



# Southern Review

## of Legislative & Regulatory Actions

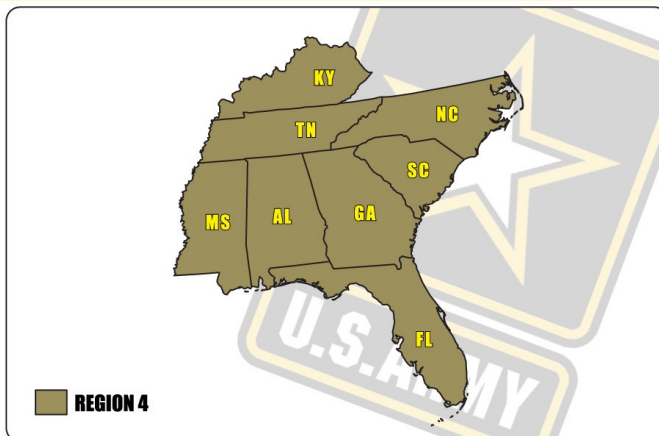


The U.S. Army Regional Environmental & Energy Office

April 2013

**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](mailto:rebecca.d.shanks.ctr@mail.mil). Please include a contact name and email address in the body of the message.



## Table of Contents

<a href="#">Alabama.....</a>	<a href="#">2</a>
<a href="#">Florida.....</a>	<a href="#">3</a>
<a href="#">Georgia.....</a>	<a href="#">7</a>
<a href="#">Kentucky.....</a>	<a href="#">9</a>
<a href="#">Mississippi.....</a>	<a href="#">9</a>
<a href="#">North Carolina.....</a>	<a href="#">10</a>
<a href="#">South Carolina.....</a>	<a href="#">11</a>
<a href="#">Tennessee.....</a>	<a href="#">13</a>
<a href="#">DoD Activity.....</a>	<a href="#">11</a>
<a href="#">Federal Activity.....</a>	<a href="#">15</a>
<a href="#">Professional Development.....</a>	<a href="#">16</a>
<a href="#">Staff Directory.....</a>	<a href="#">21</a>

## LANDSCAPE-BASED CONSERVATION IN THE SOUTHEAST

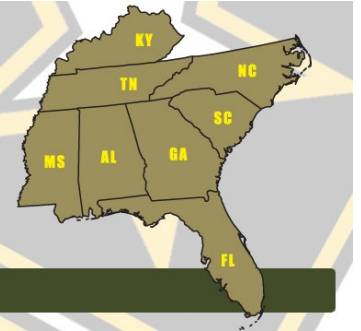
The conservation challenges of the 21st Century are more complex than ever before. Local and widespread threats such as drought, climate change and large-scale habitat fragmentation are complex issues that complicate efforts to plan and conduct conservation. These complex threats not only simultaneously impact isolated places or individual species, but entire landscapes and multiple resources. Because these challenges are too large for any single organization to meet alone, addressing landscape-scale issues will require a combined, consistent and collaborative effort, among the many stakeholders, to include public - private partnerships.

In 2010, 22 [Landscape Conservation Cooperatives \(LCCs\)](#) were formed by the Department of Interior as a network of public-private partnerships that provide shared science to ensure the sustainability of America's land, water, wildlife and cultural resources. The LCCs offer a forum for States, Tribes, Federal agencies, NGOs, universities and other groups to work together in new ways. These applied conservation science partnerships serve two main functions, the first of which is to provide the science and technical expertise needed to support conservation planning at landscape scales – beyond the reach or resources of any one organization. Through the efforts of in-house staff and science-oriented partners, LCCs generate the tools, methods and data that managers need to design and deliver conservation under an adaptive management approach. The second function of LCCs is to promote collaboration among members to define shared conservation goals. LCCs do not place limits on partners; they enable and encourage partners to see how activities can mesh with those of other partners, thus achieve a larger, more lasting impact (read more at [LCCs](#)). REEO-S is chairing the [South Atlantic Landscape Conservation Cooperative \(SALCC\)](#) for FY 13/14. The SALCC is currently working with all of the aforementioned organizations, as well as private partners and several established partnerships familiar to the DoD. Throughout the US, other LCCs are engaging partners to develop landscape conservation priorities, goals and initiatives

This article is an excerpt. Full article text is available on the [REEO News website](#).

# Region 4

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



## 2013 LEGISLATIVE SESSION: 5 FEB 13 THROUGH 20 MAY 13

\*Adjournment dates are estimated and updated based on legislative activity\*

### LEGISLATION

**[HB 181](#) HAZARDOUS WASTE FEE** HB 181 decreases the hazardous waste disposal fee for certain hazardous wastes. The measure passed the House on 19 MAR 13.

**[HB 237](#) EXPIRED MEDICATION DISPOSAL** HB 237 allows pharmacies to accept expired medications for disposal purposes. The measure passed committee on 28 FEB 13 and is ready for House vote.

**[HB 322](#) ALTERNATIVE ENERGY TAX CREDIT** HB 322 provides a tax credit for alternate fuel vehicles and fueling stations. The measure was referred to committee.

**[HB 374](#) TITLE V CLEAN AIR ACT AND PERMITS** HB 374 requires public notice before the Environmental Management Department can issue certain air permits in Class 1 municipalities. The measure is in committee.

**[HB 392](#) ENCROACHMENT** HB 392 requires the notification of military installations of certain land use changes by local governments, and allows military installations an opportunity to comment on proposed land use changes. HB 392 is pending vote in committee. *REEO-S Note: This legislation, which would be beneficial to the military, is similar to encroachment laws enacted in other states.*

**[SB 208 \(HB 382\)](#) STATE DROUGHT PLANNING** SB 208 establishes the Alabama Drought Assessment and Planning Team, which is charged with developing a state drought response plan. SB 208 passed committee on 14 FEB 13. HB 382 is in committee. *REEO-S Note: This measure is similar to an exercise that Georgia went through a few years back. Membership would include the State Adjutant General. Facilities with consumptive use permits, or similar state authorization that regulates water withdraws, could be impacted.*

### FINAL RULES

**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)** The Alabama Department of Environmental Management (ADEM) adopted amendments to hazardous waste rules. The Resources Conservation and Recovery Act (RCRA) §3006(b) requires authorized state programs to be "equivalent" to the federal program and to maintain equivalency as the federal program changes. 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 adopted the Environmental Management Commission regulations that reflect changes made to EPA regulations from 1 JUL 11 through 30 JUN 12, including federal technical corrections rule. Wastewater treatment sludge (EPA Hazardous Waste No. F019) generated by ISE Innomotive 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 also corrected typographical and citation errors in existing regulations. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was filed 28 SEP 12. A hearing was scheduled and comments were due 13 DEC 12. The [Certified Amended Rules](#) were filed on 19 FEB 13, published on 28 FEB 13, and effective 26 MAR 13. POC: [ADEM Hearing Officer](#).

**UNDERGROUND STORAGE TANKS, ENVIRONMENTAL COVENANTS (335-5-1-.02, .03, .05, .06, .07, 335-5-3-.02)** ADEM adopted rule amendments to address changes required by Alabama Act 2-12-317 concerning USTs, address applicability to federal facilities, and clarify programmatic requirements for environmental covenants. The [Summary of Reasons to Adopt, Amend, or Repeal Rules](#) was filed 28 SEP 12. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was published 31 OCT 12. A hearing was held, and comments were due 13 DEC 12. The [Certified Amended Rules](#) were filed on 19 FEB 13, published on 28 FEB 13, and effective 26 MAR 13. POC: [ADEM Hearing Officer](#).

## **PROPOSED RULES**

**SOLID WASTE STUDY ([NEWS RELEASE](#))** ADEM announced the first in a series of public meetings on solid waste management to be held throughout the state. ADEM is working with Auburn University to facilitate the meetings and compile public input into a final report. Once complete, the final report and 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 the moratorium (through MAY 2014). POC: Scott Hughes, (334) 271-7955.

**PLANT-WIDE APPLICABILITY LIMIT (PAL), GREENHOUSE GAS (GHG), VOLATILE ORGANIC COMPOUND (VOC) DEFINITION, NEW SOURCE PERFORMANCE STANDARDS (NSPS) AND NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS) (335-3-1, 10, 11, 14, 16 AND OTHERS)** ADEM has proposed to delete the term "particulate matter emissions" from Rule 335-3-14-.04 when accounting for condensable particles for PM2.5 emission limits regarding the definition of "regulated NSR pollutant," for consistency with EPA's requirements. Amendments are proposed to incorporate EPA's changes to Prevention of Significant Deterioration PAL regulations, and to the definition of GHG to temporarily exclude biogenic carbon dioxide emissions. Chapter 335-3-14 is considered part of the federally enforceable State Implementation Plan (SIP). As such, revisions to this chapter/rule are proposed for incorporation into Alabama's SIP. Changes to chapter 16 are not federally enforceable, and are not considered part of the SIP. ADEM has proposed a revision to Rule 335-3-1-.02 for consistency with EPA regulations of the definition of VOC. The [notice of intent](#) to adopt, amend, or repeal rules was published 31 DEC 12. A hearing was held 6 FEB 13, and comments were due 8 FEB 13. POC: Chris Howard, (334) 271-7878.

