



# Southern Review

## of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

July 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.



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### FORT BENNING SERVES AS BACKDROP FOR MEETING OF FEDERAL AGENCY LEADERS ON ENVIRONMENTAL STEWARDSHIP

Executives from federal agencies with natural resources missions visited Fort Benning to discuss best practices in environmental management and stewardship in the Southeast. The installation was chosen for the Southeast Natural Resources Leaders Group principals' meeting June 11-12 because of the installation's environmental stewardship, said Susan Gibson, director of REEO-S.

Topics covered included use of prescribed fire as a forest management tool that sustains military training areas, while supporting endangered species and other wildlife requirements; in-stream flows and the challenges of balancing the needs and competition for limited freshwater; the Chattahoochee Fall Line Conservation Partnership, which illustrates the necessity and successes of collaboration; the Army Compatible Use Buffer Program; and Fort Benning's cultural resource management program, which illustrated the commitments to preserving and conserving historic sites, as well as Tribal and installation consultation.

"Fort Benning has a long track record of protecting the environment, conserving its natural resources and supporting military training," said John Brent, the Directorate of Public Work's Environmental Management Division chief. "We have found that sustaining both military readiness and natural resources allows us to effectively advance the interests of both."

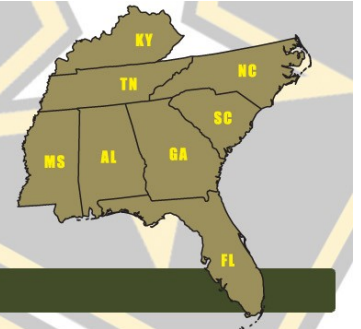
While on post, the group operated the simulators used by Soldiers in training, toured the National Infantry Museum and visited Kings Pond, where natural resources specialists and wildlife biologists discussed the installation's recovery population of red-cockaded woodpeckers, a listed endangered species, and one of only 13 such populations in the Southeast.

Gibson said introducing the SENRLG principals to Fort Benning left them with a lasting impression. "They saw that the civilians and Soldiers who work and train at the installation not only maintain the military missions critical to our national security, but also are outstanding stewards of the land and environment."

For the full article text, please visit the [REEO Around the Regions news site](#).

# 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 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. HB 676 was enacted. *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 in order to inform stakeholders of potential impacts to military operations in the area (e.g. Eglin AFB, Pensacola NAS and Fort Rucker).*

### NOTICE

**ANNUAL AMBIENT AIR MONITORING PLAN FOR 2013** The Alabama Department of Environmental Management (ADEM) has invited comment on the 2013 Annual Ambient Air Monitoring Plan. The plan covers ambient air monitoring activities to be performed by ADEM, the Jefferson County Department of Health and the City of Huntsville Division of Natural Resources. The [notice](#) was issued 5 JUN 13. Comments are due by 8 JUL 13, POC: [Michael E. Malaier](#).

### PROPOSED RULES

**SOLID WASTE STUDY (NEWS RELEASE)** ADEM announced the first in a series of public meetings focused 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 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 were due by 5 JUL 13. POC: David Bolin, (205) 247-3579.

**CHANGES TO NESHAPS, NEW SOURCE PERFORMANCE STANDARDS (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 National Emission Standards for Hazardous Air Pollutants. Such incorporation allows the Environmental Protection Agency (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 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. HB 109 was enacted. *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.*

**[SB 934](#) STORMWATER** SB 934 authorizes municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects. The measure passed both houses and will be sent to the Governor.

**[HB 375](#) SEPTIC SYSTEMS** HB 375 revises some requirements for onsite sewage treatment and disposal systems. The measure was enacted.

**[SB 354](#) DoD AD VALOREM TAX EXEMPTIONS** SB 354 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 (e.g., privatized housing). SB 354 was vetoed. *REEO-S Note: The [veto message](#) is perplexing in that Governor Scott felt that exempting privatized leasehold housing might inadvertently impose property taxes on other housing located at a military installation.*

**[SB 682](#) FOSSIL FUEL COMBUSTION PRODUCTS** SB 682 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 measure was enacted.

**[HB 713](#) 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. The measure was enacted.

**[HB 999](#) WELL, WETLAND, AIR PERMITTING** HB 999 became a substitute for SB 1684. The measure 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 was enacted. *REEO-S Note: Of potential concern to DoD, the measure 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).*

**[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 was enacted. *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 was enacted.

