



# Northern Review

## of Legislative & Regulatory Actions

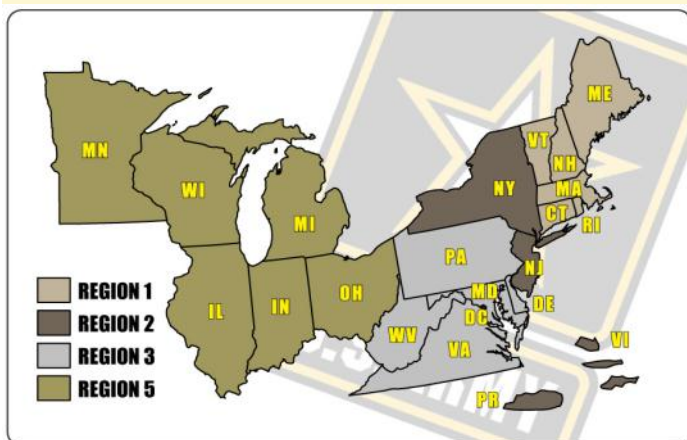


The U.S. Army Regional Environmental & Energy Office

December 2015

The **Northern Review** publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the 22 states and territories in Federal Regions 1, 2, 3, and 5, the *Northern Review* gives early notice of legislative and regulatory activities relevant to DOD interests. The *Review* also helps installations meet ISO 14001 environmental management system requirements.

Find out more about the Army Regional Environmental and Energy Offices [here](#). Click [here](#) to browse back issues of the *Northern Review*. To read back issues of other Regional Office *Reviews*, click on a region of the website's U.S. map and then select "Publications." To receive a copy of this electronic publication, [send a subscription request](#).



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## WHAT'S IN THIS REVIEW?

### Region 1

In CT, USEPA approves SIP revision for the control of VOC emissions from large ASTs. In ME, USEPA approves cross-media electronic reporting for multiple programs. In NH, final updates to air regulations.

### Region 2

In NJ, proposed bills concerning cooling tower requirements and land use planning coordination between civilian and military interests, and new interim groundwater quality standards. In NY, final rules regarding petroleum bulk storage and used oil management, and cooling towers. In PR, bill to establish a Climate Affairs Commission.

### Region 3

In DE, final amendments to solid waste regulations and proposed amendments to the UST rules. In DC, final amendments regarding sulfur content requirements for fuel oil and nonroad diesel equipment anti-idling. In MD, final amendments to rules for vapor recovery at gasoline dispensing facilities. In PA, proposed update to state lists of endangered, threatened, and candidate species. In VA, final amendments to VOC emission standards and existing stationary sources regulations.

### Region 5

In IL, final amendments to primary drinking water standards and proposed revisions to water pollution permit rules. In IN, final amendments to NPDES general permit rules and final GPs for groundwater petroleum remediation and once-through non-contact cooling water. In MI, release of draft 2016 CWA Integrated Report. In MN, proposed amendments to water quality variance and UST rules. In OH, final amendments to open burning rules. In WI, promulgated revisions to construction and operation permit program rules.

### DOD Activity

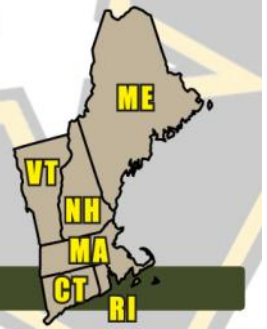
Call for 2016 Secretary of Defense Environmental Award nominations.

### Federal Activity

USEPA's final rule concerning amendments to the NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; and proposed revisions to refrigerant management standards.

# Region 1

For more information or to comment on any state issues in Region 1, contact [Kevin Kennedy](#), Army Regional Program Coordinator, Region 1, (410) 278-6168.



**Legislature convened 7 JAN 15 and adjourned sine die 3 JUN 15.**

## ***FEDERAL ACTIVITY***

**CONTROL OF VOC EMISSIONS FROM LARGE ASTS** USEPA has issued a direct final rule approving a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([80 FR 67642](#)). The revision amends *Regulations of Connecticut State Agencies* (RCSA) section 22a-174-20 to update the requirements for controlling volatile organic compound (VOC) emissions from large aboveground storage tanks (ASTs). Barring adverse comment the direct final rule becomes effective on 4 JAN 16.

## ***OTHER REGULATORY ACTIVITY***

**INFRASTRUCTURE REQUIREMENTS FOR 2012 PM<sub>2.5</sub> NAAQS** The Connecticut Department of Energy & Environmental Protection (CDEEP) has given [notice](#) of its intent to revise the SIP. The revisions address infrastructure requirements of sections 110(a)(1) and (2) of the Clean Air Act (CAA) with respect to the 2012 fine particle (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS). The infrastructure requirements require a state to demonstrate its ability to implement, maintain, and enforce a revised NAAQS. Once finalized the SIP revisions will be submitted to USEPA for review and approval. The comment period closed on 7 DEC 15.



**Legislature convened 3 DEC 14 and adjourned sine die 16 JUN 15.**

## ***FEDERAL ACTIVITY***

**CROSS-MEDIA ELECTRONIC REPORTING** USEPA has approved a request from the state of Maine to revise multiple state USEPA-authorized programs to allow electronic reporting ([80 FR 69222](#)). The approval establishes electronic reporting as an acceptable regulatory alternative to paper reporting for certain programs. The approval became effective on 9 NOV 15.

**REPEAL OF MAINE'S GENERAL CONFORMITY PROVISION** USEPA has issued a direct final rule approving a SIP revision submitted by the state of Maine ([80 FR 73119](#)). The revision removes State Regulation Chapter 141, *Conformity of General Federal Actions*, from the SIP. The revision removes the repealed state regulation and leaves the federal general conformity provisions in place to demonstrate conformity with the applicable SIP as required by CAA section 176 (c). Barring adverse comment the direct final rule becomes effective on 25 JAN 16.



Legislature convened 7 JAN 15 and adjourned sine die 30 JUN 15.

## ***FINAL RULES***

**UPDATE TO AIR REGULATIONS** The New Hampshire Department of Environmental Services has [adopted](#) amendments to Env-A 500, *Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants*. The amendments: (1) update the Code of Federal Regulations (CFR) edition cited in the rule from 1 JUL 12 to 1 JUL 14 to align the state rules with federal requirements; (2) accept delegation of federal requirements by adding three references in the new source performance standards (NSPS); and (3) accept a partial delegation for certain sources currently permitted by adding a reference in the national emission standards for hazardous air pollutants (NESHAP) for Area Sources from Industrial, Commercial, and Institutional Boilers. A notice of the proposed amendments was published in the [October 2015 Northern Review](#). The amendments became effective on 19 NOV 15.

## **Region 2**

For more information or to comment on any state issues in Region 2, contact [Patrick Timm](#), Army Regional Environmental Coordinator, Region 2, (410) 278-6165.



Legislature convened 13 JAN 15 and adjourns 12 JAN 16.

## ***PROPOSED LEGISLATION***

**[AB 4691](#) ([SB 3180](#)) COOLING TOWER REQUIREMENTS TO PROTECT AGAINST LEGIONNAIRE'S DISEASE** AB 4691 requires registration, inspection, testing, cleaning, and disinfection of cooling towers to control outbreaks of Legionnaire's disease caused by the Legionella bacteria. Cooling towers, which use a recirculated water system, are associated with outbreaks of Legionnaire's disease, a respiratory condition characterized by pneumonia-like symptoms. The bill requires the owner of a building at which a cooling tower is located to register the cooling tower with the New Jersey Department of Health prior to initial operation of the cooling tower or, in the case of a currently-existing cooling tower, within 30 days of the effective date of the bill. The bill was referred to the Health and Senior Services Committee.

