



Southern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

June 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. Please include a contact name and email address in the body of the message.

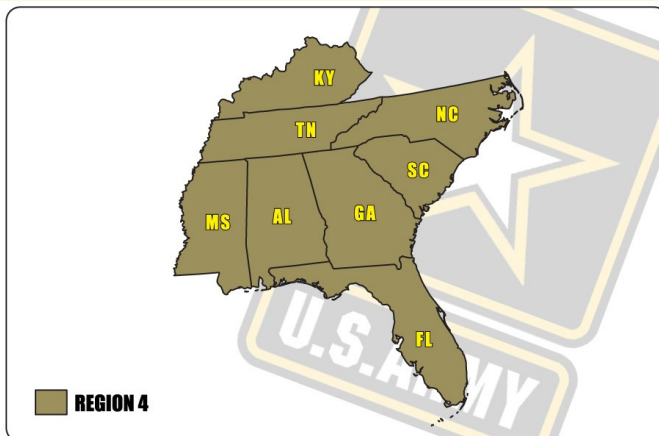


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COMMITTEE REQUESTS COMPREHENSIVE STUDY ON ENCROACHMENT, ENVIRONMENTAL LIMITATIONS

Concerns about the impact of encroachment and environmental laws on the use of installations and training ranges is prompting the House Armed Services Committee to direct the Government Accountability Office (GAO) to review the Pentagon's efforts to address the potential for such restrictions to hinder military training.

"The committee wants to ensure that the department is effectively preventing or mitigating these restrictions to ensure that US force readiness remains high," according to report language drafted by the Readiness Subcommittee to accompany the fiscal 2014 defense authorization bill. The panel approved its portion of the annual policy bill last week; the full committee was scheduled to mark up the measure June 5.

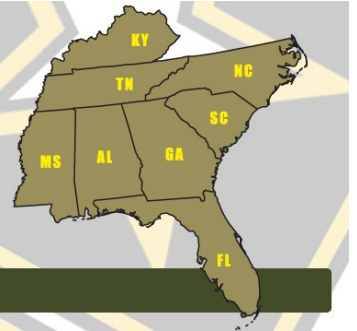
During a 23 MAY 13 [report](#), Subcommittee Chairman Representative Rob Wittman (R-Va.) highlighted the issue as one of the critical readiness challenges the authorization bill addresses. The report language directs GAO to look at:

- * The types of restrictions and their impacts on military training and operations;
- * What authorities DoD has, or needs, to protect its ability to train;
- * The extent to which the department has identified restrictions at its training ranges and whether it has mitigated them;
- * How DoD collaborates with local governments and the private sector to limit encroachment;
- * How effective the department's systems are to measure the effects of environmental limitations and encroachment;
- * What options DoD has to mitigate the impacts of such restrictions; and
- * Which ranges are at highest risk, and which ones should be the highest priority to protect from encroachment due to unique training environments and/or the ability to minimize electromagnetic spectrum interference.

The study would be due 3 MAR 14. Full [article text](#) is available.

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 was enacted.

[HB 237](#) EXPIRED MEDICATION DISPOSAL HB 237 allows pharmacies to accept expired medications for disposal purposes. HB 237 was enacted.

[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 failed; legislature adjourned sine die.

[HB 676](#) WIND ENERGY PERMITTING, BALDWIN COUNTY HB 676 authorizes the Baldwin County Commission to establish standards, specifications, criteria and conditions on permitting, construction, placement and operation of wind turbines, wind mills, wind farms and any other wind-generated energy production facilities or equipment operated, in whole or in part, by wind in the unincorporated areas of Baldwin County. The measure passed both chambers, and was sent to the governor. *REEO-S Note: Baldwin County sits on the Gulf Coast bordering Florida. HB 676 could provide an opportunity for the military to engage county officials during the permitting process to inform stakeholders of potential impacts to military operations in the area (e.g., Eglin Air Force Base, Pensacola Naval Air Station, Fort Rucker).*

[HB 678](#) WIND ENERGY PERMITTING/ALABAMA WIND ENERGY CONVERSION ACT HB 678 requires the Alabama Department of Environmental Management (ADEM) to issue a permit and draft regulations covering the location, design and installation of wind energy systems. The measure failed; legislature adjourned sine die.

[SB 208](#) 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 failed; legislature adjourned sine die.

FINAL RULES

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) For consistency with EPA requirements, the Alabama Department of Environmental Management (ADEM) has deleted the term "particulate matter emissions" from Rule 335-3-14-.04 with regard to the definition of "regulated NSR pollutant." Amendments incorporate EPA changes to Prevention of Significant Deterioration (PSD) PAL regulations, and define GHG to temporarily exclude biogenic carbon dioxide emissions. Chapter 335-3-14 is part of the federally enforceable State Implementation Plan (SIP). As such, revisions to this chapter/rule are adopted for incorporation into Alabama's SIP. Changes to chapter 16 are not federally enforceable, and are not considered part of the SIP. ADEM has revised Rule 335-3-1-.02 for consistency with EPA definition of VOC. The [Notice of Intended Action](#) was published 31 DEC 12. A hearing was held 6 FEB 13, and comments were due 8 FEB 13. [Certified amendments](#) were published on 30 APR 13, and the rules were effective on 28 MAY 13. POC: Chris Howard, (334) 271-7878.

PROPOSED RULES

SOLID WASTE STUDY ([NEWS RELEASE](#)) ADEM announced the first in a series of public meetings to be held throughout the state, and focused on solid waste management. 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 legislature directed ADEM to evaluate current Alabama solid waste management procedures, including those for permitting new solid waste landfills. The legislature imposed a 24-month moratorium on issuance of permits to certain new landfills, and passed a one-year extension of this moratorium (through MAY 2014). POC: Scott Hughes, (334) 271-7955.