**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 was enacted. *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 was enacted.

## **PROPOSED RULES**

**ENVIRONMENTAL RESOURCE PERMITTING (62-330)** FLDEP has proposed rules 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 combinations thereof, to implement Part IV of Chapter 373, F.S. FLDEP proposes to 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. Proposed rules will establish statewide ERP rules that will rely upon existing rules, revised as necessary to achieve a consistent, effective and streamlined approach to implement the ERP program. New rules will reduce regulatory costs and burdens for the public, while maintaining 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. Each WMD proposed 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)** 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 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 the proposed Applicant's Handbook Volume II into Rule 40D-4.091, F.A.C. 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. Notices of Change were published on [22 MAY 13](#) and [30 MAY 13](#). POC: Sonya White, (813) 985-7481, x4660.

**SOLID WASTE/RECYCLING (62-716.100 - 62-716.900)** FLDEP has proposed a rule related to solid waste grants and recycling programs. Chapter 2010-143, Laws of Florida, creates new requirements to be implemented by this rule that 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 to calculate recycling rates. FLDEP intends to amend the title of this chapter to broaden its scope and 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 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, an advisory was issued on 25 APR 13, and 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)** Chapter 62B-49, F.A.C., establishes the Joint Coastal Permit program. Activities that require a coastal construction permit and an ERP 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 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 rules to amend processing fees in Rule 62-4.050, F.A.C. for ERP activities regulated under Part IV of Chapter 373, F.S. Amendments are associated with adoption of the "Statewide Environmental Resource Permit" (ERP) rule, Chapter 62-330, F.A.C. Statewide processing fees apply when FLDEP is responsible for review and agency action on an ERP activity. Separate rulemaking to amend processing fees will be, or has been, noticed by WMDs when they are responsible for review and agency action on an ERP activity in accordance with 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 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 rules in response to a petition to initiate rulemaking filed by the Associated Industries of Florida. Initiating rulemaking will begin 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 approve 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 was held 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 (PWS). Amendments significantly reduce the overall regulatory burden of cross-connection control requirements on community water systems (CWS) and residential customers. They allow a dual check device to be used as backflow protection at service connections from CWS to residential premises where there is an auxiliary or reclaimed water system. Amendments allow biennial instead of annual testing of backflow preventer assemblies required at service connections from CWS to residential premises. Rules are also being amended to require large CWS (i.e., serving more than 10,000 persons) to submit annual cross-connection control program reports using a new two-page form. This requirement will enable FLDEP to better ascertain operational adequacy of large CWS, and efficiently conduct sanitary surveys of large CWS. A [Notice of Rulemaking Development](#) was published 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 clarify and ensure consistent application of the Uniform Mitigation Assessment Method rule. 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 was held 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 rulemaking moves forward. A [Notice of Rulemaking Development](#) was published on 30 MAY 13. A workshop was held 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.

**UNDERGROUND STORAGE TANKS - TRAINING AND CERTIFICATION (62-761.350, 62-761.400)** FLDEP has proposed rulemaking regarding Underground Storage Tanks (UST). The Federal Energy Policy Act requires Florida to adopt regulations for Operator Training for USTs and Delivery Prohibition. Training requirements for operators of USTs are broken into three categories: persons having primary responsibility for on-site operation and maintenance of UST systems, persons having daily on-site operation and maintenance of UST systems, and daily on-site employees having primary responsibility for addressing emergencies presented by a spill or release from an UST system. Additionally, federal law requires the state to issue guidelines to implement delivery prohibition for facilities that:

- do not have secondary containment;
- do not have a method of release detection;
- do not have adequate corrosion protection in an internally lined tank;
- have a single-walled tank that was taken out-of-service and not closed within a certain period of time depending upon the level of corrosion protection;
- have an unmaintained storage tank system that has been out-of-service for more than two years, or 10 years if the system is secondarily contained; or
- have caused a discharge and the system cannot be repaired.

The [Notice of Rulemaking Development](#) was published on 25 JUN 13. A workshop is scheduled for 12 JUL 13.