**[AB 4744](#) ([SB 3108](#)) ALLOWANCE FOR CONSTRUCTION OF NATURAL GAS TRANSMISSION LINES** AB 4744 permits construction of natural gas transmission lines on preserved farmland subject to existing utility easements under certain circumstances. Specifically, a person who owns preserved farmland, together with any public utility that owns a utility easement on the preserved farmland, could permit a utility to construct, maintain, and operate a natural gas transmission line on the area of the preserved farmland that is subject to the existing utility easement under certain circumstances. The bill states that one of the permissible circumstances is if the natural gas transmission line will be connected to a natural gas distribution line that serves a federal military installation in the state. The bill was referred to the Agriculture and Natural Resources Committee.

**[AB 4727](#) ([SB 3266](#)) COORDINATION OF LAND USE PLANNING BETWEEN CIVILIAN AND MILITARY INTERESTS** AB 4727 implements recommendations set forth in the New Jersey Military Installation Growth and Development Task Force Report. The bill addresses land use planning in order to minimize civilian encroachment upon military installations,

protect against the closure of military installations and mission loss, and encourage the development of compatible uses of land near military installations. The bill was referred to the Military and Veterans' Affairs Committee.

## ***FINAL RULES***

**NEW INTERIM GROUNDWATER QUALITY STANDARDS FOR 12 COMPOUNDS** The New Jersey Department of Environmental Protection (NJDEP) has [released](#) new interim groundwater quality standards for 12 compounds. The new standards were established for: (1) 1,4-dioxane; (2) 1-chloro-1,1-difluoroethane; (3) cresols (mixed isomers); (4) 1,1-dichloro-1-fluoroethane; (5) 1-methylnaphthalene; (6) fluorononanoic acid (PFNA); (7) strontium; (8) 1,1,2-trichloro-1,2,2-trifluoroethane (Freon 113); (9) 1,1,1-trifluoroethane; (10) 1,2,4-trimethylbenzene; (11) tri-cresyl phosphate (mixed isomers); and (12) tri-ortho-cresyl phosphate. NJDEP has also released [support documents](#) for the standards. The standards became effective on 25 NOV 15.



**Legislature convened 7 JAN 15 and adjourned 25 JUN 15.**

## ***FINAL RULES***

**PETROLEUM BULK STORAGE AND USED OIL MANAGEMENT** The New York State Department of Environmental Conservation (NYSDEC) has [adopted](#) a rulemaking to repeal 6 NYCRR Parts 612 through 614 and replace them with a new 6 NYCRR Part 613 that regulates the handling and storage of petroleum in underground and AST systems. The new Part 613 harmonizes existing state requirements with overlapping federal requirements so that similar sets of regulatory requirements will govern petroleum bulk storage (PBS) facilities in the state. The requirements for all new tank systems will also be updated to reflect the technology and practices that are the current state of the art for the manufacture, installation, and maintenance of PBS tank systems. Additional provisions (Subpart 374-2 and section 370.1(e)(2)) have been revised to accommodate definitions and cross-references being made in Part 613. A notice of the proposed rulemaking was published in the [September 2014 Northern Review](#). Part 613 became effective on 11 OCT 15 and the additional revisions became effective on 10 NOV 15.

**PROTECTION AGAINST LEGIONELLA BACTERIA** The New York Department of Health (NYDH) has [adopted](#) a new emergency rule that adds a Part 4 to the health regulations at Title 10 NYCRR. The emergency rule establishes regulations for cooling towers related to: (1) registration, reporting and recordkeeping; (2) testing; (3) cleaning and disinfection; (4) maintenance; (5) inspection; and (6) certification of compliance. The regulations were adopted to address improper maintenance of cooling towers that can contribute to the growth and dissemination of Legionella bacteria that can lead to Legionnaire's disease. Additionally, the regulations require general hospitals and nursing homes to implement a Legionella sampling plan and take necessary responsive actions, as NYDH may deem appropriate. A previous emergency rule was set to expire on 14 NOV 15. The new emergency rule became effective on 13 Nov 15 and will expire on 10 FEB 16.

## ***PROPOSED RULES***

**SCIENCE-BASED STATE SEA-LEVEL RISE PROJECTIONS** NYSDEC has [proposed](#) a rule to add Part 490, *Projected Sea-Level Rise*, to Title 6 NYCRR. The new section establishes a common source of sea-level rise projections for consideration in relevant programs and decision-making. Comments are due by 25 DEC 15.

**NEW STATE ENERGY CONSERVATION CONSTRUCTION CODE** The New York Department of State has [proposed](#) to repeal the current Part 1240 of Title 19 of the NYCRR (State Energy Conservation Construction Code) and add a new version of



Part 1240. The new energy code equals or exceeds American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2013 for commercial buildings, and equals or exceeds the 2015 International Energy Conservation Code (IECC) for residential buildings. A public hearing is scheduled for 25 JAN 16 and comments are due by 5 FEB 16.



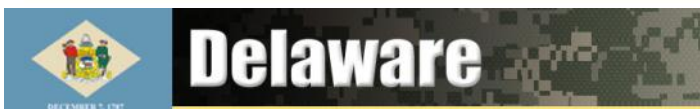
**Legislature convened 14 JAN 13 and adjourns 31 DEC 16.**

### ***PROPOSED LEGISLATION***

**PS 1357 ESTABLISHMENT OF CLIMATE AFFAIRS COMMISSION** PS 1357 establishes public policy of the commonwealth of Puerto Rico on climate change with emphasis on adaptation and resilience. The bill creates the Climate Affairs Committee in order to establish and promote the development of that policy and its management, coordination, and integration. The act also outlines objectives, functions, and powers of the commission. The bill passed the Senate and was referred to the House Agriculture, Natural Resources and Environmental Affairs Committee.

## **Region 3**

For more information or to comment on any state issues in Region 3, contact [Patrick Timm](#), Army Regional Environmental Coordinator, Region 3, (410) 278-6165.



**Legislature convened 13 JAN 15 and adjourned 30 JUN 15.**

### ***FINAL RULES***

**AMENDMENTS TO SOLID WASTE REGULATIONS** The Delaware Department of Natural Resources and Environmental Control (DDNREC) has [adopted](#) amendments to 7 DE Admin. Code 1301, *Delaware Regulations Governing Solid Waste* (DRGSW). The amendments: (1) modify the solid waste transporter exemptions to remove the obsolete dry waste transporter section; (2) replace "approval" with "permit" in the composting and recycling section to increase enforceability and oversight; (3) delete the provision that allows facilities solely accepting source separated materials to not be considered a transfer station; (4) add additional guidance as to when a permit can be modified, denied, terminated, or revoked; and (5) modify the infectious waste regulations to allow sharps to be transported without a transporter permit under certain conditions. The amendments became effective on 21 NOV 15.

**SCRAP TIRE FACILITY MANAGEMENT PROVISIONS** DDNREC's Solid and Hazardous Waste Management Section (SHWMS) has [adopted](#) amendments that add Section 13 to DRGSW to address scrap tire facility management. The new section gives SHWMS oversight on the management of scrap tires, including: (1) limiting the amount of tires allowed to be accumulated in one area; (2) providing environmental and human health protection through siting restrictions and mosquito control; and (3) providing a mechanism for enforcement if needed. Other provisions have been modified to be compliant with the new section. A notice of the proposed rulemaking was published in the [January 2015 Northern Review](#). The amendments become effective on 1 JAN 16.