**PERMIT FEE INCREASES (335-1-6-.04, 335-1-6-.07)** ADEM has proposed to increase permit fees. In Chapter 335-1-6, proposed fee revisions are based upon fringe increases incurred by ADEM in addition to general fund budget shortfalls. Fee adjustments should reflect a uniform 50% increase with exceptions. The well driller's license fee is set by law. Other exceptions are reflected in Schedule D - Water Permits, where additive "modeling" fees were deemed adequate and no adjustments were proposed. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was published 31 MAR 13, and a [Notice of Public Hearing](#) was filed 01 FEB 13. Comments were due 19 MAR 13. POC: [ADEM Hearing Officer](#).



## **2013 LEGISLATIVE SESSION: 5 MAR 13 THROUGH 3 MAY 13**

### **LEGISLATION**

**HB 109 ([SB 364](#)) CONSUMPTIVE USE PERMITS** HB 109 specifies conditions for issuance of consumptive use permits (CUPs) for development of alternative water supplies. The bill provides for issuance, extension, and review of permits approved after a specified date. The House and Senate referred to HB 109 to the respective committees. *REEO-S Note: DoD may go through the CUP process out of comity but not pay associated fees. The bill primarily extends the duration of such fees from 20 to 30 years.*

**HB 183 (SIMILAR [SB 934](#)) STORMWATER** HB 193 authorizes municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects. Both HB 183 and SB 934 are in committee.

**HB 309 ([SB 498](#)) RENEWABLE ENERGY** HB 309 revises the definition of the term "public utility" to exclude certain producers of renewable energy, and requires public utilities to purchase electricity from renewable energy producers at a certain rate. The House and Senate referred HB 309 and SB 498 to respective committees. *REEO-S Note: REEO-S will closely monitor this bill as it could relax some regulatory restrictions and facilitate renewable energy planning at military*

*installations. The capacity limits are too low for large-scale development but would accommodate smaller-scale initiatives.*

**HB 375 (COMPANION [HB 1245](#), SIMILAR [SB 1160](#)) SEPTIC SYSTEMS** HB 375 revises the frequency of inspections for onsite sewage treatment and disposal systems. All three bills are in committee.

**HB 531 ([SB 354](#)) DoD Ad VALOREM TAX EXEMPTIONS** HB 531 provides certain leasehold interests and improvements to land owned by the US, a branch of US Armed Forces, or agency or quasi-governmental agency of US, are exempt from *ad valorem* taxation. Both bills are in committee.

**HB 659 ([SB 682](#)) FOSSIL FUEL COMBUSTION PRODUCTS** HB 659 provides standards for storage of certain fossil fuel combustion products; exempts "beneficial use" of fossil fuel combustion products from certain rules; and excludes certain types of facilities from hazardous waste landfill regulation. The House and Senate referred the measures to the respective committees.

**HB 713 ([SB 754](#)) WATER QUALITY CREDIT TRADING** HB 713 authorizes the Florida Department of Environmental Protection (FLDEP) to implement water quality credit trading in adopted basin management action plans; deletes the requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; and revises provisions relating to rulemaking for water quality credit trading programs. HB 713 passed the House. SB 754 is still in committee.

**HB 743 ([SB 1028](#)) DRINKING WATER** This measure creates the "Fracturing Chemical Usage Disclosure Act." It directs FLDEP to establish an online hydraulic fracturing chemical registry; requires owners and operators of wells on which hydraulic fracturing treatments are performed to disclose certain information; requires certain service providers and vendors to disclose certain information; provides exceptions; and authorizes FLDEP to adopt rules. HB 743 is in committee.

**HB 789 ([SB 978](#)) SPRINGS REVIVAL ACT** This measure requires water management districts (WMDs) to identify certain springs where water quality and flow are in decline; requires a five-year plan to restore the springs and develop plans to rehabilitate those springs; and includes a requirement that districts adopt rules and issue orders to ensure compliance. The House and Senate referred the measures to the respective committees.

**HB 999 ([SB 1684](#)) WELL, WETLAND, AIR PERMITTING** HB 999 amends certain requirements concerning wells and wetland activities, primarily by adding exemptions. Well and wetland permitting provisions are located on pages 11 and 12 of the bill. HB 999 simplifies and otherwise changes Clean Air Act (CAA) Major Source fee calculations (pages 19-22). The measure was filed by the House.

**HB 1063 ([SB 948](#)) WATER SUPPLY** This measure revises legislative intent on water supply policy, planning, production and funding; and requires WMDs to assist private landowners and self-suppliers in meeting certain water supply needs to coordinate regional water supply. The House and Senate referred the measure to respective committees. *REEO-S Note: This measure could affect coordination involving DoD facilities that have CUPs.*

**HB 7101 ([SB 1784](#)) INHIBITING ENCROACHMENT OF MILITARY BASES** This measure specifies functions of the Military Base Protection Program; authorizes the Department of Economic Opportunity to annually submit to the Board of Trustees of Internal Improvement Trust Fund list of non-conservation lands to be acquired for purpose of buffering military bases against encroachment; and requires the board of trustees to consider recommendations of the Florida Defense Support Task Force. Both bills are in committee. *REEO-S Note: This measure would enhance DoD Readiness and Environmental Protection Initiative (REPI) efforts in Florida.*

**HB 7115 ([SB 1808](#)) NUMERIC NUTRIENT CRITERIA** This measure authorizes FLDEP to implement ss. 403.088 and 403.067, F.S., to control nutrient load in state waters; directs FLDEP to remove rule 62-302.531(9), F.A.C., when EPA withdraws all federal numeric nutrient criteria rules in the state; and directs FLDEP to establish estuary specific numeric interpretations of the narrative nutrient criterion for total nitrogen, total phosphorus, and chlorophyll A for any estuary not already subject to FLDEP numeric nutrient criteria. Both bills are in committee.

**SB 466 ([HB 33](#)) CONSERVATION EASEMENTS** SB 466 authorizes individuals and corporations to submit requests to the Board of Trustees of the Internal Improvement Trust Fund to exchange state-owned land for conservation easements over privately held land. The Senate referred the measure to committee. *REEO-S Note: This measure could enhance DoD Readiness REPI efforts in Florida.*



**SB 1588 USED TIRES** SB 1588 prohibits the sale of unsafe used tires by used tire retailers; defines an unsafe used tire; and provides for the deposit and use of penalties collected. SB 1588 passed the Senate committee 1 APR 13.

## ***FINAL RULES***

**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 adopted rulemaking as instructed by HB 639 and as part of a statewide effort to improve consistency among CUP programs implemented by WMDs. HB 639 requires FLDEP to initiate rulemaking by 01 OCT 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, 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 20 JUL 12. Workshops were held in August and September dates, per the [notice](#). A [Notice of Proposed Rules](#) was published 28 DEC 12, a workshop was held 14 JAN 13, and comments were due 18 JAN 13. A [Notice of Change](#) was issued 08 FEB 13, and a [Notice of Rule Filing](#) was published on 19 MAR 13. POC: [Kathleen P. Greenwood](#), (850) 245-3147.

## ***PROPOSED RULES***

**ENVIRONMENTAL RESOURCE PERMITTING (62-330)** FLDEP has proposed rulemaking relating to environmental resource permitting (ERP) rules. Section 373.4131, F.S. requires FLDEP, in coordination with the five WMDs, to develop statewide 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](#) was published 22 JUN 12, with an advisory issued 6 JUL 12. [Workshops](#) were held in July and August. Each WMD will propose rule amendments for consistency with statutes. A [Notice of Rulemaking Development](#) for those amendments was issued 28 SEP 12. A workshop was held 14 JAN 13. 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 21 SEP 12, an advisory was issued 8 JAN 13, and a hearing was held 22 JAN 13. A [Notice of Proposed Rules](#) was published on 28 MAR 13. Comments are due on 18 APR 13. POC: Sonya White, (813) 985-7481, x4660.

**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 22 JAN 12, and a [workshop](#) was held 22 AUG 12. An amended [Notice of Proposed Rules](#) was published 10 JAN 13, comments were due 31

JAN 13, and a [Notice of Change](#) was published 1 FEB 13. POC: [Julie Rainey](#), (850) 245-8713.

**SOLID WASTE/RECYCLING (62-716.100 - 62-716.900)** FLDEP has proposed a 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 the chapter for consistency. A [Notice of Rulemaking Development](#) was published 13 AUG 10, a hearing was held 30 SEP 10, and an advisory was issued 6 JUL 12. A [workshop](#) was held 27 JUL 12. POC: [Raoul Clarke](#), (850) 245-8750.

**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 28 SEP 12. POC: [Hugh W. Harling, Jr.](#), (407) 262-7772.

**ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (64E-6.001, .002, .003, .008, .010, .011, .014, .017, .018, .0181, .028)** The Florida Division of Environmental Health (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; septage treatment and disposal; standards for systems in the Florida Keys; and performance-based treatment standards. A [Notice of Rulemaking Development](#) was published 1 NOV 12. A meeting was held 28 NOV 12 to discuss the rulemaking, part of which may be accessible via web conference with details to be posted on the [Bureau website](#). The [proposed rules](#) were published 25 FEB 13, a hearing was held 20 MAR 13, and comments were due 18 MAR 13. POC: [Elke Ursin](#), (850) 245-4070 x2708.