## **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 requirements that GAEPD added in February 2013. The bill was enacted. *REEO-S Note: Exemption under HB 320 and previous rulemaking requires certification by a professional engineer who is registered under state law. REEO-S sought clarification from GAEPD regarding actual process and requirements for certification. GAEPD has yet to resolve DoD concerns and it will now have to contend with passage of HB 320. GAEPD did commit to working with the military on implementing inert landfill waste requirements. REEO-S will monitor further developments.*

**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 28 FEB 13, and SR 201 passed the Senate 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.*

## **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 apply to all counties with a population exceeding 65,000 with summer-time burning restrictions. The 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 Federal CWA 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 were due 1 JUL 13. POC: [Susan Salter](#).

**EROSION AND SEDIMENTATION CONTROL (391-3-7-.01, 391-3-7-.01)** GAEPD has proposed amendments to 391-3-7-.01, "Definitions" and 391-3-7-.05, "Buffer Variance Procedures and Criteria." Changes to 391-3-7-.01 would make minor changes to seven definitions, add two definitions and delete two definitions. Amendments to 391-3-7-.05 would provide clarification for criterion used to review buffer variance applications and for mitigation requirements for temporary and permanent buffer impacts; address a permitting issue that caused certain linear projects to not be constructed due to buffer variance ineligibility; change 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 16 APR 13. A hearing was held 16 MAY 13, and comments were due 22 MAY 13. POC: Larry Hedges, (404) 675-6240.

**GROUNDWATER REMOVAL PROHIBITION (NOTICE)** Effective immediately, GAEPD 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. GAEPD 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 US Geological Survey conducted recent groundwater studies and the results show the upper and lower sections of the aquifer are interconnected. This research prompted need for a moratorium on 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

fer 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.



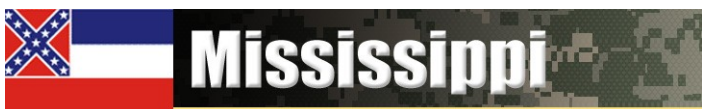
## **2013 LEGISLATIVE SESSION: 8 JAN 13 THROUGH 26 MAR 13**

### **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**

**AMBIENT AIR MONITORING NETWORK** KEEC has made the annual monitoring network plan available for public inspection. 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 were due by 22 JUN 13. 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 and input.*

### **NOTICE**

**SIP CERTIFICATION** The Mississippi Department of Environmental Quality (MSDEQ) has provided draft information for comment regarding Mississippi's 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 CAA as it pertains to the 2010 National Ambient Air Quality Standards (NAAQS) for Sulfur Dioxide (SO<sub>2</sub>) as promulgated by EPA. The [notice](#) was issued on 17 MAY 13. Comments were due 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](#).

**REPEAL OF EXISTING POLICIES** The Department of Archives and History has proposed to repeal the following policies:

- Eligibility, which outlines projects eligible to receive a matching historic preservation grant under the policies



- and procedures of the National Register of Historic Places grants program;
- Policy to Provide Listings of Professional Archaeologists, which provides a list of archaeologists and companies listed on the Register of Professional Archaeologists (ROPA);
- Priority for Selection of Projects to Receive Financial Assistance, which outlines a priority system when selecting specific preservation projects;
- Review and Compliance Procedures and Policies Manual, responsible for implementation of Section 106 (of the National Historic Preservation Act, as amended) review and of the Mississippi Landmark program under provisions of the State Antiquities Act, as amended;
- State of Mississippi Guidelines for Cultural Resource Survey Reports that outlines guidelines to which cultural resource survey reports for surveys in the state of Mississippi should adhere; and
- The Application of National Register Criteria to Religious Properties, which outlines National Register eligibility criteria for religious properties.

Additional proposed rule changes are in the [proposed rule text](#). The Proposed Rules were [filed](#) on 31 MAY 13, and comments were due 25 JUN 13. POC: [Jessica Kelly](#), (601) 576-6865.