## ***PROPOSED RULES***

**AMENDMENTS TO UST REGULATIONS** DDNREC has [proposed](#) revisions to 7 DE Admin. Code 1351, *Underground Storage Tank Systems*. The amendments clarify several issues concerning cleanup liability associated with releases from underground storage tanks (USTs). The changes clarify when DDNREC requires a responsible party to perform additional corrective actions following the department issuing a no-further-action letter. Also, the changes establish an All Appropriate Inquiry Standard for residential properties that if completed would exempt a purchaser from liability associated with the cleanup of a UST release discovered after they purchased the property. A public hearing was held on 1 DEC 15.



**Legislature convened 1 JAN 15 and adjourns 31 DEC 15.**

## ***FEDERAL ACTIVITY***

**SIP REVISION TO LIMIT NO<sub>x</sub> EMISSIONS FROM LARGE NON-EGUS** USEPA has issued a proposed rule to approve a SIP revision submitted by the District of Columbia ([80 FR 72406](#)). The revision caps emissions of nitrogen oxides (NO<sub>x</sub>) from large non-electric generating units (non-EGUs) to meet the requirements of USEPA's NO<sub>x</sub> SIP Call. Comments are due by 21 DEC 15.

## ***PROPOSED LEGISLATION***

**[B 474](#) WALTER REED DEVELOPMENT OMNIBUS ACT OF 2015** B 474 relates to the acquisition and disposition of the former Walter Reed Army Medical Center. The bill enables DC to acquire title to the land from the U.S. Army and establish a 29 year, 11 month ground lease to the developer. The bill was referred to the Committee of the Whole and a public hearing is scheduled for 17 DEC 15.

## ***FINAL RULES***

**NON-ROAD DIESEL EQUIPMENT ANTI-IDLING AMENDMENTS** The DC Department of Energy and Environment (DOEE) has [adopted](#) amendments to District of Columbia Municipal Regulations (DCMR) Title 20 Chapter 9, *Air Quality – Motor Vehicular Pollutants, Lead, Odors, and Nuisance Pollutants*. The amendments reduce the time that certain non-road diesel engines are allowed to idle to no more than three consecutive minutes. The amendments also revise the definition of "idling" to clarify the nature of work that may occur when running an engine by deleting vague descriptors and adding specific examples. Also, DOEE has made certain revisions in order to clarify that the rulemaking does not apply to portable generators. A notice of the proposed rulemaking was published in the [August 2015 Northern Review](#). The amendments became effective on 6 NOV 15.

**REVISIONS TO SULFUR CONTENT REQUIREMENTS FOR FUEL OIL** DDOE has [adopted](#) amendments to DCMR Title 20 Chapter 5, *Source Monitoring and Testing*, and Chapter 8, *Asbestos, Sulfur, Nitrogen Oxides and Lead*. The amendments reduce the sulfur content of commercially available "home heating" fuel oils used in oil-burning combustion units in DC. The amendments also ban the use of number five oil and heavier fuel oils, which are used in industrial, commercial, and institutional boilers. The amendments also update definitions and establish a timeline for the phase-out of specified fuels. A notice of the proposed rulemaking was published in the [August 2015 Northern Review](#). The amendments became effective on 13 NOV 15.



Legislature convened 14 JAN 15 and adjourned sine die 13 APR 15.

### ***FINAL RULES***

**AMENDMENTS TO VAPOR RECOVERY AT GASOLINE DISPENSING FACILITIES REGULATIONS** The Maryland Department of Environment (MDE) has [adopted](#) amendments to regulations for the vapor recovery at gasoline dispensing facilities, at COMAR 26.11.24. The amendments grant new gasoline dispensing facilities (GDFs) and GDFs undergoing major modifications the option to choose not to install or decommission existing Stage II vapor recovery equipment. Existing GDFs may decommission Stage II vapor recovery equipment after 1 OCT 16. The amendments will be submitted as a SIP revision to USEPA for approval. A notice of the proposed amendments was published in the [October 2015 Northern Review](#). The amendments became effective on 23 NOV 15.



Legislature convened 6 JAN 15 and adjourns 31 DEC 15.

### ***PROPOSED RULES***

**UPDATE TO STATE LISTS OF ENDANGERED, THREATENED, AND CANDIDATE SPECIES** The Pennsylvania Fish and Boat Commission has [proposed](#) amendments to update the commission's list of threatened and endangered species (Chapter 75). The amendments: (1) remove the Hornyhead Chub from the list of candidate species and add it to the list of endangered species; (2) remove the Mountain Brook Lamprey from the list of threatened species; and (3) remove the Ohio Lamprey, Bowfin, and Timber Rattlesnake from the list of candidate species. Comments are due by 20 DEC 15.

### ***OTHER REGULATORY ACTIVITY***

**EXTENSION OF CURRENT GP FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY** The Pennsylvania Department of Environmental Protection has issued a [notice](#) extending, for 12 months, the availability of the current General Permit (GP) for Stormwater Discharges Associated with Industrial Activity (PAG-03). The existing PAG-03 was set to expire on 4 DEC 15, but it will now remain in effect until 4 DEC 16, or until the draft PAG-03 update is published as final. It is anticipated that the final PAG-03 GP update will be published prior to 4 DEC 16. The notice of the GP extension was published on 28 NOV 15.



Legislature convened 14 JAN 15 and adjourned 27 FEB 15.

### ***FEDERAL ACTIVITY***

**ADDITION OF PLANTWIDE APPLICABILITY LIMITS FOR GHGs TO PSD PROGRAM** USEPA has issued a final rule approving a SIP revision submitted by the commonwealth of Virginia ([80 FR 72903](#)). The revision adds Plantwide Applicability Limit (PAL) provisions for greenhouse gases (GHGs) to Virginia's Prevention of Significant Deterioration (PSD) program. The final rule becomes effective on 23 DEC 15.

**REVISION TO DEFINITION OF VOC** USEPA has issued a direct final rule approving a SIP revision submitted by the commonwealth of Virginia ([80 FR 73995](#)). The revision adds the compound 2-amino-2-methyl-1-propanol (AMP) to the

list of substances not considered to be VOCs. The revision allows the Virginia SIP to mirror the federal definition of VOC. Barring adverse comment the direct final rule becomes effective on 26 JAN 16.

## ***FINAL RULES***

**AMENDMENTS TO EXISTING STATIONARY SOURCES REGULATIONS** The Virginia Department of Environmental Quality (VDEQ) has [adopted](#) amendments to the existing stationary sources regulations at 9VAC5-40-7400 and 9VAC5-40-7420. The amendments add new requirements for the case-by-case determination of reasonably available control technology (RACT) needed in order to meet the USEPA 0.075 parts per million (ppm) NAAQS for ozone. The state regulations must be consistent with the federal regulations in order for the state to implement RACT. The amendments became effective on 2 DEC 15.

**MULTIPLE AMENDMENTS TO VOC EMISSION STANDARDS** VDEQ has adopted three separate amendments to 9VAC5-40, *Existing Stationary Sources*. The first amendment, [Rev. D09](#), creates [new standards](#) for VOC emissions from: (1) industrial solvent cleaning operations; and (2) miscellaneous industrial adhesive application processes within the Northern Virginia (NOVA) VOC Emissions Control Area (ECA). The second amendment, [Rev. C09](#), creates [new standards](#) for VOC emissions from: (1) offset lithographic printing operations; and (2) letterpress printing operations within the NOVA VOC ECA. The third amendment, [Rev. E09](#), creates [new standards](#) for VOC emissions from miscellaneous metal and plastic parts coating operations within the NOVA VOC ECA. All three amendments help Virginia meet its obligation to implement control measures in areas designated as nonattainment under the 0.08 parts per million (ppm) 8-hour ozone standard. Based on comments received, the final amendments differ from the original proposals. A notice of the three proposed amendments was published in the [January 2015 Northern Review](#). All three amendments become effective on 1 FEB 16.