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 percent 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 Public Hearing](#) was filed 01 FEB 13, and a [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was published 31 MAR 13. Comments deadline was extended to 6 MAY 13. POC: [ADEM Hearing Officer](#).

FRACTURING (400-3-8-.04) The Oil and Gas Board has proposed to adopt Rule 400-3-8-.04, Hydraulic Fracturing. The rule would enhance regulation of hydraulic fracturing of formations to protect fresh water supply well or fresh water resources, to prevent irreparable harm to the oil and gas well or fresh water resources, and to require public disclosure of well stimulation fluids used in hydraulic fracturing. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was published on 31 MAY 13. Comments are due by 5 JUL 13. POC: David Bolin, (205) 247-3579.

NESHAPS, NSPS (335-3-11-.01, 335-3-11-.06) ADEM has proposed amendments to Rules 335-3-11-.01, and 335-3-11-.06 in Chapter 335-3-11 to incorporate by reference EPA changes to NESHAPs. Such incorporation allows EPA to delegate administrative enforcement of these regulations to ADEM. A [Notice of Intent to Adopt, Amend, or Repeal Rules](#) was published on 31 MAY 13. Comments are due by 12 JUL 13. POC: Chris Howard, Phone: (334) 271-7878.



2013 LEGISLATIVE SESSION: 5 MAR 13 THROUGH 3 MAY 13

LEGISLATION

[SB 364](#) CONSUMPTIVE USE 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. The measure passed both houses and will be sent to the Governor.

[SB 1684](#) (SEE ALSO [HB 999](#)) WELL, WETLAND, AIR PERMITTING SB 1684 amends certain requirements concerning wells and wetland activities, primarily by adding exemptions. Well and wetland permitting provisions are located on pages 15-17 of the bill. SB 1684 simplifies and otherwise changes Clean Air Act (CAA) Major Source fee calculations (pages 19-22). The measure passed committee and is awaiting a floor vote.

[SB 948](#) WATER SUPPLY This measure revises legislative intent on water supply policy, planning, production and funding, and requires water management districts (WMDs) to assist private landowners and self-suppliers in meeting certain water supply needs to coordinate regional water supply. The measure passed both houses and will be sent to the Governor. *REEO-S Note: This measure could affect coordination involving DoD facilities that have CUPs.*

[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. The measure passed both houses and will be sent to the Governor.

[SB 1784](#) INHIBITING ENCROACHMENT OF MILITARY BASES SB 1784 specifies functions of the Military Base Protection Program; authorizes the Florida Department of Economic Activity to annually submit to the Board of Trustees of Internal Improvement Trust Fund's list of nonconservation lands to be acquired for purpose of buffering military bases against

encroachment; and requires the Board of Trustees to consider recommendations of Florida Defense Support Task Force. The measure passed both houses and will be sent to the Governor. *REEO-S Note: SB 1784 would enhance Readiness and Environmental Protection Initiative (REPI) efforts in Florida.*

HB 7157 TMDL HB 7157 ratifies FLDEP rules implementing total maximum daily loads for certain impaired water bodies. The measure passed the House and Senate and will be sent to the Governor.

FINAL RULES

RISK-BASED CORRECTIVE ACTION (62-780.100, .150, .200, .210, .220, .300, .400, .450, .500, .550, .560, .600, .610, .650, .680, .690, .700, .750, .790, .900) FLDEP has adopted changes to all of Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria, to merge Chapters 62-770 (Petroleum Contamination Site Cleanup Criteria), 62-782 (Drycleaning Solvent Cleanup Criteria) and 62-785 (Brownfields Cleanup Criteria Rule) into the existing Chapter 62-780, F.A.C. This action will provide rule consolidation and consistency across contaminated site cleanup programs, where possible, based on governing statutes. FLDEP is concurrently repealing Chapters 62-770, 62-782 and 62-785, F.A.C in support of Governor Scott's [Executive Order 11-01](#) (and subsequent Executive Orders 11-72 and 11-211). A [Notice of Final Rule Filing](#) was published on 29 MAY 13. The rules are effective 12 JUN 13.

BROWNFIELD SITE REHABILITATION CRITERIA, PROCESS AND PROCEDURES (62-785.100, .150, .200, .220, .300, .400, .450, .500, .600, .610, .650, .680, .690, .700, .750, .900) FLDEP has adopted rulemaking concerning the merging of existing brownfield site rehabilitation criteria, process and procedures in Chapter 62-785, F.A.C. into Chapter 62-780, F.A.C. Chapter 62-785, F.A.C. is being repealed with all current Risk-Based Corrective Action (RBCA) rule chapters merging into Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria. This action will provide rule consolidation and consistency across contaminated site cleanup programs, where possible, based on governing statutes. FLDEP is concurrently adopting the expansion of Chapter 62-780, F.A.C. to include program-specific provisions from the Petroleum, Drycleaning Solvent, and Brownfields risk based corrective action cleanup rules. A [Notice of Rulemaking Development](#) was published on 16 MAR 12, and a [Notice of Rule Filing](#) was published on 23 MAY 13. The rules are effective 12 JUN 13. POC: [Kim Walker](#), (850) 245-8934.

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 Water Management Districts (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/scheduled in July and August of 2012. 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, a [Notice of Proposed Rules](#) was published on 12 APR 13, Notices of Change were filed on 15 and 17 APR 13, and comments were due 6 MAY 13. POC: [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. Following FLDEP adoption of proposed new ERP rules mandated by Section 373.4131, F.S., FLDEP proposes 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 that contains district-specific design and performance criteria related to water quality and quantity, as well as special basin criteria or other statutory requirements. Handbook Volume II will be incorporated by reference into FLDEP's statewide ERP rules upon adoption. The Southwest Florida WMD has [proposed rulemaking](#) to incorporate into Rule 40D-4.091, F.A.C., the proposed Applicant's Handbook Volume II. 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 were due on 18 APR 13. POC: Sonya White, (813) 985-7481, x4660.