**ALTERNATIVE FUEL CHARGING STATIONS (50-3.001, 50-3.002, 50-3.003, 50-3.004)** The Florida Department of Agriculture and Consumer Services has proposed new rules to provide definitions, methods of sale, labeling requirements, and price-posting requirements for electric vehicle charging stations. New rules will provide consistent standards for consumers and the industry. A [Notice of Rulemaking Development](#) was published 20 NOV 12. Workshops were held in DEC 2012. POC: [Kelley Smith Burk](#), (650) 617-7484.

**JOINT COASTAL PERMIT PROGRAM (62B-49.001, .002, .004, .005, .006, .008, .010, .011, .012, .013)** FLDEP has proposed rulemaking to implement Laws of Florida 2012-65 and make revisions necessary to clarify language and formalize policy. Chapter 62B-49, F.A.C., establishes the Joint Coastal Permit program. Activities that require a coastal construction permit and an environmental resource permit are authorized by a single joint coastal permit. FLDEP proposes to amend Chapter 62B-49 and add a new rule to implement the Laws of Florida 2012-65. FLDEP also proposes to clarify language to reduce confusion in the permitting process and reduce requests for additional information; to add conditions and amend portions to expedite the permitting process; and to amend procedures to allow for electronic submittal of applications. A [Notice of Rulemaking Development](#) was published on 17 JAN 13. An [advisory](#) was issued 13 FEB 13 and a workshop was held 15 FEB 13. POC: [Kamie Carney](#), (850) 488-7816.

**PROCESSING FEES FOR ERP ACTIVITIES (62-4.050)** FLDEP has proposed rulemaking to amend processing fees in Rule 62-4.050, F.A.C., for ERP activities regulated under Part IV of Chapter 373, F.S. These amendments are associated with adoption of the "Statewide Environmental Resource Permit" (ERP) rule, Chapter 62-330, F.A.C., authorized by Section 373.4131, F.S. Processing fees apply statewide when FLDEP is responsible for the review and agency action on an ERP activity; separate rulemaking to amend processing fees will be, or has been, noticed by the WMDs when they are responsible for the review and agency action on an ERP activity in accordance with the operating agreements incorporated by reference between the agencies in Chapters 62-113 and 62-346, F.A.C. A [Notice of Rulemaking Development](#) was published on 15 JAN 13, and a workshop was held 30 JAN 13. POC: [Alice Heathcock](#), (850) 245-8483.

**RISK BASED SITE REMEDIATION (62-777.100; 62-777.150; 62-777.170)** FLDEP has proposed rulemaking in response to a petition to initiate rulemaking filed by Associated Industries of Florida, pursuant Section 120.54(7), F.S. Initiating this rulemaking will begin necessary dialogue regarding proposed amendments to rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites, and rules governing the derivation of Cleanup Target Levels in Florida. Subject areas to be addressed include FLDEP's "Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C. (February 2005)"; rule applicability provisions and whether FLDEP will be mandated to ap-

prove proposed alternative CTLs (ACTLs); derivation of CTLs and ACTLs, and whether site-specific soil properties should be considered in establishing an ACTL. FLDEP is also proposing changes to all sections of 62-780 to consolidate and create consistency across contaminated site cleanup programs. The [Notice of Rulemaking Development](#) was published 28 OCT 11, a [Workshop Advisory](#) was issued 18 FEB 13, and a workshop was held 5 MAR 13. POC: [Brian Dougherty](#), (850) 245-7503.

**CROSS-CONNECTION CONTROL (62-555.330, 62-555.360, 62-555.900)** FLDEP has proposed amendments to clarify and provide more consistent compliance with cross-connection control requirements for public water systems (PWSs). Rules are being amended to significantly reduce the overall regulatory burden of cross-connection control requirements on community water systems (CWSs) and residential customers by allowing a dual check device to be used as backflow protection at service connections from CWSs to residential premises where there is any auxiliary or reclaimed water system and allowing biennial instead of annual testing of backflow preventer assemblies required at service connections from CWSs to residential premises. These rules are also being amended to require large CWSs (those serving more than 10,000 persons) to submit annual cross-connection control program reports using a brief new two-page form. This requirement will be a slight additional burden on large CWSs, but will enable FLDEP to better ascertain operational adequacy of large CWSs, and more efficiently conduct sanitary surveys of large CWSs. A [Notice of Rulemaking Development](#) was published on 27 MAR 13. A workshop is scheduled for 17 APR 13. POC: [Jeffrey G. Lawson](#), (850) 245-8599.

**SALES TAX REFUND FOR RENEWABLE ENERGY (50-2.001, 50-2.002, 50-2.003)** The Florida Department of Agriculture and Consumer Services, Office of Energy has proposed rules to implement the renewable energy tax incentive programs authorized by Chapter 2012-117, Laws of Florida (2012 House Bill 7117). Upon adoption of proposed rules, eligible taxpayers will be able to participate in these programs to take advantage of tax credits available for investments made in renewable energy technology. The [Notice of Proposed Rules](#) was published on 16 JAN 13, and comments were due by 6 FEB 13. The [notice was amended](#) on 20 MAR 13.



## **2013 LEGISLATIVE SESSION: 14 JAN 13 THROUGH 9 APR 13**

**\*Georgia has two-year sessions (2013-2014); 2013 bills MAY be carried over for consideration in 2014. Adjournment dates are estimated and updated based on legislative activity.\***

### **LEGISLATION**

**[HB 226](#) TIRES** HB 226 revises certain requirements related to tire transportation, storage and disposal; provides enforcement authority to certain law officers; and requires permits and vehicle decals for used tire and scrap tire carriers. The bill passed the House. Senate committee reported favorably, but the Senate tabled the bill. *REEO-S Note: Scrap tire regulation in Georgia has created controversy for some DoD activities. HB 226 would add requirements for tire handling and transportation, and would extend the regulatory reach to used tires (i.e., tires still suitable for intended use). The United States would expressly be exempted from most of the proposed changes; however, contractors at the facility might be targeted by the Georgia Environmental Protection Division (GAEPD) if the bill became law. The fate of the bill is now uncertain.*

**[HB 320](#) INERT WASTE LANDFILLS** HB 320 exempts certain compliant inert waste landfill operations from additional regulatory permitting. The bill passed the House. Senate committee reported favorably, but the Senate tabled the bill.

**[HB 503](#) VOLUNTARY RENEWABLE ENERGY PORTFOLIO** This measure requires the state Public Service Commission (PSC) to create a voluntary renewable energy portfolio program for electric service providers. It also creates a renewable energy credit market. *REEO-S Note: If enacted, HB 503 could encourage renewable energy development opportunities on DoD installations, in partnership with servicing utilities.*

**[HB 522](#) MUNICIPAL WASTEWATER** HB 522 establishes the power of the authority to implement programs and regulations for water quality protection, watershed protection and water conservation; establishes the power of the authority to enter into intergovernmental agreements with respect to water and sewer services; provides for related matters; provides for severability; provides an effective date; repeals conflicting laws; and for other purposes. The House sent HB 522 to the Governor on 1 APR 13.

**[HB 549](#) WATER EMERGENCY RESPONSE** HB 549 establishes water emergency response procedures to protect water

quality. The bill is in committee.

**HB 564 ENERGY SAVINGS PLANS** HB 564 relates to integrated resource planning for electric suppliers, to provide for energy savings plans to optimize use of demand-side capacity options. The measure is in committee. *REEO-S Note: The bill could enhance DoD installation efforts to conserve energy through collaboration with the servicing utility. HB 564 requires a 10% energy savings by 2025. It would require treatment of cogeneration and renewable generation separately, thus not qualifying for the savings requirement.*

**HB 657 RURAL SOLAR INITIATIVE** HB 657 relates to generation and distribution of electricity generally, to authorize the PSC to establish a rural community solar initiative, and oversee and manage a responsible expansion of solar energy in Georgia. The bill is in committee. *REEO-S Note: HB 657 may benefit public-private arrangements with military installations.*

**HR 274 (SR 201) ARMY 2020 FORCE RESTRUCTURING** This measure is a resolution requesting the Department of the Army carefully consider the socioeconomic impact the Programmatic Environmental Assessment for Army 2020 Force Restructuring will have on Fort Benning, Georgia, and the surrounding region. HR 274 passed the House on 28 Feb 13, and SR 201 passed the Senate on 21 Feb 13.