## ***PROPOSED RULES***

**AMENDMENTS TO REGULATIONS GOVERNING ARCHAEOLOGICAL REMOVAL OF HUMAN REMAINS** The Virginia Department of Historic Resources Board of Historic Resources has [proposed](#) amendments to 17VAC5-20, *Regulations Governing Permits for the Archaeological Removal of Human Remains*. The amendments: (1) enhance public notification requirements, (2) ensure that applicants have the resources to complete the proposed work, (3) ensure respectful disposition of recovered remains, and (4) modernize and simplify regulatory language. Comments are due by 15 JAN 16.

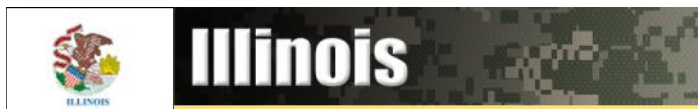
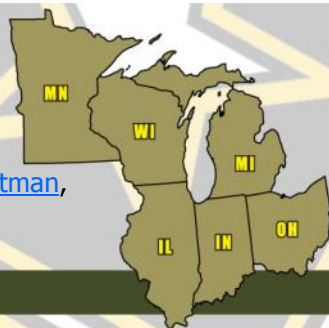
## ***OTHER REGULATORY ACTIVITY***

**DRAFT COASTAL ENHANCEMENT STRATEGIES** VDEQ's Coastal Zone Management (CZM) Program has [released](#) the Draft Virginia Coastal Zone Management Program Coastal Enhancement Strategies. The strategies were developed using National Oceanic and Atmospheric Administration's Section 309 Guidance issued in January 2013. The draft strategies were established for three "high priority" areas: ocean management, coastal hazards, and cumulative and secondary impacts of coastal development. The comment period closed on 20 NOV 15.



# Region 5

For more information or to comment on any state issues in Region 5, contact [Dr. Jim Hartman](#), DOD Regional Environmental Coordinator, Region 5, (410) 278-6991.



**Legislature convened 14 JAN 15 and adjourned 31 MAY 15.**

## ***FINAL RULES***

**CERTIFICATION AND OPERATION OF ENVIRONMENTAL LABORATORIES** The Illinois Department of Public Health (IDOH) has [adopted](#) amendments to 77 Ill. Adm. Code 465, *Certification and Operation of Environmental Laboratories*. The amendments allow laboratories that test drinking water to use additional vendors as proficiency test providers for microbiology drinking water. Laboratories are not required to use the vendors, but may use a vendor the laboratory determines will best benefit the laboratory operation. Previously, there was only one acceptable testing method and only vendors accredited by the American Association for Laboratory Accreditation could be used. The rulemaking also adds certification for the "TECTA EC/TC Automated Microbiology System" as an alternate test procedure for detecting coliform and E. coli in water samples. A notice of the proposed amendments was published in the [September 2015 Northern Review](#). The amendments became effective on 23 OCT 15.

**AMENDMENTS TO PRIMARY DRINKING WATER STANDARDS** The Illinois Pollution Control Board (IPCB) has [adopted](#) amendments to 35 Ill. Adm. Code 611, *Primary Drinking Water Standards*. The amendments update the fluoride standard to reflect recent recommendations by the U.S. Department of Health and Human Services. Community water supply systems that are required to add fluoride to the water must now maintain a fluoride ion concentration of 0.7 mg/l in the distribution system vice 0.9 - 1.2 mg/l as previously required. A notice of the proposed amendments was published in the [November 2015 Northern Review](#). The amendments became effective on 9 NOV 15.

**CORRECTIONS TO PRIMARY DRINKING WATER STANDARDS** IPCB has [adopted](#) amendments to 35 Ill. Adm. Code 611, *Primary Drinking Water Standards*. The amendments update the *Illinois Safe Drinking Water Act* rules to correspond with amendments adopted by USEPA that appeared in the Federal Register from 1 JAN 15 through 30 JUN 15. During this period, USEPA did not amend the federal regulations. Rather, the Illinois Joint Committee on Administrative Rules (JCAR) and Illinois Environmental Protection Agency suggested various corrections to the text of the rule. A notice of the proposed amendments was published in the [October 2015 Northern Review](#). The amendments became effective on 13 NOV 15.

## ***PROPOSED RULES***

**AMENDMENTS TO PUBLIC WATER SUPPLY REGULATIONS** IPCB has [proposed](#) amendments to 35 Ill. Adm. Code 601 governing public water supplies. The amendments add a new section to incorporate by reference national standards published by the: (1) American Water Works Association; (2) American Society for Testing and Materials; (3) American National Standards Institute; and (4) National Sanitation Foundation International. The new section also incorporates the recommended standards for water works, many of which contain design standards that would have to be met for a construction permit to be issued. Definitions used in Parts 602 and 603 are also added to and revised in Part 601. Comments are due by 21 DEC 15.

**AMENDMENTS TO PUBLIC WATER SUPPLY OWNERSHIP AND RESPONSIBLE PERSONNEL RULES** IPCB has [proposed](#) amendments to 35 Ill. Adm. Code 603, *Ownership and Responsible Personnel*, governing public water supplies. The amendments revise Part 603 to be consistent with recent amendments to the *Public Water Supply Operations Act*, [415 ILCS 45]. The amendments add the new term "Responsible Operator in Charge" (ROINC), a position that a community water supply must designate and that directly supervises the water treatment facilities or distribution facilities, or both, of the community water supply. The amendments also establish the ROINC's duties and areas of responsibility. Lastly, the amendments incorporate the new concept of an "administrative contact," which allows a community water supply to designate a contact to serve as agent of the owner or official custodian. Comments are due by 21 DEC 15.

**CONSOLIDATION OF IPCB AND IEPA COMMUNITY WATER SUPPLY PERMITTING RULES** IPCB has [proposed](#) amendments to 35 Ill. Adm. Code 602, *Permits*, governing public water supplies. The amendments consolidate the community water supply permitting rules in Part 652 and Part 602. IPCB's permitting rules are found in Part 602 while the Illinois Environmental Protection Agency's (IEPA) permitting requirements are located in Part 652. The amendments consolidate all permitting requirements into a single part, Part 602, with five new subparts. Comments are due by 21 DEC 15.

**AMENDMENTS TO STATE WATER POLLUTION PERMIT RULES AND NPDES PROGRAM RULES** IPCB has [proposed](#) amendments to 35 Ill. Adm. Code 309, *Permits*, relating to permits issued by Illinois under the federal National Pollutant Discharge Elimination System (NPDES) program and water pollution permits issued by the state under its own water pollution program. The amendments revise regulations concerning: (1) permit renewals and modifications; (2) construction permits; (3) operating permits for both new or modified sources, and existing sources; and (4) duration and terminations of permits. Comments are due by 4 JAN 16.