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. The rule will also 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. A [Notice of Change](#) was published on 15 MAY 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 4-5 DEC 12 and 7 DEC 12. An advisory was issued on 25 APR 13. Workshops were held 15 and 22 MAY 13. 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. A [Notice of Proposed Rules](#) was published on 8 MAY 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. Another workshop is scheduled for 19 JUN 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; thus, achieve 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. The amendments allow 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. They also allow 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 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 was held 17 APR 13. POC: [Jeffrey G. Lawson](#), (850) 245-8599.

UNIFORM MITIGATION ASSESSMENT METHOD (62-345.100, .200, .300, .400, .500, .600, .900) FLDEP has proposed amendments to improve clarity and ensure consistent application of the Uniform Mitigation Assessment Method rule and forms for public and staff. Subjects to be addressed include application of the method to wetland and upland assessment areas where preservation as mitigation is proposed, a revised method to ensure equal weighting and evaluation is used when calculating the preservation adjustment factor, and clarified application of the method for assessment areas that have been artificially created or significantly altered from the historic or natural condition. Guidance will be provided to clarify time-lag and risk factor determination, and to assist in designation and classification of Florida's native community types. Clarification and guidance will also be provided in application of the method to quantitative assessment of location and landscape support values, assessment of wetland functions as provided by surrounding upland communities, and in evaluation of contributions of the assessment area to receiving water bodies and wetlands. Application of the method to benthic communities will be clarified to provide specific guidance and criteria for assessment of sea grass, hard bottom, and other submerged communities. Furthermore, Uniform Mitigation Assessment Method forms will be improved to better track steps and processes outlined by rule language, and to facilitate long-term tracking of wetland functional losses and gains. A [Notice of Rulemaking Development](#) was published on 3 MAY 13. A workshop is scheduled for 26 JUN 13. POC: [John Humphreys](#), (850) 245-8487.

PETROLEUM CONTAMINATED SITES (62-771.100, .201, .300, .401) FLDEP has proposed amendments to the rule that establishes the priority scoring system for petroleum contaminated sites. FLDEP is developing criteria specific to state funded cleanup of petroleum contaminated sites. FLDEP anticipates amending or creating various rule sections and titles, which may be amended or new sections added as this rulemaking moves forward. A [Notice of Rulemaking Development](#) was published on 30 MAY 13. A Workshop is scheduled for 19 JUN 13. POC: [Jeff Koerner](#), (850) 245-8701.

GULF COAST ECOSYSTEM RESTORATION COUNCIL'S DRAFT PROGRAMMATIC ENVIRONMENTAL ASSESSMENT FLDEP and the Florida Fish and Wildlife Conservation Commission held a public meeting to take comment on the [Gulf Coast Ecosystem Restoration Council's Draft Initial Comprehensive Plan](#) and the accompanying [Draft Programmatic Environmental Assessment](#). The [Notice of Meeting](#) was issued on 24 MAY 13, and the meeting was held on 3 JUN 13. POC: Doc Kokol, (850) 488-4676.



2013 LEGISLATIVE SESSION: 14 JAN 13 THROUGH 28 MAR 13

***Georgia has two-year sessions (2013-2014); 2013 bills MAY be carried over for consideration in 2014.**

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 was enacted. *REEO-S Note: Scrap tire regulation in Georgia has created controversy for some DoD activities. HB 226 adds requirements for tire handling and transportation, and extends the regulatory reach to used tires (i.e., tires*

still suitable for intended use). The United States is expressly exempted from most of the changes; however, contractors at a facility may be targeted by the Georgia Environmental Protection Division (GAEPD) should the bill become law.

HB 320 INERT WASTE LANDFILLS HB 320 exempts certain compliant inert waste landfill operations from additional regulatory permitting. The bill was enacted. *REEO-S Note: Exemption requires certification by a professional engineer who is registered under state law. REEO-S may seek clarification from the Georgia Department of Natural Resources (GADNR) as to whether certified engineers working for DoD, at military facilities, must also be registered in Georgia.*

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

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 Senate adopted SR 502. *REEO-S Note: SR 502 could spark activity at the local level leading to potential mission incompatibility issues.*

PUBLIC NOTICE

STATE IMPLEMENTATION PLAN GAEPD has invited comment on a proposed certification regarding Georgia's SIP. GAEPD proposes to certify that Georgia's current SIP contains the Section 110(a) elements of the Clean Air Act that meet the requirements of the sulfur dioxide (SO₂) NAAQS as finalized in 2010. The [notice](#) was amended on 16 APR 13. A hearing was held 20 MAY 13, and comments were due by 24 MAY 13. POC: Air Protection Branch, (404) 363-7000.

FINAL RULES

UST ENVIRONMENTAL ASSURANCE FEE INCREASE (391-3-15-.13(1)(A)1) GADNR has proposed amendments to Georgia rules for "Underground Storage Tank (UST) Management." Rule 391-3-15-.13(1)(a)1., "Environmental Assurance Fee (EAF)" is being amended to increase the EAF paid by Georgia UST 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, comments were due by 03 APR 13, and a meeting was held 30 APR 13. A [Notice of Adoption](#) was published on 30 APR 1. POC: Land Protection Branch, (404) 362-2687.

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 summertime 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 was held 5 MAR 13, comments were due 8 MAR 13, and a meeting was held 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](#).

EROSION AND SEDIMENTATION CONTROL (391-3-7-.01, 391-3-7-.01) GAEPD has proposed rule amendments to Rule 391-3-7-.01 "Definitions" and Rule 391-3-7-.05 "Buffer Variance Procedures and Criteria." Changes to Rule 391-3-7-.01 Definitions would make minor changes to seven definitions, add two definitions and delete two definitions. Amendments to Rule 391-3-7-.05 Buffer Variance Procedures and Criteria would provide clarification for one criterion used to review buffer variance applications and for mitigation requirements for temporary and permanent buffer impacts, address a permitting issue that has caused certain linear projects to not be constructed because of buffer variance ineligibility, make a minor change to public notice requirements to clarify correct legal organ for project jurisdictions, and add

an expiration date and mechanism for extending the life of buffer variance approvals. A [Notice of Proposed Rules](#) was filed on 16 APR 13. A hearing was held 16 MAY 13, and comments were due by 22 MAY 13. POC: Larry Hedges, (404) 675-6240.