**HR 740 RENEWABLE ENERGY STUDY COMMITTEE** HB 470 is a resolution creating the House Study Committee on the Economic Impact of Expanding the Renewable Energy Market in Georgia. The measure is in committee. *REEO-S Note: This bill could lead to positive developments for some DoD energy initiatives in the future, and provide a forum to discuss DoD energy programs with state officials.*

**SB 51 ELECTRIC GENERATION AND TRANSMISSION FACILITIES** SB 51 changes certain provisions relating to the "Georgia Cogeneration and Distributed Generation Act of 2001" to allow for financing of distributed generation through leases, power purchase agreements, and other financing mechanisms, and the purchase of energy from the customer. The Senate referred SB 51 to committee 16 JAN 13. *REEO-S Note: REEO-S will closely monitor this bill, as it could significantly relax regulatory restrictions and facilitate large-scale renewable energy planning at military installations.*

**SB 210 LAND CONSERVATION** SB 201 creates the Georgia Legacy Program, which would provide stewardship for state lands, as well as provide funding to acquire critical areas for clean water, game, wildlife or natural-resource-based outdoor recreation. The measure passed the Senate and is in House committee. *REEO-S Note: SB 201 could assist DoD efforts to prevent encroachment.*

**SB 213 FLINT RIVER DROUGHT PROTECTION ACT** SB 213 mandates cooperation among state and federal agencies, universities, and other appropriate entities to undertake certain studies, the results of which may be used to establish new and revised rules and regulations pertaining to management of the water resources in the Flint River basin. SB 213 passed the Senate and House committees. It is awaiting a House floor vote. *REEO-S Note: The measure has the potential to affect water withdrawal activities at Fort Benning.*

**SR 502 RENEWABLE ENERGY** SR 502 is a resolution recognizing the potential of wind energy and encouraging local governments to take steps necessary to create open dialogue with local stakeholders and potential wind energy developers to inform the public and maximize potential for implementation of available wind resources. The measure passed committee. It is awaiting a floor vote. *REEO-S Note: SR 502 could spark activity at the local level leading to potential mission incompatibility issues, as seen in North Carolina.*

## **PROPOSED RULES**

**OPEN BURNING (391-3-1-.02(5))** GAEPD has proposed amendments to rule 391-3-1-.02(5), "Open Burning" to harmonize year-round open burning restrictions that currently apply to all counties with a population exceeding 65,000 with summer burning restrictions. This revision will allow three additional open burning activities to be conducted in affected counties: disposal of vegetative debris from storm damage; weed abatement, disease and pest prevention; and open burning for the purpose of land clearing (without using an air curtain destructor). Affected counties include Bulloch, Chatham, Dougherty, Glynn, Lowndes, Muscogee and Whitfield. A [Notice of Proposed Rules](#) was filed on 29 JAN 13. A hearing is scheduled for 5 MAR 13, comments are due 8 MAR 13, and a meeting is scheduled for 26 MAR 13. [Proposed amendments](#) and a [synopsis](#) of the amendments are available. POC: Air Protection Branch, (404) 363-7000.

**WATER QUALITY (2014 305(b)/303(d) LIST OF WATERS)** In accordance with the Federal Clean Water Act, Sections 305(b) and 303(d), GAEPD is gathering water quality data for use in the assessment of waters for Georgia's 2014 305



(b)/303(d) List. Requirements for submission and acceptance of water quality data for use are set forth in the rules and regulations for Water Quality Control, Chapter 391-3-6-.03-(13), and are detailed in the GAEPD document, "Guidance on Submitting Water Quality Data for Use by the Georgia Environmental Protection Division in 305(b)/303(d) Listing Assessments." A [Notice](#) and request for data were issued 01 FEB 13. Comments are due 1 JUL 13. POC: [Susan Salter](#).

**UST ENVIRONMENTAL ASSURANCE FEE INCREASE (391-3-15-.13(1)(A)1)** The Georgia Department of Natural Resources (GADNR) has proposed amendments to Georgia rules for "Underground Storage Tank Management." Rule 391-3-15-.13(1)(a)1., "Environmental Assurance Fee (EAF)" is being amended to increase the EAF paid by Georgia Underground Storage Tank Trust Fund participants from one-quarter cent (0.25¢) to three-quarters of a cent (0.75¢) on each gallon of petroleum product imported into Georgia and placed in USTs covered by the fund. A [Notice of Proposed Amendments](#) and a [Synopsis of the Proposed Amendments](#) were filed on 05 MAR 13. A hearing was held 21 MAR 13, and a meeting is scheduled for 30 APR 13, with comments due by 03 APR 13. POC: Land Protection Branch, (404) 362-2687.

**STAKEHOLDER MEETING** The GAEPD Division Air Protection Branch announced a stakeholder meeting to be held 10 APR 13. The meeting will inform and solicit input from the public and impacted organizations regarding possible changes to the Air Quality Control and Clean Fueled Fleets Rules. GAEPD's primary goals and objectives are to ensure that stakeholders are given the opportunity to understand the process of rule revisions and the scope of possible future rule changes. GAEPD will listen to comments and address stakeholder questions. The [meeting notice](#) was issued on 27 MAR 13.



### **2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 26 MAR 13**

**\*Adjournment dates are estimated and updated based on legislative activity\***

#### **LEGISLATION**

**HB 378 IMPAIRED WATERS** This measure Requires the Kentucky Energy and Environment Cabinet (KEEC) to maintain a listing of 303(d) impaired waters and Total Daily Maximum Daily Loads (TDMLs) on the KEEC website; and requires KEEC to provide notice to certain interested parties of a water body's listing and prepare an annual TDML report for the Interim Joint Committee on Natural Resources and Environment. HB 378 passed both chambers and was signed by the Governor.

#### **PROPOSED RULES**

**INDUSTRIAL STORMWATER SAMPLING (NOTICE)** The Kentucky Division of Environmental Protection (KDEP) Division of Water (DOW) released the draft KYR00, "Industrial Stormwater Permit from Other Facilities," for public comment. In the draft permit, DOW has proposed twice-a-year sampling, use of the electronic Discharge Monitoring Report system and filing of an electronic Notice of Intent in order to gain coverage under the permit. A [notice](#) was issued 13 NOV 12, and comments were due 21 NOV 12. POC: [DOW](#), Surface Water Permits Branch.



### **2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 7 APR 13**

**\*Adjournment dates are estimated and updated based on legislative activity\***

#### **LEGISLATION**

**SB 2688 LEAD-BASED PAINT ACTIVITY ACCREDITATION AND CERTIFICATION ACT** HB 286 deletes the opt-out provision in Lead-based Paint Activity Accreditation and Certification Act, which exempts a renovation firm from training and work practice requirements of the act. SB 2688 passed both chambers and was signed by the Governor.

**HB 719 INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW** HB 719 extends the law and revises various provisions. The House and Senate passed different versions of this measure. They are in conference to resolve the differences.

**HB 1296 (SB 2792) MISSISSIPPI ENERGY SUSTAINABILITY AND DEVELOPMENT ACT** HB 1296 revises the contents of

the Mississippi energy plan, and requires the Mississippi Development Authority to promulgate rules for loan eligibility administration of the energy development fund. The House and Senate passed the measure. They are in conference to resolve the differences. *REEO-S Note: HB 1296 could provide a forum for DoD participation/input.*

## **FINAL RULES**

**HYDRAULIC FRACTURE STIMULATION PROCEDURES (STATEWIDE RULE 1.26)** The State Oil and Gas Board has adopted 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 29 JUN 12, and comments were due 24 JUL 12. A hearing was held 15 AUG 12. The [final rules](#) were filed on 30 JAN 13, and were effective 04 MAR 13. For further information, contact [Howard O. Leach](#), (601) 576-4921.

## **PROPOSED RULES**

**ENERGY EFFICIENCY (CHAPTER 29)** The Public Service Commission has proposed rules to create conservation and energy efficiency programs in Mississippi. [Proposed rules](#) were filed 15 NOV 12. Comments were due 10 DEC 12. For further information, contact [Brian U. Ray](#), (601) 961-5432.



## **2013 LEGISLATIVE SESSION: 9 JAN 13 THROUGH 1 JUL 13**

**\*North Carolina has two-year sessions (2013-2014); 2013 bills MAY be carried over for consideration in 2014. Adjournment dates are estimated and updated based on legislative activity.\***

## **LEGISLATION**

**HB 89 (SB 113) REGIONAL WATER SUPPLY** This measure requires the North Carolina Department of Environment and Natural Resources (NCDENR) to support the application of a regional water supply system when certain conditions are met. HB 89 passed House committee and is awaiting a floor vote. SB 113 passed Senate committee and is in House committee.