**Legislature convened 13 JAN 15 and adjourned sine die 29 APR 15.**

## ***FINAL RULES***

**TRANSFERRING ISSUING AUTHORITY FOR NPDES GENERAL PERMITS** The Indiana Department of Environmental Management (IDEM) has [adopted](#) amendments to 327 IAC 5 and 327 IAC 15. The amendments transfer issuing authority of NPDES general permits from the Water Pollution Control Division to the IDEM commissioner. The amendments also update requirements to meet current federal standards and maintain the existing permit-by-rule general permits for those categories that the USEPA has not yet approved administratively issued general permits. A notice of the proposed rulemaking was published in the [February 2013 Northern Review](#). The amendments became effective on 8 NOV 15.

**FINAL GROUNDWATER PETROLEUM REMEDIATION NPDES GENERAL PERMIT** IDEM has [issued](#) a new NPDES General Permit (ING08000) for Groundwater Petroleum Remediation Systems that have discharges to surface waters of the state. The General Permit (GP) establishes requirements for point source discharges from any conveyance used for collecting and conveying wastewater that is directly related to groundwater petroleum remediation systems or activities. The GP supersedes and replaces requirements for the discharges, which are currently outlined in Article 15 of Title 327 of the Indiana Administrative Code. A notice announcing the new GP was published on 18 NOV 15.

**FINAL NPDES GENERAL PERMIT FOR ONCE-THROUGH NON-CONTACT COOLING WATER** IDEM has [issued](#) a new NPDES GP for Once-Through Non-Contact Cooling Water discharges to surface waters of the state. The permit establishes requirements for point source discharges of cooling water that: (1) are used for the sole purpose of removing unwanted heat from a process; (2) only make one pass through a unit that exchanges heat between the process and the cooling water (generally a heat exchanger); and (3) does not come into contact with any raw material or manufactured product. The new NPDES general permit supersedes and replaces the requirements for the discharges that are currently outlined

in Article 15 of Title 327 of the IAC. A notice of the draft GP was published in the [January 2015 Northern Review](#). The final GP was announced in a notice published on 18 NOV 15.

## ***PROPOSED RULES***

**REPEAL OF QUARANTINES FOR TWO INSECTS AND ONE PLANT** The Indiana Natural Resources Commission (INRC) has [proposed](#) a rule to repeal 312 IAC 18-3-12 and 312 IAC 18-3-18 governing the quarantine of the larger pine shoot beetle and emerald ash borer, respectively. The rule also repeals 312 IAC 18-3-20 governing the regulation of Brazilian elodea. Comments are being accepted.

## ***OTHER REGULATORY ACTIVITY***

**NON-RULE POLICY DOCUMENT REGARDING RESPONSIBILITY FOR CORRECTIVE ACTIONS** IDEM has issued a [notice](#) of a non-rule policy (NRP) document, *Applicability of RCRA Corrective Action Laws to Current Owners of Hazardous Waste Disposal Sites*. The NRP provides guidance on IDEM's interpretation of Resource Conservation and Recovery Act (RCRA) and IC 13-22-13 et al. with regard to whether current or former owners/operators of former hazardous waste facilities are responsible for corrective actions. The notice was issued on 25 NOV 15.

**NRP REGARDING PROCEDURES FOR GAINING ACCESS TO THIRD PARTY PROPERTIES TO INVESTIGATE OR REMEDIATE** IDEM has issued a [notice](#) of a NRP document, *Procedures for Gaining Access to Third Party Properties by Participants Performing Investigation or Remediation*. The NRP provides guidance regarding the appropriate steps to be taken and documentation to be provided by a responsible party who is attempting to access third party properties for the investigation or remediation of contamination in soil, ground water, surface water, sediment, and/or indoor air. The notice was issued on 25 NOV 15.



**Legislature convened 14 JAN 14 and adjourns 31 DEC 15.**

## ***FEDERAL ACTIVITY***

**SSIs STATE PLAN AND SMWC NEGATIVE DECLARATION FOR DESIGNATED FACILITIES AND POLLUTANTS** USEPA has issued a direct final rule approving Michigan's State Plan to control air pollutants from sewage sludge incinerators (SSIs) ([80 FR 70694](#)). The state plan is consistent with the emission guidelines (EGs) promulgated by USEPA on 21 MAR 11, and meets applicable CAA requirements for subject SSI units. Once effective, the approval also makes the state plan federally enforceable. USEPA is also notifying the public that the Michigan Department of Environmental Quality (MDEQ) has submitted a negative declaration for Small Municipal Waste Combustors (SMWC). The negative declaration states that there are no SMWC units subject to CAA requirements currently operating in Michigan. Barring adverse comment the direct final rule becomes effective on 15 JAN 16.

## ***OTHER REGULATORY ACTIVITY***

**DRAFT 2016 CLEAN WATER ACT SECTIONS 303(D), 305(B), AND 314 INTEGRATED REPORT** MDEQ has [requested comment](#) on the draft Water Quality and Pollution Control in Michigan Integrated Report, 2016, Sections 303(d), 305(b), and 314. Every two years, the MDEQ is required by the Clean Water Act (CWA) to submit an integrated report to USEPA. The integrated report describes the status of water quality in Michigan and includes a list of water bodies that are not attaining Michigan water quality standards and require the establishment of pollutant Total Maximum Daily Loads (TMDL). Comments are due by 8 JAN 16.



Legislature convened 6 JAN 15 and adjourned sine die 18 MAY 15.

### ***PROPOSED RULES***

**AMENDMENTS TO WATER QUALITY VARIANCE RULES** The Minnesota Pollution Control Agency (MPCA) has [proposed](#) amendments to the water quality variances rules. The amendments revise Minnesota Rules: (1) Chapter 7050 - *Waters of the State*; (2) Chapter 7052 - *Lake Superior Basin Water Standards*; and (3) Chapter 7053 - *State Waters Discharge Restrictions*. A water quality variance is a temporary change in a state water quality standard for a specific pollutant, allowing a permittee discharging wastewater additional time to meet the standard. The proposed amendments will provide consistent application of the state's variance rules and applicable federal requirements. Comments are due by 29 DEC 15.

### ***OTHER REGULATORY ACTIVITY***

**POSSIBLE AMENDMENTS TO ENVIRONMENTAL REVIEW PROGRAM RULES** The Minnesota Environmental Quality Board is [considering](#) possible revisions to the existing Environmental Review Program rules at Minnesota Rules Chapter 4410. These are the rules under which Environmental Assessment Worksheets (EAWs), Environmental Impact Statements (EISs), and other environmental review documents are prepared. Comments are due by 31 DEC 15.

**POSSIBLE AMENDMENTS TO UST RULES** MPCA has [requested comment](#) on planned amendments to underground storage tank (UST) rules at Minnesota Rules Chapter 7150. The MPCA is considering making corrections, clarifications, and adding conforming language for consistency with federal rules related to the operation and maintenance of UST equipment. Comments are due by 11 DEC 15.



Legislature convened 5 JAN 15 and adjourns 31 DEC 15.

### ***FEDERAL ACTIVITY***

**CORRECTION OF PREVIOUS AIR PLAN APPROVAL** USEPA has issued a final rule determining that a portion of the previously issued [26 OCT 10](#) direct final rule was in error and is making a correction ([80 FR 68458](#)). The 2010 rule approved various Ohio regulatory revisions into the SIP. The revisions were intended to consolidate air quality standards into a new chapter of rules and to adjust the cross references accordingly. These changes included a specific revision to the cross reference in the Ohio rule pertaining to methods for measurements for comparison with the particulate matter (PM) air quality standards. The current correction removes any misperception that USEPA approved any revision to the pertinent rule other than the revised cross reference. The final rule became effective on 7 DEC 15.