## **2013 LEGISLATIVE SESSION: 9 JAN 13 THROUGH MID-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 in Senate committee. SB 113 passed the 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 was enacted. *REEO-S Note: HB 254 adds subdivisions, telecommunications towers and windmills to existing notification requirements.*

**[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 enacted. *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. Exemptions include wind energy facilities subject to independent permitting requirements, temporary cellular or TV towers, and modifications to existing structures that do not add vertical height.*

**[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 was enacted. *REEO-S Note: HB 480 provides fast-track permitting for projects that comply with NCDENR's Minimum Design Criteria.*

**[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 was enacted. *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. *REEO-S Note: Impact to DoD facilities not clear at this time, but REEO-S recommends monitoring implementation and rulemaking developments.*

**[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. HB 573 passed the House. It is in Senate

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. This would only include two counties (Mecklenburg and Wake). Only federal facilities in and around Charlotte and Raleigh/Durham would be affected. If enacted, DoD activities that are present in those areas should monitor future stormwater assessments and inform REEO-S of any changes in fee assessments.*

**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 was enacted. *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 613 NORTH CAROLINA MILITARY AFFAIRS COMMISSION** SB 613 creates the North Carolina military affairs commission. The measure passed both chambers and was presented to Governor McCrory. *REEO-S Note: The bill would, perhaps only modestly, change some features of the existing commission and update and clarify its focus. Of note is specific mention under 127C 1(b) of the Southeast Regional Partnership for Planning and Sustainability (SERPPAS), Army's Compatible Use Buffer Program, REPI and related initiatives. REEO-S has had, and continues to have, significant involvement in SERPPAS and these other areas. Ideally, the Regional Environmental Coordinators would want to have more meaningful involvement in some aspects of the commission's affairs.*

**SB 328 SOLID WASTE MANAGEMENT REFORM ACT OF 2013** SB 328 amends landfill siting restrictions and other requirements respecting the management of solid waste. The measure passed the Senate and is now in House committee. *REEO-S Note: While easing some siting restrictions, SB 328 includes a new requirement to notify DoD, among others, of permitting activities and includes a permit denial provision for when "Construction or operation of the proposed facility would encroach upon or would otherwise have a significant adverse impact on the mission, training, or operations of any military installation or branch of the military."*

## **PROPOSED RULES**

**NAAQS ACTIVITIES EXEMPTED FROM PERMITS (15A NCAC 02Q .0102)** NCDENR Department of Air Quality (DAQ) has proposed amendments to rule 15A NCAC 02Q .0102, Exemptions. Amendments would clarify the interaction of the air toxics rule specific exemptions in rule 15A NCAC 02Q .0702 and rules regarding sources that are 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, and a meeting was held 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 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; and NPDES General Permit Number 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 31 MAY 13. POC: Bethany Georgoulas, (919) 807-6372.

**PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS (15A NCAC 02B .0295; REPEAL 15A NCAC 02B .0242, .0244, .0252, .0260, .0268, .0609)** NCDENR has proposed to adopt new rule 15A NCAC 02B .0295, required per General Statute 143-214.20, by which the Environmental Management Commission is to adopt rules concerning construction of alternative measures of buffer mitigation that reduce nutrient loading as well as or better than the lost riparian. The proposed rule will provide mitigation options not currently available to the Department of Transportation, developers, industry and private individuals. In addition to providing greater regulatory flexibility, proposed changes will incorporate contemporary technical and operational techniques into the rules. The proposed rule was developed through a public stakeholder process, and adheres to the Principles of Executive Order 70. Rules 15A NCAC 02B .0242, .0244, .0252, .0260, .0268, .0609 are being repealed, and will be replaced by new rule 15A NCAC .02B .0295. The [proposed rules](#) were published 15 JAN 13, hearings were held 6 and 12 FEB 13, and comments were due 18 MAR 13. A meeting was held 19 JUN 13. POC: [Eric Kulz](#).



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

**None of the tracked bills were passed prior to adjournment. The bills listed below will not be considered again until 2014.**

**[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.

**[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 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.*

## **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 (PM2.5)" (77 FR 65107). Additionally, SCDHEC proposes to amend Regulations 61-62.60, South Carolina Designated Facility Plan and NSPS, 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 to 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 24 MAY 13. Comments were due 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).*

## **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 26 FEB 13, a hearing was held 5 APR 13, and comments were due 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 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 30 MAY 13.

# **Department of Defense Activity**

**ENERGY AND SUSTAINABILITY PERFORMANCE UPDATES** As part of the Obama Administration's initiative to reduce energy use, pollution and waste, and save money in federal operations, on 31 MAY 13, federal agencies released [annual updates](#) that show significant progress toward energy and sustainability goals. Under [Executive Order 13514](#), President Obama directed federal agencies to reduce carbon pollution, increase renewable energy use, and meet energy and water efficiency goals. Annual performance updates document agencies' progress, and help them to improve energy efficiency and reduce costs and waste in operations moving forward. See [DoD's Sustainability/Energy Scorecard for 2012](#) for details.