**HB 254 ZONING CHANGES, NOTICE TO MILITARY BASES** HB 254 amends requirements related to notice of land use planning and zoning changes to be given to a military base by counties or cities near the military base. The bill is in committee. *REEO-S Note: HB 254 adds subdivisions, telecommunications towers and windmills to existing notification requirements.*

**HB 298 (SB 365) RENEWABLE PORTFOLIO STANDARD REPEAL** This measure eliminates renewable energy portfolio standards and provides for cost recovery by public utilities for certain costs of compliance with renewable energy portfolio standards. Last Action: Both bills in committee. *REEO-S Note: This measure could have significant adverse impact on third-party renewable energy investments at DoD installations.*

**HB 401 (SIMILAR SB 362) TIERED ELECTRICITY RATES** HB 401 requires the North Carolina utilities commission to establish tiered electricity rates for residential, commercial, public and industrial customers to encourage energy conservation and energy efficiency. The measure is in committee. *REEO-S Note: The actual impact to DoD installations' utility bills is unclear, as one stated purpose of both bills is to charge higher rates to entities consuming the most energy.*

**HB 433 (SB 389) MILITARY LANDS PROTECTION ACT OF 2013** This act supports activities of the armed forces, and maintains and enhances military presence in North Carolina by regulating the height of buildings and structures located in areas that surround military installations in the state. The measure is in committee. *REEO-S Note: Restrictions are for structures taller than 200 feet and within five miles of a major military installation. Exceptions to the restrictions include various towers and slender structures.*

**SB 163 WATER RIGHTS** SB 163 enhances the protection of landowners' water rights. The measure is in committee. *REEO-S Note: The thrust of this bill is on voluntary programs, incentives and other mechanisms to encourage reductions in water use.*

**SB 171 GREENHOUSE GAS** SB 171 prohibits state agencies and local governments from adopting, implementing or enforcing a rule or ordinance that regulates GHG emissions or limits human activity for the purpose of reducing GHG emissions if the rule or ordinance is not required by a federal regulation or law, or is more stringent than a correspond-

ing federal regulation or law. The measure is in committee. *REEO-S Note: SB 171 would basically preclude state rules that are more stringent than any federal requirements.*

## **PROPOSED RULES**

**DAQ REVIEW OF NC AIR TOXICS RULES (NOTICE)** 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 25 SEP 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 7 SEP 12, and a public meeting was held 25 SEP 12. Comments were due 9 OCT 12. POC: [Division of Air Quality](#).

**NAAQS ACTIVITIES EXEMPTED FROM PERMITS (15A NCAC 02Q .0102)** NCDENR DAQ has proposed amendments to Rule 15A NCAC 02Q .0102, Exemptions, to clarify the interaction of the air toxics rule specific exemptions in Rule 15A NCAC 02Q .0702 with the more broadly applicable rules regarding sources exempt from the general requirement to obtain a permit in Rule 15A NCAC 02Q .0102. The [proposed rules](#) were filed 19 NOV 12. A hearing was held 15 JAN 13, and comments were due 1 FEB 13. POC: [Ms. Joelle Burleson](#), (919) 707-8720.

**VOC AVAILABLE CONTROL TECHNOLOGY (15A NCAC 02D .0902, .0903, .0909, .0951, .0961, .0962)** NCDENR DQA has proposed amendments to the Volatile Organic Compound Reasonably Available Control Technology (RACT) rules in 15A NCAC 02D Section .0900 to revise applicability requirements to comply with Section 182(b)(2) of the Clean Air Act; revise associated compliance schedules; provide flexibility to comply via category specific rules or site specific alternatives; and amend printing related and industrial solvent cleaning RACT rules in response to requests for language clarifications and flexibilities consistent with underlying USEPA Control Technique Guidelines. [Proposed rules](#) were filed 19 NOV 12. A hearing was held 15 JAN 13, and comments were due 1 FEB 13. POC: [Ms. Joelle Burleson](#), (919) 707-8720.

**NEW SOURCE PSD IN NONATTAINMENT AREAS (15A NCAC 02D .0530, .0531)** NCDENR DAQ has proposed amendments to Rules 15A NCAC 02D .0530, Prevention of Significant Deterioration and 15A NCAC 02D .0531, Sources in Non-attainment Areas, to revise North Carolina's nitrogen oxides significance level from 140 tons per year to 40 tons per year. Rule 15A NCAC 02D .0530 is also proposed for amendment to update the federal cross-reference in the PSD rule to reflect current federal increments for fine particulate matter promulgated on 20 OCT 12 (75 FR 64864). [Proposed rules](#) were filed 19 NOV 12, a hearing was held 15 JAN 13, and comments were due 1 FEB 13. POC: [Ms. Joelle Burleson](#), (919) 707-8720.

**SANITARY LANDFILL PERMITS (15A NCAC 13B .0206, 15A NCAC 13B .0504)** To comply with recent changes in state law, the NCDENR Division of Waste Management has proposed rule changes related to the duration of sanitary landfill or transfer station permits. The current rule and statutory requirements are based on five-year permit durations. The proposed rule change provides the regulated community with opportunities for cost savings and greater permit length flexibility. [Proposed rules](#) were published 2 JAN 13, and a hearing was held 17 JAN 13. Comments are due 4 MAR 13. POC: [Ellen Lorscheider](#), (919) 707-8245.

**STORMWATER GENERAL NPDES PERMIT (PUBLIC NOTICE)** NCDENR has issued a notice of intent to reissue expiring State National Pollutant Discharge Elimination System (NPDES) General Permits for point source discharges of stormwater for the following types of discharges:

- NPDES General Permit No. NCG050000, NCG070000 and NCG130000, which have little or no DoD bearing;
- NPDES General Permit No. NCG110000 for stormwater point source discharges associated with activities classified as treatment works and treating domestic or any other sewage sludge or wastewater treatment device or system (used in the storage, treatment, recycling and reclamation of municipal or domestic sewage) with a design flow of 1.0 million gallons per day or more, or facilities that are required to have an approved pretreatment program under Title 40 CFR Part 403, including lands dedicated to the disposal of sewage sludge that is located within the confines of the facility.

The [notice](#) was issued 1 APR 13. Comments are due by 2 MAY 13. POC: Bethany Georgoulis, (919) 807-6372.



## **2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 6 JUN 13**

**\*South Carolina has two-year sessions (2013-2014); 2013 bills MAY be carried over for consideration in**

## LEGISLATION

**HB 3235 SOUTH CAROLINA BEVERAGE CONTAINER RECYCLING ACT** HB 3235 requires deposit beverage distributors that operate within the state to register with the Department of Revenue and maintain certain records. The bill requires deposit beverage distributors to pay a container recovery fee and a deposit for each deposit beverage container sold in the state, and that they charge dealers or consumers a deposit equal to the refund value of the beverage container. On 8 JAN 13, HB 3235 was referred to committee by the House. *REEO-S Note: HB 3235 is a potentially problematic bill that attempts to regulate federal agencies, to include "military distributors."*

**HB 3252 SOLAR ENERGY REAL PROPERTY** HB 3252 defines "solar energy real property" as agricultural property for tax purposes. The House referred HB 3252 to committee 9 JAN 13.

**HB 3263 SOUTH CAROLINA MILITARY PREPAREDNESS AND ENHANCEMENT COMMISSION** HB 3263 establishes the South Carolina Military Preparedness and Enhancement Commission, and provides that the commission will act to enhance the value of military facilities located in the state. The act establishes the South Carolina Military Value Revolving Loan Account to provide loans that assist defense communities in enhancing the value of military facilities. HB 3263 was referred to committee 9 JAN 13. *REEO-S Note: REEO-S will closely monitor this bill's development, as Base Realignment and Closure is a sensitive topic.*

**HB 3425 (SB 536) THE ENERGY SYSTEM FREEDOM OF OWNERSHIP ACT** HB 3425 provides that a third party may sell electricity produced by a renewable energy facility, that the sale of electricity from a renewable energy facility by third parties does not subject the seller to regulation as a public utility, and that the state energy office will impose certain requirements on fees charged by a utility to a renewable energy facility. The House referred HB 3425 to committee 24 JAN 13. *REEO-S Note: REEO-S will closely monitor this bill as it could relax some regulatory restrictions and facilitate renewable energy planning at military installations. The capacity limits are too low for large-scale development but would accommodate smaller-scale initiatives.*

**HB 3644 (SB 525) CLEAN ENERGY INDUSTRY MARKET DEVELOPMENT ADVISORY COUNCIL** This measure charges the council with development of markets for clean energy technology, materials and products developed by a clean energy industry from the state. Both bills are in committee.

**HB 3834 (SB 329) SOLAR RENEWABLE ENERGY TAX CREDITS** This measure allows an income and other specified tax credits for 25% of the total cost of a solar energy system placed in service in 2013 through 2018. Both bills are in committee. *REEO-S Note: This act could enhance the economics of DoD renewable energy public-private ventures.*

**SB 274 ENVIRONMENTAL REGULATOR PENALTY POLICY** SB 274 restructures penalties and provides graduated penalties for violations of statutes. The Senate referred SB 274 to committee 23 JAN 13.

## EXECUTIVE ORDER

The Office of the Governor has issued an EO to reconstitute the South Carolina Military Base Task Force for the purpose of enhancing the value of military installations and facilities, and the quality of life for military personnel located in South Carolina. The task force will assist military communities with such value enhancement, address various incentives to military personnel assigned in the state, coordinate efforts of military communities, and provide for other methods and incentives to accomplish these purposes. The task force will coordinate efforts among the public and private sectors to maintain a significant DoD presence in South Carolina. The task force will advise the Governor and the General Assembly on issues and strategies related to military base closures, realignments and mission changes. The [EO](#) was issued on 21 MAR 13. POC: Governor Haley, (803) 734-2100.