GROUNDWATER REMOVAL PROHIBITION (NOTICE) Effective immediately GAEPD has announced that it will prohibit new groundwater withdrawals in the coastal Georgia counties of Chatham, Bryan, Liberty and the portion of Effingham County south of highway 119. The permitting moratorium applies to community public water systems and municipal and industrial groundwater supplies from the entire Floridan aquifer. The aquifer is a source of fresh water for the coastal region, and increased withdrawals have been linked to saltwater seeping into the groundwater in the area around Hilton Head, South Carolina. EPD addressed the issue in 2006 with the Coastal Georgia Water and Wastewater Permitting Plan for Managing Salt Water Intrusion (CPP), which prohibited new withdrawals from the upper Floridan aquifer. The CPP allowed limited withdrawals from the lower Floridan aquifer. GAEPD and the U.S. Geological Survey conducted recent groundwater studies and the results show the upper and lower sections of the aquifer are interconnected. This research prompted the need for a moratorium on all future withdrawals from the entire aquifer. Applications already received for withdrawals from the lower section of the Floridan aquifer will be considered, but no new applications will be accepted. GAEPD will consider allowing privately owned community public water systems to increase withdrawals if GAEPD has pre-approved expansion. Farmers in the four impacted counties who already hold farm use water withdrawal permits are not affected by this moratorium; applications for new farm use permits will not be considered. GAEPD restrictions on the Floridan aquifer will require potential users to consider other sources of water, such as surface water, desalination of sea water and other aquifers. A [press release](#) was issued on 20 MAY 13. POC: Kevin Chambers, (404) 651-7970.



2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 26 MAR 13

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. It also 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 was enacted.

NOTICE

ENERGY EFFICIENCY PROGRAMS (PRESS RELEASE) The Kentucky Energy and Environment Cabinet (KEEC) has released [Kentucky's Action Plan for Energy Efficiency](#), a series of recommendations to mobilize energy efficiency in the commonwealth, which can ensure energy security, environmental protection, job creation and maintenance of low-cost, reliable energy into the future. The action plan outlines a strategy for furthering Governor Steve Beshear's energy goals in his 2008 plan, *Kentucky's 7-Point Strategy for Energy Independence*, and identifies energy efficiency efforts already in place in Kentucky. The plan comes after a two-year, comprehensive stakeholder process through a partnership with the Department of Energy and the Midwest Energy Efficiency Alliance. More than 100 diverse stakeholders assisted in crafting the recommendations. The action plan recommends the commonwealth and other entities adopt policies and programs to capitalize on Kentucky's significant opportunity to save energy through efficiency programs. Key recommendations include:

- Expand access to energy efficiency incentives for homes, schools and commercial businesses;
- Statewide efforts to provide robust energy efficiency education and training programs tailored to Kentucky's residents and businesses;
- Establish a loan fund to finance commercial and industrial energy efficiency retrofits; and
- Improve comfort of homes and reduce energy bills through coordinated weatherization programs and increased resources for building energy code compliance activities.

The action plan will be a living document, as KEEC and other leading partners work collaboratively to implement the governor's energy strategy. Kentucky homeowners, businesses and manufacturers are encouraged to join the stakeholder collaborative and provide perspective on opportunities to use energy efficiency to the commonwealth's advantage. A [press release](#) was issued on 15 MAY 13. POC: [Greg Guess](#), Kentucky Department for Energy Development and Independence.

AMBIENT AIR MONITORING NETWORK KEEC has made the annual monitoring network plan available for public inspection.

tion. The plan details operation and location of ambient air monitors operated by the Kentucky Division for Air Quality, Louisville Metro Air Pollution Control District, and the National Park Service. The [Notice](#) was issued on 23 MAY 13. Comments are due by 6/22/2013. POC: [Jennifer F. Miller](#), (502) 564-3999.



2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 4 APR 13

LEGISLATION

[SB 2688](#) LEAD-BASED PAINT ACTIVITY ACCREDITATION AND CERTIFICATION ACT SB 2688 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 was enacted.

[HB 719](#) INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW HB 719 extends the law and revises various provisions. The measure was enacted.

[HB 1296](#) 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 measure was enacted. *REEO-S Note: Could become a forum for DoD participation/input.*

NOTICE

SIP CERTIFICATION The Mississippi Commission on Environmental Quality (MSDEQ) has provided draft information for comment regarding the Mississippi certification that the SIP for control of air pollution is adequate to comply with requirements of Section 110(a)(1) and (2) of the Federal Clean Air Act as it pertains to the 2010 NAAQS for SO₂ as promulgated by the EPA. The [notice](#) was issued on 17 MAY 13. Comments are due by 17 JUN 13. POC: Jerry Beasley, (601) 961-5171.

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.

2014 ANNUAL AIR MONITORING NETWORK PLAN MSDEQ has invited comment on the 2014 Annual Air Monitoring Network Plan for Mississippi. The [notice](#) was issued on 29 MAY 13. Comments are due by 24 JUN 13. POC: [Michael Jordan](#).



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. HB89 passed the House and is now in Senate committee. SB 113 passed Senate committee, and is now 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 passed both chambers, and was transmitted to the Governor. *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. This measure did not survive crossover.

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 did not survive crossover.