**DoD LEGACY RESOURCE MANAGEMENT PROGRAM (LRMP) GRANT** LRMP provides financial assistance to DoD efforts to preserve natural and cultural heritage. The program assists DoD in protecting and enhancing resources while supporting military readiness. A Legacy project may involve regional ecosystem management initiatives, habitat preservation efforts, archaeological investigations, invasive species control, Native American consultations, and/or monitoring and predicting migratory patterns of birds and animals. The Request for Proposals (RFP) memo, Areas of Emphasis, and Final Schedule for Proposal Submission for FY14 can be found on the [Legacy website](#).

# **Federal Activity**

## **AIR**

**LEAD REPORTING THRESHOLD, POINT SOURCES** EPA is proposing to lower the threshold for reporting lead sources as point sources ([78 FR 37164](#)), applicable to state, local and tribal agencies as outlined in EPA's [Air Emissions Reporting Requirements rule](#) (AERR). The current AERR threshold for determining if a stationary source of lead must be reported as an individual point source, rather than part of a county-aggregate nonpoint source, is five tons per year (tpy). EPA is proposing to lower that threshold for reporting to one half tpy. EPA expects approximately 30 additional facilities nationwide would be required to be reported as point sources due to the change, as most sources emitting greater than one half tpy of lead are already reported as such due to emission of other criteria pollutants. Comments are due by 19 AUG 13. EPA POC: [Ron Ryan](#), (919) 541-4330.

**2008 NAAQS FOR OZONE** EPA has proposed a rule to implement ozone NAAQS that addresses a range of SIPs and related requirements ([78 FR 34177](#)). The proposed rule includes requirements pertaining to attainment demonstrations, reasonable further progress, reasonably available control technology (RACT), reasonably available control measures (RACM), new source review (NSR) requirements in nonattainment areas, emission inventories, timing of SIP

submissions, and of compliance with emission control measures in the SIP. Other issues addressed in the proposed rule are the revocation of the 1997 ozone NAAQS and anti-backsliding requirements that would apply once the 1997 ozone NAAQS is revoked. [Additional information](#) is available. Comments are due by 5 AUG 13.

## **CLIMATE CHANGE**

**CLIMATE CHANGE** In "[The President's Climate Action Plan](#)," President Obama has laid out his vision of steps necessary to prepare the country for the impacts of climate change and lead the global effort to fight it.

## **ENERGY**

**ENERGY AND SUSTAINABILITY PERFORMANCE** Federal agencies released [annual updates](#) that show significant progress toward energy and sustainability goals. Under [Executive Order 13514](#), President Obama directed federal agencies to reduce carbon pollution, increase renewable energy use, and meet energy and water efficiency goals. These annual performance scorecards benchmark agencies' progress and help them to target the best opportunities to improve their energy efficiency and reduce costs and waste in their operations moving forward.

**GOVERNMENT-WIDE ENERGY SAVINGS DATA** The Federal Energy Management Program (FEMP) released [reports and data](#) illustrating progress made by federal agencies in meeting the requirements of Section 432 of the Energy Independence and Security Act of 2007 (EISA). This publically available data set is available from FEMP's EISA 432 Compliance Tracking System (CTS).

**TRANSFORMING THE NATION'S ELECTRIC GRID** President Obama issued a Presidential Memorandum entitled, "[Transforming our Nation's Electric Grid Through Improved Siting, Permitting, and Review](#)," which will speed the modernization of the nation's electric grid. The memo directs federal agencies to create an integrated pre-application process across the federal government to help identify and address issues before the formal permit application process begins, and streamline coordination of permitting processes across the federal, state and tribal governments. The memo builds on the work of the previously created [Rapid Response Team for Transmission](#), discusses designation of energy right of way corridors, and notes the desirability of minimizing impacts to the nation's aviation system and to the mission of the Armed Forces.