## 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 revision to the general permit adds the following: RICE-Spark Ignition to Part 4.A.7, NSPS 40 CFR 60 Subparts A, IIII, and JJJJ cover language, NESHAP 40 CFR 63 Subpart ZZZZ and JJJJJJ, and also make modifications to add language for General Synthetic Minor Construction Permit Fuel Combustion Operations for Non-PSD Facilities. 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. 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. A [notice](#) was issued 30 MAY 12, and comments were due 24 JUN 12. A second [notice](#) was issued 23 NOV 12, and comments were due 27 DEC 12. POC: 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 24 AUG 12, a [Statement of Basis](#) was developed, [draft permit](#) issued and comments were due 24 SEP 12. POC: Alyson Hayes, (803) 898-4123.



## **2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 20 MAY 13**

**\*Tennessee has two-year sessions (2013-2014); 2013 bills MAY be carried over for consideration in 2014. Adjournment dates are estimated and updated based on legislative activity.\***

### **LEGISLATION**

**[HB 62 \(SB 1000\) ELECTRIC GENERATION AND TRANSMISSION FACILITIES](#)** HB 62 increases the maximum property value from one-half percent of acquisition value to one-third of installation costs, to be consistent with valuation of wind production facilities for certified green energy production facilities that use solar, geothermal and hydrogen energy. Both chambers referred the respective bills to committee. SB 1000 passed committee and awaits a floor vote. *REEO-S Note: This bill attempts to put renewables on more equal footing with conventional energy by artificially enhancing the property value. It could be an incentive for third party developers desiring to partner with military facilities (for off-post generation).*

**[HB 359 \(SB 298\) UNDERGROUND PETROLEUM STORAGE TANKS](#)** HB 359 requires the Tennessee Department of Environment and Conservation (TDEC) to permit single walled underground [petroleum storage](#). Both chambers have referred the respective bills to committee.

**[HB 411 \(SB 480\) STORMWATER](#)** HB 411 authorizes a regional water and wastewater treatment authority to exercise authority for stormwater management. Both chambers have referred the respective bills to committee.

**[HB 538 \(SR 1168\) TENNESSEE BEVERAGE CONTAINER RECYCLING REFUNDS ACT](#)** Both chambers referred the respective bills to committee. *REEO-S Note: Similar to South Carolina House Bill 3235 above, HB 538 is a potentially problematic bill that attempts to regulate federal agencies, to include "military distributors."*

**[HB 550 \(SB 943\) OPEN BURNING](#)** HB 550 deletes a provision authorizing local governments to enforce more stringent open burning requirements than provided by state law. HB 550 passed committee and awaits a floor vote. SB 943

passed the Senate.

**HB 945 (SB 941) WASTE DISPOSAL/RECYCLING** This measure prohibits disposal of aluminum cans and recyclable plastic beverage bottles in landfills, subject to certain restrictions, and allows local governments to request waiver from requirement. Both bills are in committee.

## **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 of state waters. A [Notice of Rule Making Hearing](#) was filed 05/23/12. Hearings were held in July. Comments were due 7 SEP 12. POC: [Robert Dette](#), (615) 253-5319.

**UST REMEDIATION GROUNDWATER TREATMENT (NOTICE)** TDEC announced a public hearing to receive comments on the proposed reissue of the General NPDES for Discharges of Treated Groundwater Associated with UST Remediation. The [notice](#) was issued on 26 FEB 13, and a hearing was held 5 APR 13. Comments are due by 19 APR 13. POC: Beth Rorie or Monya Bradley, (615) 532-0625.

# Department of Defense Activity

**DoD CLIMATE CHANGE ADAPTATION ROADMAP** DoD has released a [Climate Change Adaptation Roadmap](#) that details its plan for managing the effects of climate change on operations and infrastructure in the short and long term. The roadmap, a key element of DoD's annual update of its [Strategic Sustainability Performance Plan](#), requires the [Strategic Environmental Research and Development Program](#) to develop climate change assessment tools for DoD installations.

**HIGH PERFORMANCE AND SUSTAINABLE BUILDINGS** A new Unified Criteria Document, *United Facilities Criteria (UFC) 1-200-02, High Performance and Sustainable Building Requirements*, was signed. UFC 1-200-02 provides minimum requirements and guidance for DoD components to achieve high performance and sustainable facilities.

**POTENTIAL HEALTH RISKS TO DOD FIRING-RANGE PERSONNEL FROM LEAD EXPOSURE** DoD has asked the National Research Council (NRC) to evaluate potential health risks from recurrent lead exposure of firing-range personnel, specifically whether current exposure standards for lead on DoD firing ranges protect workers adequately. In response the request, NRC convened the Committee on Potential Health Risks from Recurrent Lead Exposure of DoD Firing Range Personnel, which prepared a report summarizing risks. Review of the epidemiologic and toxicologic data allowed the committee to conclude that there is overwhelming evidence that the Occupational Safety and Health Administration standard provides inadequate protection for DoD firing-range personnel and for any other worker populations covered by the general industry standard. *Potential Health Risks to DoD Firing-Range Personnel from Recurrent Lead Exposure* will help to inform decisions about setting new air exposure limits for lead on firing ranges, about whether to implement limits for surface contamination, and about how to design lead-surveillance programs for range personnel. The [entire report](#) can be downloaded for free by registered users on the The National Academies Press website.

# Federal Activity

## **AIR**

**ADDITIONAL QUALIFYING RENEWABLE FUEL PATHWAYS** The Environmental Protection Agency (EPA) issued a final rule qualifying camelina oil as biomass-based diesel or advanced biofuel, and biofuels from energy cane qualifying as cellulosic biofuel ([78 FR 14190](#)). EPA determined these additional fuel pathways will help meet the greenhouse gas (GHG) reduction requirements of the Renewable Fuel Standard (RFS) Program. The inclusion of these pathways creates additional opportunity and flexibility for regulated parties to comply with the advanced and cellulosic requirements of the Energy Independence and Security Act (EISA) and provides the certainty necessary for investments to bring these biofuels into commercial production. The rule becomes effective on 6 MAY 13. EPA POC: [Vincent Camobreco](#), (202) 564-9043.

## **CLIMATE CHANGE**

**WATERSHED MODELING FOR 20 WATERSHEDS ASSESSMENT** EPA has issued a draft document titled, "[Watershed Modeling to Assess the Sensitivity of Streamflow, Nutrient, and Sediment Loads to Climate Change and Urban Development in 20 U.S. Watersheds](#)." Watershed modeling was conducted in 20 large, US watersheds to assess sensitivity of streamflow, nutrient (nitrogen and phosphorus), and sediment loading to a range of plausible mid-21st Century climate change and urban development scenarios in different regions of the nation. This draft report provides a summary of simulation results. The model simulations characterize the sensitivity of streamflow, nutrient (nitrogen and phosphorus), and sediment loading to a range of plausible mid-21st Century climate change and urban development. Results show a high degree of variability in the response throughout the nation. Results also provide an improved understanding of methodological challenges associated with integrating existing tools and datasets to address these scientific questions. This provides guidance for improving how existing models and datasets can be used for assessing climate change impacts on watersheds. EPA POC: [Thomas Johnson](#), (703) 347-8618.

## **ENERGY**

**FEDERAL AGENCIES DEVELOPING LARGE-SCALE RENEWABLE ENERGY PROJECTS** The Federal Energy Management Program (FEMP) and the National Renewable Energy Laboratory, with contribution and assistance from the [Army Energy Initiatives Task Force](#) (EITF), have developed a [new guide](#) that provides a framework to allow the federal government, private developers and financiers to work in coordinated effort on large-scale renewable energy projects. The guide was developed in concert with EITF's process for large-scale renewable energy project development.

**FEMP LAUNCHES WEBSITE TO HELP FEDERAL AGENCIES REDUCE GREENHOUSE GAS EMISSIONS** The [new website](#) will help agency personnel evaluate mitigation strategies for different emission sources, including buildings, fleet vehicles, business travel and employee commuting. The site will also help to prioritize projects to achieve reduction goals in the most cost-effective manner.

**ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL WATER HEATERS** The Department of Energy (DOE) is proposing a process for waiving water heater efficiency requirements that would apply to certain large-volume electric storage water heaters ([78 FR 12969](#)). The proposal is in response to utility company concerns that water heater efficiency standards would interfere with electric thermal storage programs utility companies administer to manage peak load. DOE POC: [Ms. Ashley Armstrong](#), (202) 586-6590.

**POLICY FRAMEWORK FOR THE 21ST CENTURY GRID** The White House released [A Policy Framework for the 21st Century Grid: A Progress Report](#); an update to the original *Policy Framework* released in JUN 11. The document contains a section that supports DoD as an appropriate place to promote energy technology innovations, including smart grid and micro-grid technologies.

**RENEWABLE ENERGY PROJECT PERMITTING FOR DEVELOPMENT ON FEDERAL LANDS** The Government Accounting Office (GAO) has released a report addressing the permitting process for renewable energy development on federal lands, principally the Bureau of Land Management (BLM) and Forest Service lands ([GAO-13-189](#)). Since passage of the Energy Policy Act of 2005, federal land management agencies, primarily BLM, have received hundreds of applications for utility-scale renewable energy projects, yet only authorized 25: seven wind, ten solar, and eight geothermal. Applications for

the majority of projects were withdrawn by the applicants or denied by BLM because of insufficient information. GAO POC: [Anne-Marie Fennell](#), (202) 512-3841.