**REVISED FORMAT FOR MATERIALS BEING INCORPORATED BY REFERENCE** USEPA has issued a final rule revising the format for materials that are incorporated by reference (IBR) into the Ohio SIP ([80 FR 69604](#)). The regulations and other materials affected by this format change have all been previously submitted by Ohio and approved by USEPA. The final rule became effective on 10 NOV 15.

### ***FINAL RULES***

**AMENDMENTS TO OPEN BURNING RULES** The Ohio Environmental Protection Agency (OEPA) has [adopted](#) amendments to the Ohio Administrative Code (OAC) rules 3745-19-03 and 3745-19-04, *Open Burning in Restricted and Unrestricted*



*Areas.* The amendments add clarifying language to confirm that prairie and grassland management and management of invasive species are recognized, permissible reasons for conducting open burning. A notice of the proposed amendments was published in the [September 2015 Northern Review](#). The amendments became effective on 10 NOV 15.

## ***OTHER REGULATORY ACTIVITY***

**DRAFT AMENDMENTS TO ADOPT FEDERAL REVISED TOTAL COLIFORM RULE** OEPA Division of Drinking and Ground Waters (DDAGW) has [requested comment](#) on draft amendments to new and amended rules in Chapters 3745-81 and 3745-96 of the Ohio Administrative Code (OAC). The draft amendments are mostly a result of the five-year rule review requirements, and primarily adopt USEPA's Revised Total Coliform Rule (RTCR). The amendments adopt relevant portions of RTCR that become effective on 1 APR 16 in order for OEPA to maintain primary enforcement authority for the Safe Drinking Water Act. The comment period closed on 2 DEC 15.



**Legislature convened 7 JAN 15 and adjourns 31 DEC 15.**

## ***PROPOSED LEGISLATION***

**[SB 266](#) ELIMINATION OF CERTAIN COMPREHENSIVE PLAN REQUIREMENTS** SB 266 permits a local governmental unit to repeal its comprehensive plan and eliminates the requirement that ordinances must be consistent with a local comprehensive plan if no plan is in effect. The bill also eliminates the defunct comprehensive planning grant program. The bill was reported out favorably by the Government Operations and Consumer Protection Committee.

## ***FINAL RULES***

**CONSTRUCTION AND OPERATION PERMIT PROGRAMS** The Wisconsin Department of Natural Resources (WDNR) has [adopted](#) revisions to Wisconsin Administrative Code Chapters NR 400, 406, 407, and 445 relating to construction and operation permit programs. The amendments improve operational efficiency and simplify the permitting processes, while remaining consistent with the CAA and retaining approvability by USEPA. A notice of the proposed amendments was published in the [February 2013 Northern Review](#). The amendments became effective on 1 DEC 15.

## ***PROPOSED RULES***

**REVISIONS TO WPDES WASTEWATER PERMIT PROGRAM** WDNR has [proposed](#) revisions to Wisconsin Administrative Code Chapter NR 106, relating to the Wisconsin Pollutant Discharge Elimination System (WPDES) wastewater permit program. The [revisions](#) make the rule consistent with federal regulation to rules related to cooling water additives, mercury reasonable potential, surface water intakes, mixing zones, and other clarifications. WDNR has also [proposed](#) a separate set of revisions ([Rule Package #4](#)) to Chapters NR 106, 205, and 212. These revisions address expression of limits, whole effluent toxicity, TMDL development and implementation, and other aspects of the WPDES permitting program. Comments are due for both rulemakings by 18 DEC 15.

## ***OTHER REGULATORY ACTIVITY***

**WISCONSIN'S DRAFT 2016 IMPAIRED WATERS LIST** WDNR has [released](#) the Wisconsin's draft 2016 impaired waters list. Every two years Wisconsin is federally required to publish a list of all waters that are not meeting water quality standards. In the 2016 list update, WDNR proposes to add 209 new waters. A majority of the listing additions were waters that exceed total phosphorus criteria. A significant number of new listings were also based on poor biological condition. Ten waterbodies are proposed to be delisted. The comment period closed on 25 NOV 15.

# Department of Defense Activity

**CALL FOR 2016 SECRETARY OF DEFENSE ENVIRONMENTAL AWARDS** DOD has issued a call for nominations for the 2016 Secretary of Defense Environmental Awards. Nominations should be submitted using the [guidance](#) issued by the Office of the Deputy Under Secretary of Defense (Energy, Installations & Environment). Each military service and defense agency may submit one nomination for each of the six installation and three individual/team award categories listed in page three of the guidance for accomplishments during the period 1 OCT 13 through 30 SEP 15. Nominations are due by 1 MAR 16. For more information, click [here](#).

**DEFENSE MATERIEL DISPOSITION** DOD has issued a final rule that prescribes uniform procedures for the disposition of DOD personal property ([80 FR 68157](#)). The rule defines responsibilities for personnel and agencies involved with the Defense Materiel Disposition Program and provides procedures for disposal of excess property and scrap, property donations, loans, and exchanges. The final rule became effective on 3 DEC 15.

## Federal Activity

### *AIR*

**NESHAP FOR MAJOR SOURCES: INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BOILERS AND PROCESS HEATERS** USEPA has issued a final decision on its reconsideration of the [31 JAN 13](#) amendments to the NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, commonly referred to as the Boiler MACT ([80 FR 72789](#)). USEPA is retaining a minimum carbon monoxide limit of 130 parts per million (ppm) and the PM continuous parameter monitoring system requirements, consistent with the January 2013 final rule. USEPA also made minor changes to the proposed definitions of startup, shutdown, and work practices during these periods. The final rule addresses technical corrections and clarifications of the rule. The corrections will improve implementation of the January 2013 final Boiler MACT, but do not affect environmental, energy, or economic impacts associated with the rule. The final decision became effective on 20 NOV 15.

**STATIONARY COMPRESSION IGNITION ENGINES** USEPA has issued a proposed rule amending the standards of performance for stationary compression ignition (CI) internal combustion engines ([80 FR 68808](#)). The amendments allow manufacturers to design the engines so that operators can temporarily override performance inducements related to the emission control system for engines operating during emergency situations. Compliance with Tier 1 emission standards during such emergencies would be required.

**REFRIGERANT MANAGEMENT STANDARDS** USEPA has issued a proposed rule to extend management standards and prohibitions associated with air conditioning equipment containing ozone depleting substances to equipment containing non-ozone depleting substitute refrigerants, such as hydrofluorocarbons ([80 FR 69457](#)). The proposed rule: (1) strengthens leak repair requirements; (2) establishes recordkeeping requirements for the disposal of appliances containing five to 50 pounds of refrigerant; (3) makes changes to the technician certification program; and (4) makes changes for improved readability, compliance, and restructuring of the requirements.

**AMBIENT AIR MONITORING: NEW METHODS** USEPA has designated one new reference method for measuring concentrations of carbon monoxide and one new equivalent method for measuring concentrations of ozone in ambient air ([80 FR 72432](#)). In accordance with 40 CFR 53, monitoring methods that are determined to meet specific requirements for adequacy are designated by USEPA as either reference or equivalent methods (as applicable), thereby

permitting their use under 40 CFR 58 by states and other agencies for determining compliance with NAAQSs. For more information on air monitoring methods, click [here](#).

**WITHDRAWAL OF SIGNIFICANT NEW USE RULES** USEPA has withdrawn the significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for three chemical substances that were the subject of premanufacture notices (PMN) ([80 FR 72592](#)). The chemicals are isocyanate prepolymer; methylene diisocyanate polymer with diols and triols; and polymer of isophorone diisocyanate and amine-terminated propoxylatedpolyol. The rule withdrawal became effective on 1 DEC 15.