HB 433 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 North Carolina. The measure was passed by both chambers. A conference committee has been appointed to resolve whether "water, radio, telephone, cellular, or television towers or any equipment for the transmission of electricity or communications" should be excluded from the definition of tall structures. *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.*

HB 480 STORMWATER PERMITS HB 480 requires development of minimum design criteria for issuance of stormwater permits and erosion control plans, and creates an expedited permitting process. The measure passed the House. HB 480 is in Senate committee.

HB 484 DoD AND PERMITTING OF WIND ENERGY FACILITIES This measure requires a specific permit system for development of wind energy facilities. It requires notification and coordination with major DoD installations during the pre-application process. HB 484 passed the House. *REEO-S Note: This bill is a high priority for DoD, as it would require early notification and coordination with DoD activities in North Carolina, where wind energy development has been an issue over the past few years. It may serve as a model for other states in protecting military operations and training.*

HB 488 METROPOLITAN WATER AND SEWERAGE DISTRICTS HB 488 promotes the provision of regional water and sewer services by transferring ownership and operation of certain public water and sewer systems to a metropolitan water and sewerage district. The measure was enacted.

HB 573 (SB 275) EXPAND USE OF STORMWATER FEES The measure promotes and encourages funding and implementation of stormwater management programs to protect and enhance surface water quality and quantity to reduce the chances for loss of life and damages to property due to flooding. Both bills are in committee. *REEO-S Note: The House committee made a change to the original language. The bill would now only apply to counties with a population greater than 910,000, which includes two counties (Mecklenburg and Wake). Only federal facilities in and around Charlotte and Raleigh/Durham would be affected. If enacted, DoD activities present in those areas should monitor future stormwater assessments and inform REEO-S.*

HB 679 (SB 590) UTILITIES/THE MILITARY GOOD NEIGHBOR ACT This measure provides that a person who constructs or operates an electric generating facility for the primary purpose of producing electricity, heat, or steam for sale to, or for the use of, the Armed Forces of the US, is not a public utility and is not subject to regulation by the utilities commission. Both bills are in committee. *REEO-S Note: REEO-S is closely monitoring these bills as they would expressly authorize the military to enter into third party power purchase agreements (PPAs). REEO-S commented on the proposed legislation and has expressed support to sponsors of the legislation.*

HB 710 WATER AND SEWER UTILITY COST RECOVERY This measure permits water utilities to adjust rates for changes in costs based on third-party rates. HB 710 authorizes the utilities commission to approve a rate adjustment mechanism for water and sewer utilities to recover costs for water and sewer system improvements. The measure passed the House. It is ready for a Senate floor vote. *REEO-S Note: HB 710 could result in increased fees for installations receiving service from public water and sewer utilities.*

HB 938 WETLANDS MITIGATION FLEXIBILITY HB 938 directs NCDENR to petition the US Army Corps of Engineers Wilmington District to allow greater flexibility to perform wetlands mitigation. The measure directs NCDENR to evaluate effectiveness of the fee/compensatory payment structure and whether the state should assume administration of the 404 permitting program. HB 938 passed the House. It is in Senate committee. *REEO-S Note: Recent amendments to the bill removed much of the potentially contentious language (e.g., the state assuming control of 404 permitting).*

SB 163 WATER RIGHTS SB 163 enhances the protection of landowners' water rights. The measure passed the Senate and is in House 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 corresponding federal regulation or law. The measure did not survive crossover.

SB 413 INTERCONNECTION OF PUBLIC WATER SYSTEMS SB 413 requires interconnection of public water systems or wastewater systems to regional systems when necessary to promote public health, protect the environment, and ensure compliance with drinking water rules. It requires an analysis of reasonable alternatives be done before constructing or altering a public water system. SB 413 did not survive crossover.

SB 513 LOCAL WATER EFFICIENCY PLANS SB 513 adds efficiency planning to existing local water use planning requirements and requires specific per capita reductions in consumption. The measure did not survive crossover.

SB 613 NORTH CAROLINA MILITARY AFFAIRS COMMISSION SB 613 creates the North Carolina Military Affairs Commission. The measure passed the Senate. It is in House committee. *REEO-S Note: The bill would, perhaps only modestly, change some features of the existing commission and update/clarify its focus. Of particular note is the specific mention under 127C 1(b) of the Southeast Regional Partnership for Planning and Sustainability (SERPPAS), Army's Compatible Use Buffer Program (ACUB), Readiness and Environmental Protection Initiative (REPI) and related initiatives. REEO-S has, and continues to have, significant involvement in SERPPAS and these other programs. Ideally, the Regional Environmental Coordinators would want to have more meaningful involvement in some aspects of the commission's affairs.*

FINAL RULES

GROUNDWATER STANDARDS (15A NCAC 02L .0202) The North Carolina Department of Environment and Natural Resources (NCDENR) has adopted rule revisions to ensure that groundwater standards are established using the most recent EPA health effects information. The [rules](#) were effective on 1 APR 13, and were published on 1 MAY 13. POC: [Sandra Moore](#), (919) 807-6417.

VOC AVAILABLE CONTROL TECHNOLOGY (15A NCAC 02D .0902, .0903, .0909, .0951, .0961, .0962) NCDENR DAQ has approved 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. The rules were approved on 18 APR 13, and [approved rules](#) were published on 3 JUN 13. POC: [Ms. Joelle Burleson](#), (919) 707-8720.

PROPOSED RULES

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.

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 were due 4 MAR 13. A meeting is scheduled for 10 JUN 13. POC: [Ellen Lorscheider](#), (919) 707-8245.

STORMWATER GENERAL NPDES PERMIT (PUBLIC NOTICE) NCDENR has issued a notice of intent to reissue expiring state 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; and 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 low 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 were due by 31 MAY 13. POC: Bethany Georgoulas, (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 2014. Adjournment dates are estimated and updated based on legislative activity.