## **ENVIRONMENTAL POLICY**

**MORE EFFICIENT ENVIRONMENTAL REVIEWS UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)** The Council on Environmental Quality released [a new handbook](#) that encourages more efficient environmental reviews under NEPA. The handbook provides advice to federal agencies, applicants, project sponsors and consultants on how to take advantage of existing regulatory provisions to align the NEPA process and the National Historic Preservation Act Section 106 review process.

## **HAZARDOUS MATERIALS**

**ORTHO-NITROTOLUENE** EPA is proposing to add ortho-nitrotoluene to the list of toxic chemicals subject to reporting under the Emergency Planning and Community Right to Know Act (EPCRA) Section 313 final rule ([78 FR 13501](#)). Nitrotoluene has been classified by the National Toxicology Program as "reasonably anticipated to be a human carcinogen." Comments are due 13 MAY 13. EPA POC: Daniel R. Bushman, (202) 566-0743.

## **NATURAL RESOURCES**

**DESIGNATION OF CRITICAL HABITAT FOR THE NORTHWEST ATLANTIC OCEAN DISTINCT POPULATION SEGMENT OF THE LOGGERHEAD SEA TURTLE** The US Fish and Wildlife Service (USFWS) proposes to designate specific areas of terrestrial environment as critical habitat for the Northwest Atlantic Ocean Distinct Population Segment of the loggerhead sea turtle (*Caretta caretta*) ([78 FR 17999](#)). Proposed critical habitat is located in coastal counties in North Carolina, South Carolina, Georgia, Florida, Alabama and Mississippi. The intended effect of this regulation is to assist with the conservation of the loggerhead sea turtle habitat. Comments are due 24 MAY 13. USFWS POC: Dawn P. Jennings, (904) 731-3336.

## **WATER**

**ANALYSIS OF POLLUTANTS UNDER THE CLEAN WATER ACT** Although EPA did not approve a new test method for oil and grease for nationwide use, thereby changing monitoring requirements for all permit holders, this proposal allows a permit holder to petition to use the alternative test method ([78 FR 14457](#)). The petitioner would need to submit a request to EPA to use the alternative method, along with specific data. EPA grants approval to use the alternative method on a case-by-case basis. EPA POC: [Jan Matuszko](#), (202) 566-1035.

**FEDERAL SUPPORT TOOLBOX FOR INTEGRATED WATER RESOURCES MANAGEMENT** The [Federal Support Toolbox](#) is a dynamic, evolving, and comprehensive water resource website with direct links to databases, innovative programs and initiatives, and state-of-the-art models and tools. The website serves as a resource for sharing ideas and water resources needs, best management practices, collaborations and partnerships, and more for the water resources community in the US and internationally.

**AMENDMENTS TO EXECUTIVE ORDER 12777 - DELEGATION OF AUTHORITIES** The President has issued amendments to [Executive Order 12777](#) to delegate authorities for enforcement of portions of the Oil Pollution Act of 1990 and Clean Water Act to Department of Transportation and Coast Guard.

# **Professional Development**

**7-10 APR 13, NASHVILLE, TN: [SUSTAINABLE WATER MANAGEMENT CONFERENCE](#)** The conference will present solutions for balancing the benefits of conservation with the costs, managing infrastructure, developing robust supply models and watershed management plans, water reuse, resource management, green infrastructure and more.

**9 APR 13, CHARLOTTE, NC: [BIOENERGY SYMPOSIUM](#)** The event is intended to be a vehicle for community education and dialogue, especially municipal decision-makers, regulators, citizen advocacy groups, and interested residents. Each year highlights different BioEnergy issues.

**11-13 APR 13, WASHINGTON, DC: [RECLAIM + REMAKE SYMPOSIUM](#)** This conference brings together the most innovative practices in education and research for current and future reuse and recycling of material resources in the built environment.



**16-18 APR 13, WASHINGTON, DC: [ESPC COMPREHENSIVE WORKSHOP](#)** Open only to federal employees and DOE management and operating contractors, the workshop outlines the latest DOE Energy Savings Performance Contracts (ESPC) process. The session is taught by DOE national laboratory experts and other consultants with extensive background in ESPCs.

**17 APR 13, ONLINE: [ALPHABET SOUP WEBINAR](#)** REPI practitioners will discuss how to use REPI, Integrated Natural Resources Management Plans (INRMP), and Integrated Cultural Resources Management Plans (ICRMP) for more efficient and comprehensive land use decisions to support mission capabilities.

**5-8 MAY 13, CHICAGO, IL: [AMERICAN WIND ENERGY ASSOCIATION WINDPOWER CONFERENCE AND EXHIBITION](#)** The conference brings international and domestic attendees spanning every aspect of the wind business. The education program supplies companies with real life solutions that are adaptable to the dynamic environment of the wind energy industry.

**5-9 MAY 13, NASHVILLE, TN: [ENERGY & WATER 2013: INTEGRATED SOLUTIONS FOR ADVANCING TECHNOLOGY AND MANAGEMENT](#)** The Water Environment Federation and its cooperating partners announce a conference focused on the water-energy nexus that showcases the state of the art in integrated resource management and sustainability. This conference provides an opportunity for the water and power sectors to examine technologies that can lead to energy neutrality, recovery of useful products, and minimization of resources at water and wastewater treatment plants.

**8-10 MAY 13, CHICAGO, IL: [INTERNATIONAL SOCIETY OF SUSTAINABILITY PROFESSIONALS CONFERENCE](#)** The conference is structured around stories from the field featuring presentations of on-the-ground implementation from organizations worldwide; emerging strategies for building the business case, engaging employees and developing cultures of sustainability; and sustainability tools that will demonstrate the latest sustainability assessments, reporting standards and more.

**15 MAY 13, ONLINE: [REPI HELP SESSION FOR FY 2014](#)** This webinar is a special session to learn about changes to the REPI Guide for FY 2014, highlight successful project write-ups and get answers to questions about the updated proposal criteria and REPI policy guidelines.

**15-17 MAY 13, ATLANTA, GA: [BROWNFIELDS 2013](#)** The focus of this conference is environmental revitalization and economic redevelopment.

**19-22 MAY 13, TUNICA, MS: [NATIONAL WATERSHED CONFERENCE](#)** The conference will provide a forum to address five key areas: watersheds, changing models for natural resource program delivery, water management strategies for the future, funding and finance alternatives for aging conservation infrastructure, and improving project operation and maintenance capacity and performance for watershed project partners.

**19-23 MAY 13, JACKSONVILLE, FL: [ENERGY PRODUCTION AND AQUATIC BIODIVERSITY](#)** A total of 21 special sessions on a wide variety of interesting topics are included in the 2013 program.

**5 JUN 13, ONLINE: [THE NATIONAL CONFERENCE OF STATE LEGISLATURES \(NCSL\) AND ENGAGING WITH LOCAL OFFICIALS](#)** Hear an update on NCSL's Task Force on Military and Veteran's Affairs and its efforts to support mission sustainability through state legislation, policies, and resolutions. Also learn about engagement strategies and how to work with local government officials on mission sustainability efforts.

**10-13 JUN 13, NEW ORLEANS, LA: [ENVIRONMENT, ENERGY SECURITY & SUSTAINABILITY SYMPOSIUM AND EXHIBITION](#)** E2S2 is focused on providing participants with critical information and interaction on the challenges of the national security departments and agencies regarding environmental, energy security, and sustainability issues such as acquisition, environmental management, environmental restoration, emerging technologies, partnerships, finance and budgeting, technology, climate change and adaption, sustainable design and construction, stormwater, BRAC, unexploded ordnance recovery, grids and infrastructure security, and contingency base energy. E2S2 provides an opportunity to share ideas and create partnerships to meet and achieve environmental, energy security, and sustainability objectives across government and industry.

**16-20 JUN 13, BLOOMINGTON, IN: [9TH NORTH AMERICAN FOREST ECOLOGY WORKSHOP](#)** The conference will allow forest ecologists, silviculturists, wildlife biologists, and other forest researchers and managers from Canada, Mexico, Central America, and the US to gather and exchange current research and management approaches within the backdrop of the US central hardwood forests.

**23-27 JUN 13, ALEXANDRIA, VA: [INTERNATIONAL CONFERENCE ON CARBON DIOXIDE UTILIZATION](#)** The biennial conference provides a multi-disciplinary forum on recent innovations in fundamental and applied aspects of CO<sub>2</sub> utilization. The conference will focus on CO<sub>2</sub> conversion and utilization for chemicals, fuels and materials for sustainable development. The goal of the conference is to facilitate the advances in CO<sub>2</sub> research and bring together the academic and industrial communities for the exchange of ideas, concepts and innovations.