**DRAFT INTEGRATED REVIEW PLAN FOR SECONDARY SOX AND NOX NAAQS** USEPA has requested comment on the [Draft Integrated Review Plan for the Secondary National Ambient Air Quality Standard for Oxides of Nitrogen and Oxides of Sulfur](#) ([80 FR 69220](#)). For more information, click [here](#).

**DRAFT INTEGRATED SCIENCE ASSESSMENT FOR SULFUR OXIDES HEALTH CRITERIA** USEPA has requested comment on the [Review Draft Integrated Science Assessment for Sulfur Oxides-Health Criteria](#). The draft document was prepared as part of the review of the primary (health-based) NAAQS for SO<sub>2</sub>.

## ***CLIMATE CHANGE***

**HFC PHASE-OUT NEGOTIATIONS** USEPA has [posted](#) an announcement that member countries to the Montreal Protocol have committed to work together on a 2016 amendment. The amendment to the Montreal Protocol would reduce the production and consumption of hydrofluorocarbons (HFCs) due to their global warming potential. The decision opens a dialog on ultimately setting a timeframe to freeze and phase down the production and consumption of HFCs.

## ***CULTURAL RESOURCES***

**DISPOSITION OF UNCLAIMED HUMAN REMAINS OR CULTURAL OBJECTS** The U.S. Department of the Interior (DOI) has issued a final rule that provides procedures for the disposition of unclaimed human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated or discovered on, and removed from, federal lands after 16 NOV 90 ([80 FR 68465](#)). The rule implements section 3(b) of the [Native American Graves Protection and Repatriation Act](#) (NAGPRA). The final rule is limited to federal lands, as NAGPRA provides that ownership or control of any cultural item excavated or discovered on, and removed from, tribal land after 16 NOV 90, is in either a known lineal descendant or in the Indian tribe from whose tribal land the cultural items were removed. The final rule became effective on 7 DEC 15.

## ***ENERGY***

**UPDATE TO BASELINE FEDERAL ENERGY EFFICIENCY PERFORMANCE STANDARDS FOR CERTAIN FEDERAL BUILDINGS** The U.S. Department of Energy (DOE) has issued a final rule to implement certain provisions in the Energy Conservation and Production Act (ECPA) ([80 FR 68749](#)). The rule addresses the provisions that require DOE to update the baseline federal energy efficiency performance standards for the construction of new federal commercial and multi-family high-rise residential buildings. The rule updates the baseline federal commercial standard to the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2013. The final rule becomes effective on 5 JAN 16.

**STANDARD ENERGY EFFICIENCY DATA (SEED) PLATFORM** USDOE has [released](#) software for a Standard Energy Efficiency Data platform (SEED). The software is intended to help public agencies that are implementing building performance reporting regulations and/or tracking the performance of their own buildings. SEED functions like an Excel or Access database program. Each user has their own copy of the software of "SEED instance," in which the user can enter and manage their own information. Users can also create sub-accounts for other users within their organization. SEED users can choose which data they wish to share with whom.

## ***HAZARDOUS MATERIALS***

**EPCRA REPORTING FOR 1-BROMOPROPANE** USEPA has issued a final rule that adds 1-bromopropane to the list of toxic chemicals subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) ([80 FR 72906](#)). USEPA determined that 1-bromopropane meets the EPCRA section 313(d)(2)(B) criteria because it can reasonably be anticipated to cause cancer in humans. The final rule became effective on 30 NOV 15. It applies for the reporting year beginning 1 JAN 2016 (reports due 1 JUL 17).

**PESTICIDE CONTAINER LABELING GUIDANCE** USEPA has [issued guidance](#) for pesticide applicators who choose to label pesticide secondary and service containers. Although pesticide applicators are required to follow the requirements on a pesticide product's labeling and comply with other relevant requirements in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), they are not required to label secondary or service containers. In its guidance, USEPA recommends the applicator identify the material in the secondary or service container in the event of a spill to ensure that adequate information regarding the pesticide can be obtained in case of medical or environmental emergency. USEPA also notes that while it does not require labels on secondary and service containers, U.S. Department of Transportation (DOT) and Occupational Safety and Health Administration (OSHA) requirements may apply.

## ***NATURAL RESOURCES***

**NATIONAL WETLAND CONDITION ASSESSMENT 2011 DRAFT REPORT** USEPA has requested comment the draft report, [National Wetland Condition Assessment 2011](#) ([80 FR 68536](#)). The report is the first national assessment of the ecological condition of the nation's wetlands. The report describes the results of a nationwide probabilistic survey of wetlands conducted in the spring and summer of 2011 by USEPA and its partners. It includes estimates of wetland area in good, fair, and poor condition, nationally and by eco-region, for a biological indicator based on plants and key wetland stressors. The report also provides information on the design and implementation of the assessment, possible implications, and future actions. This report completes the first series of probability-based surveys conducted under USEPA's National Aquatic Resource Surveys program. For more information, click [here](#).

**NMFS DECLINES TO DESIGNATE CRITICAL HABITAT FOR SCALLOPED HAMMERHEAD** The National Marine Fisheries Service (NMFS) has issued a notice of critical habitat determination which found that there are no marine areas within the jurisdiction of the United States that meet the definition of critical habitat for three DPS of [scalloped hammerhead shark](#) ([80 FR 71774](#)). The DPSs subject to this ruling are the Central and Southwest Atlantic, Indo-West Pacific, and Eastern Pacific. Specifically, NMFS found there are no identifiable physical or biological features essential to the conservation of the scalloped hammerhead DPSs and found within areas under U.S. jurisdiction, or any areas outside of the geographical area occupied by the listed DPSs under U.S. jurisdiction that are considered essential to their conservation. The finding was made on 17 NOV 15.

## ***WATER***

**STEAM ELECTRIC POWER GENERATING POINT SOURCE DISCHARGES** USEPA has issued a final rule strengthening technology-based effluent limitation guidelines (ELGs) and standards for the steam electric power generating industry ([80 FR 67837](#)). The final rule reduces the amount of toxic metals, nutrients, and other pollutants that steam electric power plants are allowed to discharge and reduces water withdrawals. The final rule becomes effective on 4 JAN 16.

**STORMWATER DISCHARGES FROM FOREST ROADS** USEPA has requested public input and information on existing public and private sector programs that address stormwater discharges from forest roads ([80 FR 69653](#)). The requested information will assist USEPA in responding to court remand that requires USEPA to consider whether CWA requires the agency to regulate forest roads. USEPA plans to assess a variety of existing programs, including federal, state, local, tribal, third party certifications, and combinations of these approaches, as well as voluntary best management practice (BMP) based approaches. In preparing its response to the remand, USEPA is coordinating with other federal agencies,



and will assess whether any additional stormwater controls are called for, consistent with federal law, including the recent 2014 CWA amendments.

**BALLAST WATER MANAGEMENT AND REPORTING** The Coast Guard has issued a final rule amending ballast water management reporting and recordkeeping requirements, 33 CFR 151 Subparts C and D ([80 FR 73105](#)). The final rule requires certain vessels with ballast tanks to submit an annual report of their ballast water management practices. This rule also simplifies and streamlines the ballast water report form. DOD and Coast Guard vessels subject to the [Uniform National Discharge Standards for Vessels of the Armed Services](#) are exempt from these requirements. The final rule becomes effective on 22 FEB 16.

# Professional Development

Please note: Listing of commercial sponsored training and conferences is not a government endorsement of the training or conferences.