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 requires 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 This act establishes the South Carolina Military Preparedness and Enhancement Commission and provides that the commission shall act to enhance the value of military facilities located in South Carolina. The act also 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 passed the House and is now in Senate committee. *REEO-S Note: It will be interesting to see where this goes. BRAC is a sensitive topic, and legislators have queried REEO-S Counsel regarding the military's planning on this front.*

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. Both bills are in committee. *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. HB 3644 was passed by committee and is pending debate on the House floor. SB 525 remains in committee. *REEO-S Note: This measure could encourage further discussions that may eventually lead to an environment more conducive for renewable energy development/investment at DoD facilities.*

HB 3834 (SB 329) SOLAR RENEWABLE ENERGY TAX CREDITS This measure allows an income and other specified tax credits for 25 percent 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.

HCR 4166 OCEAN ENERGY MANAGEMENT HCR 4166 is a concurrent resolution memorializing the US Congress to enact legislation revising the boundaries of the southeastern United States federal outer continental shelf administrative

districts' boundaries established by the Department of Interior Bureau of Ocean Energy Management. Such revision protects South Carolina's interests with respect to commercial energy leases in these districts. The House adopted the measure. It is in Senate committee.

SJR 717 CLASS 3 MUNICIPAL SOLID WASTE (MSW) SJR 717 is a joint resolution to impose a moratorium, until 31 DEC 17, on issuing permits to construct, replace or expand class 3 landfills, and to require the South Carolina Department of Health and Environmental Control (SCDHEC) to report on permit applications affected by the moratorium. SJR 717 also prohibits SCDHEC from approving annual disposal rate increases at such class 3 landfills. The measure is in committee. *REEO-S note: This seems to be a concern raised each year in SC. The primary thrust is to address the importation of MSW from outside the state, as well as potential wetland impacts from landfill expansion.*

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 shall 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 shall coordinate efforts among the public and private sectors to maintain a significant DoD presence in South Carolina. The task force shall advise the South Carolina governor and 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 Nikki Haley, (803) 734-2100.

PROPOSED RULES

INCORPORATION OF FEDERAL RULE CHANGES (61 – 62) SCDHEC has proposed amendments to Regulation 61-62, Air Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (SIP). EPA promulgates amendments to 40 CFR Parts 51, 52, 60 and 63 throughout each calendar year. Recent federal amendments include clarification, guidance and technical amendments regarding SIP requirements, NSPS and NESHAP for Source Categories. SCDHEC proposes to amend Regulation 61-62.1, Definitions and General Requirements, to incorporate an amendment to the definition of VOCs promulgated by the federal rule "Revision to Definition of Volatile Organic Compounds-Exclusion of trans-1,3,3,3-tetrafluoropropene" (77 FR 37610). SCDHEC also proposes to amend Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration, to incorporate a provision in the definition of "Regulated NSR Pollutant," as required by the federal rule "Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5})" (77 FR 65107). Additionally, SCDHEC proposes to amend Regulations 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, and 61-62.63, NESHAP for Source Categories, to incorporate by reference recent federal amendments promulgated from 1 JAN 12, through 31 DEC 12. SCDHEC may propose other changes to Regulation 61-62 that may include corrections for internal consistency, clarification, reference, punctuation, codification, formatting and spelling to improve the overall text of Regulation 61-62 as necessary. The [Drafting Notice](#) was published on 24 MAY 13. Comments are due by 24 JUN 13. POC: [Anthony T Lofton](#).



2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 19 APR 13

***Tennessee has two-year sessions (2013-2014); 2013 bills MAY be carried over for consideration in 2014.**

LEGISLATION

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 requirements. SB 941 was enacted.

SB 943 OPEN BURNING SB 943 deletes a provision authorizing local governments to enforce more stringent open burning requirements than provided by state law. SB 943 was enacted.

SB 1000 ELECTRIC GENERATION AND TRANSMISSION FACILITIES SB 1000 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. SB 1000 was enacted. *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).

FINAL RULES

PRESCRIBED BURNING (0080-07-06) The Department of Agriculture (DAG) has proposed new rules to implement the "Tennessee Prescribed Burning Act" T.C.A. §§ 11-4-1001 et seq. The act authorizes the Tennessee DAG Division of Forestry to establish a certification program for certified prescribed burn managers who may manage and conduct a "prescribed burn." A person conducting a prescribed burn in compliance with the act shall only be liable for damages in the event of negligence. The [proposed rules](#) were filed on 3 MAY 13. They become effective on 29 OCT 13.

PROPOSED RULES

UST REMEDIATION GROUNDWATER TREATMENT The Tennessee Department of Environment and Conservation (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 were due by 19 APR 13. POC: Beth Rorie or Monya Bradley, (615) 532-0625.

MANAGEMENT OF NATURAL RESOURCE AREAS (0400-02-08) TDEC has proposed amendments to regulations governing management of Tennessee natural resource areas. Amendments revise and update rules to better define responsibilities of agencies and organizations that manage natural resource areas. Amendments improve the rules to be more consistent in language with present day conservation trends, and remove references to outdated policies and unnecessary requirements. A [Notice of Rulemaking Hearing](#) was filed 4 APR 13. A hearing was held and comments were due by 30 MAY 13.

2013 FEDERAL GREEN CHALLENGE AWARD WINNERS Recognition is a key element of EPA's [Sustainable Materials Management Program](#) and the [Federal Green Challenge](#) (FGC) initiative. [FGC awards](#) are data driven or narrative. Data driven awards are in the target areas of Waste, Electronics, Purchasing, Energy, Water and Transportation. Narrative awards are given in the categories of Innovation, Education & Outreach and Leadership. Visit the [FGC site](#) to see a list of award winners.