**REPLACING THE FEDERAL FLEET WITH HYBRID VEHICLES** The US General Services Administration (GSA) [announced](#) a GSA fleet consolidation initiative to give federal agencies the opportunity to replace aging fleets with hybrid vehicles. Through the initiative, federal agencies are able to consolidate vehicles into the GSA fleet inventory. If agencies choose to participate, GSA will fund the total incremental cost to replace eligible vehicles with new hybrid sedans. GSA aims to expand the number of hybrid vehicles in the federal fleet by up to 10,000 vehicles, resulting in the reduction of approximately one million gallons of fuel per year for the life of these vehicles. This opportunity will allow more efficient fleet operations, create significant savings through fuel efficiency, and make government more sustainable. GSA POC: [Vehicle Buying Office](#), (703) 605-CARS (2277).

**HYDRAULIC FRACTURING ON FEDERAL AND INDIAN LANDS** The Bureau of Land Management (BLM) published in a proposed rule to regulate hydraulic fracturing on federal and Indian land ([78 FR 34611](#)). Due to the complexity of the rule and the issues surrounding it, BLM extended the comment period for 60 days beyond the end of the initial comment period. On 24 MAY 13, BLM published a supplemental notice of proposed rulemaking and request for comment. Key issues in the revised proposed rule include use of an expanded set of cement evaluation tools to help ensure that usable water zones have been isolated and protected from contamination, and more detailed guidance on how trade secrets claims will be handled. The revised proposed rule would also provide opportunities for BLM to coordinate standards and processes with individual states and tribes to reduce administrative costs and improve efficiency. The comment period for the proposed rule published ([78 FR 31636](#)), is extended to 23 AUG 13. BLM POC: Steven Wells, (202) 912-7143.

**REGULATION OF FUELS AND FUEL ADDITIVES** EPA is proposing amendments to three separate sets of regulations relating to fuels ([78 FR 36041](#)). Proposed changes include:

- Amending certain renewable fuels standard program regulations to include:
- addition of new pathways for renewable diesel, renewable naphtha, and renewable electricity (used in electric vehicles) produced from landfill biogas;
- a lifecycle analysis of advanced butanol and discussion of the potential to allow for commingling of compliant products at the retail facility level; and
- various changes related to biogas, including those related to the revised compressed natural gas (CNG)/liquefied natural gas (LNG) pathway and associated recordkeeping/reporting provisions.
- Various changes to the E15 misfueling mitigation regulations; and

- Changes to survey requirements associated with the ultra-low sulfur diesel (ULSD) program.

Comments are due by 15 JUL 13. EPA POC: [Joseph Sopata](#), (202) 343-9034.

## ***HAZARDOUS CHEMICALS***

**REPLACING MERCURY-CONTAINING NON-FEVER THERMOMETERS** EPA released a guide on [Replacing Mercury-Containing Non-fever Thermometers](#). The guide provides federal agencies with information to help identify and replace mercury-containing non-fever thermometers in facilities. It is intended to help federal agencies safely dispose of the removed thermometers. EPA POC: Robert Courtneage, (202) 566-1081.

**EPCRA TOXIC RELEASE REPORTING - ADDITION OF NONYLPHENOL CATEGORY** EPA is proposing to add a nonylphenol category to the [list of toxic chemicals](#) subject to reporting under EPCRA Section 313 ([78 FR 37176](#)). Nonylphenol is mainly used in the manufacture of nonylphenol ethoxylates, nonionic surfactants used in a variety of industrial applications and consumer products. Nonylphenol is persistent in the aquatic environment, moderately bioaccumulative, and extremely toxic to aquatic organisms. EPA does not appear to be proposing a special (lower) reporting threshold for nonylphenol; therefore, reporting thresholds would be 10,000 pounds (otherwise used at a facility) or 25,000 pounds if manufactured, imported, or processed at a facility. EPA POC: [Daniel Bushman](#), (202) 566-0743.

## ***REMEDIATION***

**NATIONAL PRIORITIES LIST** EPA has issued a final rule updating the National Priorities List of CERCLA sites, adding some private sites and the Macon Naval Ordnance Plant, Macon, Georgia ([78 FR 31417](#)). Separately, EPA has [proposed](#) to list additional privately owned sites, but no additional federal facility sites. EPA POC: [Terry Jeng](#), (703) 603-8852.