**25-28 JUN 18, CHICAGO, IL: [2013 AIR & WASTE MANAGEMENT ASSOCIATION 106<sup>TH</sup> ANNUAL CONFERENCE AND EXHIBITION](#)** The conference is the environmental industries' premier education, networking and solutions event to enhance knowledge and network with fellow environmental professionals. The conference will feature a technical program with over 500 speakers, hundreds of exhibitors displaying the newest products and services, social tours and networking events, and professional development courses taught by leading instructors.

**10 JUL 13, ONLINE: [THE REPI END GAME II](#)** Following on the first "REPI End Game" webinar presented in April 2012, hear from new installations that have significantly completed REPI projects and how they have targeted their efforts over the years.

**5-6 AUG 13, WASHINGTON, DC, [THE AMERICAN ENERGY SECURITY SUMMIT](#)** Hosted by the [United States Leadership Forum](#), the conference features government and industry leaders; provides the latest details on federal energy priorities, programs and contracts; and features DoD, DOE, Department of Agriculture, Veterans Affairs, and other federal agencies. Topics include state and local government energy priorities, programs and contracts; energy efficiency priorities, including net zero installations and advanced lighting solutions; and clean energy priorities, including biofuels for jets and electric and natural gas-powered ground transportation.

**21 AUG 13, ONLINE: [NATIONAL FISH AND WILDLIFE FOUNDATION \(NFWF\) LONGLEAF STEWARDSHIP FUND WEBINAR](#)** Learn about the NFWF Longleaf Stewardship Fund and how it is supporting longleaf pine conservation in the Southeast. Hear case studies from installations involved in placed-based projects that support their REPI buffer efforts.

**21-23 AUG 13, JEKYLL ISLAND, GA: 8<sup>TH</sup> [ANNUAL GEORGIA ENVIRONMENTAL CONFERENCE](#)** The conference is the state's largest and most comprehensive environmental educational opportunity. It will be attended by an estimated 500 state, local, and federal government officials, business and industry leaders, and many others with a strong interest in Georgia's Environmental Programs. The curriculum offers over 35 unique courses, allowing attendees to design a personalized curriculum.

## ***VARIOUS DATES AND TIMES ONLINE***

**READINESS AND ENVIRONMENTAL PROTECTION INITIATIVE – [WEBINAR SERIES](#)** The REPI Webinar Series is presented by DoD in partnership with the [Land Trust Alliance](#). This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted. For detailed webinar descriptions please visit the [REPI website](#).

**DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS** The Army offers numerous environmental training courses. Information on training providers and fiscal year class schedules are available on the [US Army Environmental Command \(AEC\) website](#).

**[NAVY AND ISEERB ENVIRONMENTAL TRAINING FY13](#)** The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY13 is available. Course topics include environmental overview and management, law planning and sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

**[AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY13](#)** The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the government. Fees vary according to personnel status (i.e., active duty Air Force/civilian, other government employee, contractor).

**AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, [QUALIFIED RECYCLING PROGRAM MANAGEMENT](#)** The purpose of the course is to understand DoD requirements for operating a Qualified Recycling Program (QRP). This course emphasizes principles and techniques to assist students in implementing a sound QRP. The course focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting methods to maximize returns, working with your DRMO, establishing con-

tracts, recording transactions, DoD recordkeeping, and estimating future budgets.

## ***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 programs more successful. The format is a formal presentation followed by a question and answer session.

**DEFENSE ACQUISITION UNIVERSITY (DAU)** DAU developed online resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations. The online 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.

**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, and Bureau of Land Management.

**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.

**TRAINING FOR FEDERAL GHG INVENTORIES** A component of FedCenter's broader Greenhouse Gas Inventory Reporting site is available. The DOE Federal Energy Management Program (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.

**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.

**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.

**ADVANCED METERING SOLUTIONS FOR FEDERAL AGENCIES** This one-day FEMP-sponsored symposium (targeting federal energy managers, contractors, and software and system providers) consists of two sections. The morning session includes presentations by federal agencies highlighting their successful applications of advanced metering, data analysis, and diagnostic software. The afternoon session features panel discussions by invited metering hardware and software providers highlighting the capabilities of such systems.

**WHOLE BUILDING DESIGN GUIDE TRAINING** FEMP has partnered with the National Institute of Building Sciences to offer FEMP e-learning courses on the Whole Building Design Guide. Eight interactive, on-demand, self-paced, and self-tracking courses are supportive of the Federal Building Personnel Training Act competencies and provide up-to-date information targeted to mid-level federal energy, water and sustainability managers.

**USING SOCIAL MEDIA CHANNELS TO INSPIRE OFFLINE ACTION** Zoey Kroll, an Internet communications specialist at the San Francisco Department of Environment and a social media strategist at Hayes Valley Farm will talk about using social media channels to inspire offline action. The webinar will discuss how apps (RecycleWhere), activity clubs (Photo Adventure Club), and social media tools can inspire people to move from clicks to compost. This training is offered by the Pollution Prevention Resource Exchange (P2Rx).

**ENERGY STAR TRAINING** Energy Star offers free online training to help improve energy performance. Training is available in the form of live web conferences, pre-recorded training available 24/7, and self-guided presentations in pdf format. Depending on the conference, session, or presentation, the training is designed for facility managers, property managers, environmental managers, energy managers, financial officers, building engineers, and others interested in Energy Star.

**[AIR FORCE CIVIL ENGINEERING SCHOOL SEMINARS](#)** The Air Force Civil Engineering School offers a variety of free online seminars on hazardous waste management, hazardous materials management, stormwater management, and more.

**[USEPA STORMWATER WEBCAST SERIES](#)** The EPA NPDES Permit program offers training courses, workshops, and webcasts to explain the regulatory framework and technical considerations of the NPDES Permit program. These courses are designed for permit writers, dischargers, USEPA officials, and other interested parties.

**[USEPA REDUCE RUNOFF VIDEO](#)** EPA and the US Botanic Garden produced a nine-minute online video, "Reduce Runoff: Slow It Down, Spread It Out, Soak It In," that highlights green techniques such as rain gardens, green roofs and rain barrels to help manage stormwater runoff.

**[USEPA WATERSHED ACADEMY WEBCAST SERIES](#)** EPA's Watershed Academy is sponsoring free webcast seminars for local watershed organizations, municipal leaders, and others. To access a webcast, simultaneously log on to the web and/or participate by phone conference lines in live training conducted by expert instructors. Archived training sessions are also available by streaming audio.

**[NPDES TRAINING](#)** The web-based NPDES permit writers training is a series of web-based recordings of presentations. This training is appropriate for those who have attended the live course and wish to review the material in a self-paced environment, and for those who wish to become familiar with the NPDES process. A certificate of completion is available for each module in the series.

**[CLU-IN ENVIRONMENTAL REMEDIATION WEBCAST SERIES](#)** EPA's Clean-up Information (CLU-IN) website provides information about innovative treatment and site characterization technologies while acting as a forum for waste remediation stakeholders. The CLU-IN website offers free podcasts, live web events, course and seminar information and more, with most lasting approximately two hours.

**[USEPA CLIMATE & ENERGY WEBCAST SERIES](#)** EPA hosts the Local Climate and Energy Webcast Series to assist local governments as they explore and plan climate change and clean energy efforts. These regular webcasts highlight EPA resources available to local governments and present examples of successful climate and energy programs and policies implemented locally.

**[GLOBAL CHALLENGES/CHEMISTRY SOLUTIONS PODCAST SERIES](#)** Global Challenges/Chemistry Solutions is a series of podcasts describing some of the 21st century's most daunting problems, and how cutting-edge research in chemistry matters in the quest for solutions. These global challenges includes dilemmas such as providing a hungry, thirsty world with ample supplies of safe food and clean water; developing alternatives to petroleum to fuel society; preserving the environment and assuring a sustainable future for our children; and improving human health.

**[FEMP ENERGY MANAGEMENT PROGRAM ONLINE TRAINING](#)** FEMP trains federal energy managers on the latest energy requirements, best practices, and technologies. Training categories include design, operations, and maintenance; energy efficient products; energy management; financing; fleet; renewable energy; and water efficiency. Search the FEMP website for all topics, specific topics, or type of training (live or on-demand) to find training opportunities. All courses are free unless otherwise noted.

**[FEMP 2013 FIRST THURSDAY SERIES SEMINARS](#)** First Thursday Seminars are FEMP training opportunities targeting federal energy, environmental, and fleet professionals offered at no cost by leading experts. Seminars will be held through August on the first Thursday of each month. Archived seminars from 2010-2013 are also available at this site.

**[SOLAR ENERGY INTERNATIONAL](#)** Solar Energy International offers several online courses addressing design and installation of a variety of solar energy systems. These fee-based courses generally require 10 hours per week of online instruction, accessible at any time. Courses must be completed within a six-week window. Follow the link to view class schedules.



# Staff Directory

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Main Office Number	770-629-2180
Region 4 Director/DoD REC	404-460-3131
Region 4 Deputy Director	404-460-3125
Region 4 Counsel	404-545-5655
Region 4 REC	404-545-6599
Project Manager	410-459-3293
Regulatory Affairs Specialist	404-460-3135

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## How the Regional Offices Work for You

*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/>.