Department of Defense Activity

2013 PRESIDENTIAL MIGRATORY BIRD FEDERAL STEWARDSHIP AWARD DoD received the [Presidential Migratory Bird Stewardship Award](#), presented at the Environment for the Americas International Migratory Bird Day event in Washington, D.C. The award annually recognizes a project or action conducted by or in partnership with a federal agency that meets the intent and spirit of [Executive Order 13186](#) (Responsibilities of Federal Agencies to Protect Migratory Birds) by focusing on migratory bird conservation. The 2013 award recognizes DoD's multi-year [Migratory Linkages of Burrowing Owls on Department of Defense Installations and Adjacent Lands project](#).

DEFENSE ENVIRONMENTAL RESTORATION PROGRAM INSTRUCTION DoD updated [DoD Instruction \(DoDI\) 4715.07](#), Defense Environmental Restoration Program (DERP). The DoDI establishes policy, assigns responsibilities, and provides procedures for implementing the DERP. The instruction incorporates new DoD policies to improve risk management prior to construction of final cleanup actions, considers green and sustainable cleanup opportunities, and maximizes transparency of DoD's cleanup efforts.

NET ZERO INITIATIVE EXPANDS The Army is planning to extend the [Net Zero Initiative](#), a pilot effort to reduce net consumption of energy and water, and generation of waste to an effective rate of zero, to all permanent Army installations. New policy will be issued by 30 SEP 13. This announcement came with the release of the [2012 Net Zero Progress Report](#) for the initiative, which includes a summary of achievements to date, best practices at the 18 pilot installations, and plans for rolling out the initiative Army-wide.

Federal Activity

AIR

OZONE DEPLETING SUBSTANCES EPA has issued a final rule that adds a new fire suppression agent to the list of approved substitutes for ozone depleting substances (ODS) ([78 FR 24997](#)). EPA is adding C7 Fluoroketone as an acceptable substitute for Halon 1211, subject to narrowed use limits, for use as a streaming agent in portable fire extinguishers in nonresidential applications. EPA POC: [Bella Maranion](#), (202) 343-9749.

ODS EPA has approved additional substitutes for ODS for use in the refrigeration and air conditioning; foam blowing; solvent cleaning; adhesives, coatings and inks; and fire suppression sectors, as follows ([78 FR 29034](#)):

- Refrigeration and air conditioning: R-442A (RS-50), a blend of several hydrofluorocarbons. Approved uses include commercial ice machines and retail food refrigeration (rack refrigeration systems only);
- Foam blowing: commercial blends of HFC-365mfc and HFC-227ea (Solkane® 365/227);
- Solvent cleaning: trans-1-chloro-3,3,3-trifluoroprop-1-ene (Solstice™ 1233zd(E)) used for metals cleaning, electronics cleaning or precision cleaning;
- Adhesives, coatings and inks: trans-1-chloro-3,3,3-trifluoroprop-1-ene (Solstice™ 1233zd(E)), as a carrier solvent in adhesives or coatings.

EPA POC: [Margaret Sheppard](#), (202) 343-9163.

INTEGRATED SCIENCE ASSESSMENT FOR NITROGEN OXIDES EPA has released a "[Draft Plan for Development of the Integrated Science Assessment for Nitrogen Oxides - Health Criteria](#)," prepared as part of the review of the primary health-based NAAQS for nitrogen dioxide (NO₂) ([78 FR 26026](#)). EPA considers the term nitrogen oxides (NOX) to refer to all forms of oxidized nitrogen including multiple gaseous (e.g., NO₂, nitric oxide [NO]) and particulate (e.g., nitrate) species. However, the current review of the NO₂ NAAQS will focus only on the gaseous species of NOX. Evidence will be considered on the possible influence of atmospheric pollutants other than NOX (e.g., sulfur oxides, carbon monoxide, ozone, particulate matter) on the role of NOX in health effects. Comments are due by 31 MAY 13. EPA POC: [Dr. Molini Patel](#), (919) 541-1492.

HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS EPA has issued a rule finalizing amendments to the federal plan and the new source performance standards (NSPS) for [hospital/medical/infectious waste incinerators](#) (HMIWI) ([78 FR 28051](#)). The final federal plan applies to existing HMIWI in locations not already subject to an EPA-approved and effective state plan implementing 6 OCT 09 revised emissions guidelines. New HMIWI in such locations may be covered by the final amended NSPS. "New" HMIWI are those that commenced construction after 1 DEC 08, or commenced modification after 6 APR 10. The final amended federal plan requires that all HMIWI, including small rural units, conduct initial performance tests for all nine pollutants and opacity to demonstrate initial compliance. Sources may use results of previous emissions tests to demonstrate initial compliance with revised emissions limits as long as the sources certify that previous test results are representative of current operations. EPA POC: [Amy Hambrick](#), (919) 541-0964.

CULTURAL RESOURCES

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA) [NAGPRA](#) amendments are now final ([78 FR 27078](#)). Among the more substantive changes are:

- Clarification of notification requirements to lineal descendants. Notification is required to known lineal descendants of a deceased Native American individual whose human remains and associated funerary objects were inadvertently discovered.
- Text was added to clarify that, with respect to recoveries from federal lands, the priority of right of control of human remains and associated funerary objects defaults to a culturally affiliated Indian tribe or Native Hawaiian organization only where the lineal descendants of the deceased Native American cannot be ascertained. With respect to other cultural items recovered from federal lands, the priority of ownership is in the culturally affiliated Indian tribe or Native Hawaiian organization.

The new rule takes effect on 10 JUN 13. DOI POC: [Sherry Hutt](#), (202) 354-1479.

ENERGY

GREEN BUTTON ENERGY DATA INDUSTRY STANDARD The [Council on Environmental Quality Blog](#) has posted an up-

dated [article](#) on use of the industry-standard Green Button format for metered energy data. In addition to providing smart meter data for download by utility customers, utilities in California and the Mid-Atlantic area are beginning to implement Green Button Connect My Data functionality making it easier for their customers to securely transfer their own energy usage data to authorized third parties, based on affirmative (opt-in) customer consent and control. Availability of this smart meter data is spawning third party initiatives offering targeted energy saving opportunities, improved load management, assessment of solar renewable potential, and other services.