## ***THREATENED AND ENDANGERED SPECIES***

**GOLDEN SEDGE** The US Fish and Wildlife Service released a technical agency [draft recovery plan](#) for the endangered golden sedge, a species endemic to the coastal plain in North Carolina ([78 FR 36566](#)). The golden sedge is a rare perennial member of the sedge known from only 21 specific locations or sites located within a 16-by-5-mile area in Pender and Onslow counties. All eight populations of the plant occur in the Northeast Cape Fear River watershed. The draft recovery plan includes specific recovery objectives and criteria to be met in order to downlist the species to threatened or delist it. USFWS solicited review and comment on the draft recovery plan from local, state and federal agencies, and the public. Comments are due by 19 AUG 13. FWS POC: [Dale Suiter](#), (919) 856-4520, ext. 18.

## ***WATER***

**WATERSHED PLANNING AND PROTECTION** EPA released [A Quick Guide to Developing Watershed Plans to Restore and Protect Our Waters](#). The guide summarizes the 2008 handbook, and highlights new watershed-related tools developed since 2008 that can be used for more effective decision-making leading to improved management of water resources.

**DRINKING WATER CONTAMINANT ANALYSIS** EPA approved 84 alternative methods for various drinking water analyses ([78 FR 32558](#)). New methods are listed along with other previously expedited methods in [40 CFR Part 141 Appendix A to Subpart C](#) and on [EPA's drinking water methods website](#). EPA POC: [Glynda Smith](#), (513) 569-7652.

**COAST GUARD BALLAST WATER** The Coast Guard proposed amending its ballast water management (BWM) reporting and recordkeeping requirements for commercial vessels ([78 FR 33774](#)). The Coast Guard will require vessels with ballast tanks operating exclusively on voyages between ports or places within a single Captain of the Port (COTP) Zone to submit an annual report of BWM practices. The Coast Guard also proposed updating the current ballast water report to include only data that is essential to understanding and analyzing BWM practices. The proposed rule will allow most vessels to submit ballast water reports after arrival to the port or place of destination. DoD or Coast Guard vessels are exempt and subject to [46 U.S.C. 4713](#) and the "Uniform National Discharge Standards for Vessels of the Armed Forces" (UNDS) ([33 U.S.C. 1322\(n\)](#)). Comments are due by 5 AUG 13. Coast Guard POC: [LCDR Rodney Wert](#), (202) 372-1434.

**SOFTWARE TO MODEL GREEN INFRASTRUCTURE** The US Forest Service has made available a free software suite called [i-Tree](#) that includes tools for simulating effects of changes in tree and impervious cover characteristics within a watershed on stream flow and water quality. The tool provides and a quick, easy method to produce a statistically valid estimate of land cover types (e.g., tree cover) using aerial images available in Google Maps. The software focuses on urban forestry settings.

# Professional Development

**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.

**29-31 JUL, ORLANDO, FL:** [ENERGY 2013](#) Cutting-edge technical sessions on a wide variety of topics will provide fresh ideas, new benchmarks and proven techniques for maximum energy savings. Special training sessions for new energy managers, as well as for experienced professionals, will significantly advance capabilities.

**5-6 AUG, 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, 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, JEKYLL ISLAND, GA:** [8<sup>TH</sup> 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.

**17-18 SEP, ONLINE:** [HAZARDOUS MATERIALS AND SPECIAL PROPERTY WEBINAR](#) The course will discuss the best ways to properly dispose of hazardous material without it harming the environment. Property containing hazardous materials exhibits dangerous characteristics such that inadequate use, storage, transportation, or disposal may lead to potential safety, health, environmental, economic, or national security risks. In many situations, the use, storage, transportation, or disposal of these items are covered by federal, state and local laws.

**14-17 OCT, WASHINGTON, DC:** [CLIMATE STRATEGIES FORUM](#) Sponsored by the Association of Climate Change Officers, the forum will feature prominent leaders from across sectors in a plenary format, and a series of half-day boot camps aligned with the core competencies. Plenary sessions will focus on climate and energy, boot camps will focus on topics including adaptation planning, implementing change management schemes, implementing a GHG management structure, and building a public-private partnership project.

**22 OCT 13, ONLINE:** [INTRODUCTION TO UTILITY ENERGY SERVICE CONTRACTS \(UESC\)](#) This Federal Energy Management Program (FEMP) UESC Webinar provides attendees with an overview of contracting options and services available from local utility companies to engineer, finance and install cost-effective energy and water savings projects. Participants are walked through the typical project process from the audit phase to commissioning the equipment. The webinar introduces participants to UESCs and helps them determine if this alternative financing opportunity is right for them.

## ***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**

DOILearn 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** SEPA'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 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.

# 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/>.