private decisions. The focus of the conference will be to link science, practice, institutions, and resource sustainable decision making by bringing together ecosystem services communities from around the US and the globe.

DECEMBER 11-13, ORLANDO, FL: [RENEWABLE ENERGY WORLD CONFERENCE AND EXPO NORTH](#). As one of the only all-renewable shows in the country, the conference uniquely offers unprecedented access to the latest information, solutions and technologies driving the success of business and the future of the industry. Join thousands of colleagues as one clean energy industry.

DECEMBER 13, ONLINE: [ASK THE INSPECTOR WORKSHOP SPILL PREVENTION, CONTROL AND COUNTERMEASURE REQUIREMENTS AT FEDERAL FACILITIES](#). EPA is hosting a Spill Prevention, Control and Countermeasure (SPCC) compliance webinar for Federal facilities. If your facility manages any type of oil, this webinar will provide a framework to understand

SPCC compliance requirements, and issues affecting the Federal sector. The 45-minute presentation will cover specific regulatory areas identified by compliance inspectors as problems or concerns affecting the Federal sector and a review of the basic SPCC requirements. There will also be a 45 minute Q&A session. Upon enrolling in the webinar, you will have the opportunity to submit your questions via e-mail. This webinar is intended for Federal personnel and contractors who are involved in environmental compliance activities at Federal facilities. [Registration](#) is required by 12/05/12.

JANUARY 14-18, 2013, DAYTONA BEACH, FL: [COMPREHENSIVE FIVE-DAY TRAINING PROGRAM FOR ENERGY MANAGERS](#).

The program is designed to meet the training requirements of those who need to know the technical details of the commissioning process, which is the process of ensuring that building systems are designed, installed, functionally tested, and capable of being operated and maintained according to the owner's operational needs. Commissioning can restore existing buildings to high productivity through renovation, upgrade and tune-up of existing systems. This program will examine all aspects of building commissioning, including project scheduling, roles and responsibilities of the project team, new building commissioning, retro and recommissioning of existing buildings, system by system commissioning requirements, TAB and verification procedures, the LEED rating system, project economic analysis, building code issues, and commissioning tools and technologies. The Certified Building Commissioning Professional (CBCP) exam will be administered at the close of instruction on day five of each seminar -- only to those who have qualified in advance to sit for the exam by submitted a completed CBCP application and fee.

JANUARY 15-18, 2013, ORLANDO, FL: [THE ENVIRONMENTAL AWARENESS BOOTCAMP](#). The bootcamp covers in detail numerous environmental air, water and waste regulations that may impact facilities. Learn how regulations apply to your organization and how to keep in compliance.

JANUARY 16-17, 2013, ORLANDO, FL: [UST AND AST MANAGEMENT WORKSHOP](#). This focused training workshop is for personnel responsible for managing underground and aboveground storage tanks in various applications including compliance, planning and permitting, vehicle fueling, heating oil, emergency generators and varied industrial applications, both petroleum and chemical. This UST/AST Workshop covers the full range of storage tank management topics from beginner to advanced.

FEBRUARY 4-3, 2013, CHARLOTTE, NC: [COMPREHENSIVE FIVE-DAY TRAINING PROGRAM FOR ENERGY MANAGERS](#). The program is designed to meet the training requirements of those who need to know the technical details of the commissioning process, which is the process of ensuring that building systems are designed, installed, functionally tested, and capable of being operated and maintained according to the owner's operational needs. Commissioning can restore existing buildings to high productivity through renovation, upgrade and tune-up of existing systems. This program will examine all aspects of building commissioning, including project scheduling, roles and responsibilities of the project team, new building commissioning, retro and recommissioning of existing buildings, system by system commissioning requirements, TAB and verification procedures, the LEED rating system, project economic analysis, building code issues, and commissioning tools and technologies. The Certified Building Commissioning Professional (CBCP) exam will be administered at the close of instruction on day five of each seminar -- only to those who have qualified in advance to sit for the exam by submitted a completed CBCP application and fee.

WASHINGTON, DC, MARCH 5-7, 2013: [8TH ANNUAL MILITARY ENERGY ALTERNATIVES CONFERENCE](#). This conference covers topics such as: unified understanding of military-wide requirements to set a fail proof operational energy strategy; deployment of stable microgrids to ensure optimal security of critical military assets; increasing efficiency at CONUS and international installations; research efforts in renewable and hybrid solutions; and renewables advances at the tactical level to improve soldier outcomes. The conference brings together leading military energy experts, DoD and DOE personnel.

Staff Directory

Main Office Number	404-524-5061
Region 4 Director/DoD REC	404-460-3131
Region 4 Deputy Director	404-460-3125
Region 4 Counsel	404-460-3132
Region 4 REC	404-460-3136
Project Manager	404-460-3134
Regulatory Affairs Specialist	404-460-3135
Administrative Assistant	404-460-3130

How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Southern Region Review of Legislative and Regulatory Actions* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices (REEOs) monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) causes a disproportionate effect on the Army or DoD, REEOs coordinate with potentially affected installations, commands, and/or other military Services to further assess the impact. If action on a proposed measure is necessary, REEOs work with Army or Service regulatory experts to communicate the DA/DoD position. Comments are combined from all parties in a single DoD/Army package, then formally submitted to the state.

Want to comment on a rule or bill in the *Review*?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

For further information on the Army's REEOS, visit: <http://www.asaie.army.mil/Public/InfraAnalysis/REEO/>.