LAND-BASED WIND ENERGY The Fish and Wildlife Service (FWS) released the [Eagle Conservation Plan Guidance Module 1 – Land-based Wind Energy Version 2](#) (ECPG) to help wind energy facilities assess potential threat to eagles from operations, and to develop comprehensive avoidance, mitigation and compensation strategies ([78 FR 25758](#)). The ECPG is intended to promote compliance with the [Migratory Bird Treaty Act](#) and [Bald and Golden Eagle Protection Act](#) with respect to eagles and wind development. FWS POC: George Allen, (703) 358-1825.

COMMERCIAL WARM AIR FURNACES The Department of Energy (DOE) is considering amending existing energy conservation standards for commercial warm air furnaces ([78 FR 25627](#)). Rulemaking will fulfill DOE's statutory obligation to propose amended energy conservation standards for warm air furnaces, or make a determination that existing standards do not need to be amended. Standards are for covered equipment types having a rated capacity (rated maximum input) greater than or equal to 225,000 Btu/h, can be gas-fired or oil-fired, and are designed to heat commercial buildings. Comments are due by 3 JUN 13. DOE POC: [John Cymbalsky](#), (202) 286-1692.

ENVIRONMENTAL JUSTICE

EJ IN REGULATORY ANALYSIS EPA is releasing for public comment [Draft Technical Guidance for Assessing Environmental Justice in Regulatory Analysis](#). The draft guidance provides EPA analysts with technical information on how to consider environmental justice (EJ) in regulatory analyses. The guidance takes into account EPA's past experience in integrating EJ into the rulemaking process, and underscores EPA's commitment to ensuring fair treatment and meaningful involvement of all people with respect to development, implementation and enforcement of environmental laws, regulations and policies. Comments are due 8 JUL 13.

HAZARDOUS CHEMICALS

CUMULATIVE RISK ASSESSMENT EPA is soliciting information and citations pertaining to approaches and methods used to plan and conduct cumulative risk assessments (CRA), both to human populations and the environment ([78 FR 25440](#)). Cumulative risk assessments consider combined risks from multiple agents or stressors and/or toxicity pathways. EPA is developing guidelines for the assessment of cumulative risk as defined and characterized in the 2003 EPA publication "[Framework for Cumulative Risk Assessment](#)," EPA's first step toward development of CRA guidelines. EPA is open to extending consideration of stressors and vulnerable populations to include non-chemical stressors such as socio-economic stressors. Comments and information are due by 28 JUN 13. EPA POC: [Lawrence Martin](#), (202) 564-6497.

LEAD PAINT EPA is determining whether interior or exterior renovation, repair and painting activities in public and commercial buildings may create lead-based paint hazards; and, for those that do, developing certification, training and work practice requirements. Under the terms of a settlement agreement, EPA has agreed to issue a proposed rule covering renovation, repair, and painting activities in public and commercial buildings, or make a determination that these activities do not create lead-based paint hazards, by 1 JUL 15. EPA is reopening the comment period on an advance notice of proposed rulemaking regarding the aforementioned ([78 FR 27906](#)). Comments are due by 12 JUL 13. EPA POC: [Hans Scheifele](#), (202) 564-3122.

OTHER

FEDERAL INFRASTRUCTURE REVIEW AND PERMITTING The President has issued a memorandum titled, "[Modernizing Federal Infrastructure Review and Permitting Regulations, Policies, and Procedures](#)," which advances the goal of cutting aggregate timelines for major infrastructure projects in half ([78 FR 30733](#)). The memo encourages development of innovative mitigation tools to improve environmental outcomes; development of more targeted and relevant environmental reviews; provision of more opportunities for public input; and improvement in collaboration with state, local and tribal governments.

Professional Development

11-12 JUN 13, ATLANTA, GA: [FUNDAMENTALS OF ENVIRONMENTAL JUSTICE](#) This free course is designed to provide tools needed to identify, address and communicate matters of environmental justice (EJ). The course provides an overview of laws that provide authority to address matters associated with EJ, basic concepts and tools of Geographic Information Systems (GIS), basic EJ review skills, an overview of challenges and historic actions of EJ, and dynamics of meaningful stakeholder involvement.

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 [CO₂](#) utilization. The conference will focus on CO₂ conversion and utilization for chemicals, fuels and materials for sustainable development. The goal of the conference is to facilitate the advances in CO₂ research and bring together the academic and industrial communities for the exchange of ideas, concepts and innovations.

25-28 JUN, CHICAGO, IL: [2013 AIR & WASTE MANAGEMENT ASSOCIATION 106TH 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 boasting 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.

27-28 JUN, RALEIGH, NC: [ACCURATE FOREST INVENTORY WORKSHOP](#) Forestry and Environmental Outreach Program will host the workshop on forest measurements and valuation for natural resources managers. The workshop includes both classroom and field exercises, and both days will provide category 1-CF credits from the Society of American Foresters.

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.

25 JUL, ONLINE: [General Services Administration \(GSA\) Carbon Footprint Tool](#) This presentation will highlight GSA Carbon Footprint Tool basics as well as the new Energy Star Portfolio Manager Import functionality.

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 place-based projects that support their REPI buffer efforts.

21-23 AUG 13, JEKYLL ISLAND, GA: 8TH [ANNUAL GEORGIA ENVIRONMENTAL CONFERENCE](#) The conference is the state's largest and most comprehensive 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 contracts, 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 your program more successful. The format is a formal presentation followed by a question and answer session and discussion time.

[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 con-

sider 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 EPA's 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 Run-off: 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 web-site 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.

NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) E-LEARNING NCSL e-Learning features experts on public policy issues and provides professional development opportunities for its members, state legislators, state legislative staff, and the public. Visit the [Multimedia Library](#) for a collection of video and audio files from previous NCSL meetings and webinars.

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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/>.