## *TRAINING - ONLINE*

**[2015 SMALL DRINKING WATER AND WASTEWATER SYSTEMS WEBINAR SERIES](#)** USEPA's Office of Research Development and Office of Water are hosting a monthly webinar series to communicate USEPA's current small systems research along with agency priorities. The site also includes an archive of past webinars. The final webinar of 2015 is Reduction of Lead in Drinking Water on 15 DEC 15.

**[ENERGY MANAGEMENT BASIC TRAINING- TOOLS AND RESOURCES FOR RESULTS](#)** This course provides civilian and military personnel with a concise overview of federal energy management, and the most current tools and resources for success. The instructors for this seminar are Randall Smidt, Army Program Manager for Alternative Financing, and Thomas B. Delaney, Jr., PE, Army Energy Conservation Investment Program Manager. Both instructors serve within the Army's Facilities Policy Division of the Office of the Assistant Chief of Staff for Installation Management.

**[INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) TRAINING](#)** ITRC is a state-led coalition of regulators, industry experts, academia, citizen stakeholders, and federal partners from all 50 states and the District of Columbia that supports new approaches to tough cleanup projects. ITRC offers Internet-based training and hosts nationwide classroom training. Topics span the full spectrum of remediation subjects. The Internet-based training is supported by ITRC technical and regulatory guidance documents and is hosted with USEPA's Technology Innovation and Field Services Division (TIFSD). For a listing of current classes and to register, visit [USEPA's Clu-In Web page](#). The nationwide classroom training courses are often provided with an ITRC member state and provide participants with face-to-face training, hands-on problem solving, and engaging real world site applications. Visit the [ITRC training website](#) for specific training topics and scheduled events.

**[USEPA TMDLS AND NPDES PERMITTING WEB-BASED TRAINING MODULES](#)** USEPA has developed three web-based training modules on topics related to TMDLs and NPDES permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded PowerPoint presentations with slides and scripts. Each recorded session is approximately two hours long. The modules are: (1) Understanding TMDLs: A Primer for NPDES Permit Writers; (2) Understanding WLA (waste load allocation) Implementation in Permits: A Primer for TMDL Developers; and (3) Understanding TMDLs with Stormwater Sources and the NPDES Stormwater Permitting Process.

**[AVERT TUTORIAL](#)** USEPA launched its on-demand training on how to use its avoided emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy programs to displace electricity system-related SO<sub>2</sub>, NO<sub>x</sub>, and CO<sub>2</sub> emissions in the continental United States. The tool can be used to evaluate county, state and regional level emissions displaced by energy efficiency and renewable energy programs without the need of specialized resources or electricity system expertise.

**[FEMP TRAINING SEARCH TOOL](#)** The Federal Energy Management Program (FEMP) has launched FEMP Training Search, a web tool that lists free training opportunities to help agencies meet federal energy, water, and sustainability laws and requirements. The new search tool provides options to easily find and select training offerings by topic area, topic series, course format and type, and by level of difficulty—introductory (101), intermediate (201), and advanced (301).

**[SERDP AND ESTCP WEBINAR SERIES](#)** The DOD environmental research and development funding programs SERDP and ESTCP are launching a webinar series to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding. Live webinars are offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars feature two 30-minute presentations and interactive question and answer sessions, on topics targeted for DOD and DOE audiences.

**[AIR FORCE INSTITUTE OF TECHNOLOGY \(AFIT\) TRAINING COURSE, \[QUALIFIED RECYCLING PROGRAM MANAGEMENT\]\(#\)](#)** This Interservice Environmental Education Review Board (ISEERB) designated course emphasizes principles and techniques to assist students in implementing a sound Qualified Recycling Program (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 Defense Reutilization and Marketing Office, establishing contracts, recording transactions, DOD recordkeeping, and estimating future budgets.

**[ENERGY STAR WEBCASTS](#)** Energy Star is hosting a series of webcasts covering various topics including Federal Guiding Principles Checklist, Portfolio Manager 101, and Portfolio Manager 201.

**[CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES](#)** The National Climate Change and Wildlife Science Center is partnering with the National Conservation Training Center to offer the webinar series to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife, and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

**[READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION \(REPI\) PROGRAM 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.

**[USEPA RCRA TRAINING](#)** RCRA related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations, and implementation. Topics include general RCRA, RCRA corrective action, Environmental Management Systems (EMS), e-waste, groundwater characterization and cleanup, land revitalization, land disposal restrictions, sustainable materials management web academy, and RCRA permitting.

**[BEST PRACTICES FOR COMPREHENSIVE WATER MANAGEMENT FOR FEDERAL FACILITIES TRAINING](#)** The training is provided by USDOE's FEMP and provides federal facility and energy managers with knowledge and skills to assist in meeting water-related legislative and executive order requirements. Participants develop skills in increasing water efficiency, and reducing water use through sound operations practices and water-efficient technologies. Water metering is covered, as well as life cycle costing and establishing the overall economics for strategic water management.

**USEPA TRAINING PRESENTATIONS ON GHG REPORTING** USEPA provides training presentations and a tutorial on general provisions (subpart A), stationary combustion (subpart C), electricity generation (subpart D), and municipal landfills (subpart HH) sections of the GHG Reporting Program Part 98.

**DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS** The Army offers numerous environmental training courses. Training providers and fiscal year class schedules are available on the U.S. Army Environmental Command (USAEC) website.

**UTILITY ENERGY PROJECT INCENTIVE FUNDS** This FEMP course teaches federal agencies about financing the capital costs of energy improvement projects from savings generated through energy efficiency measures funded by utilities, public benefit funds, and other resources. This training opportunity targets federal energy, environmental, and fleet professionals and is offered at no cost by leading experts. The training session is delivered live via satellite or through streaming media.

**FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER** FedCenter.gov is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas: program development; federal and state regulatory requirements for various facility activities; regulatory watch for information on new or changed laws or regulations; pollution prevention (P2) opportunities and best management practices; USEPA enforcement notices; links to state environmental programs; access to environmental assistance; environmental conferences, meetings, training, and workshop information; applicable laws and Executive Orders; and industry sector-specific newsletters.

**MILITARY MUNITIONS SUPPORT SERVICES SERIES** A series of monthly webinars sponsored by USEPA's Contaminated Sites Clean-Up Information program supports the Military Munitions Support Services community.

**USACE PROSPECT TRAINING** U.S. Army Corps of Engineers (USACE) announces course availability for the FY16 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to all federal, state, county and city employees, and contractors. There are different registration processes for each entity. Please refer to the [Course Catalog](#) and [List of Classes and schedule](#) for details. Environmental courses include: Environmental Regulations Practical Application Course (Course Control Number (CCN) 398); CERCLA/RCRA Process (CCN 356); Hazardous Waste Manifesting & DOT Certification (CCN 223); Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429); Radioactive Waste Transport (CCN 441); Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141); Environmental Remediation Technologies (CCN 395); and Environmental Laws and Regulations (CCN 170).

**ARMY PODCAST SERVICE** The Army offers free podcasts on a wide variety of topics, including an environmental series, an USACE series, and many more. The podcasts are available through a free subscription service.

**NAVY AND ISEERB ENVIRONMENTAL TRAINING FY16** Course topics in the Navy and the ISEERB Environmental Training schedule 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 FY16** 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 U.S. government. Fees vary according to personnel status (i.e., active duty Air Force/civilian, other U.S. government employee, contractor).

**NPDES TRAINING COURSES AND WORKSHOPS** Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES permit program. They are designed for permit writers, dischargers, USEPA officials, and other interested parties.

[USEPA WATERSHED ACADEMY WEBCAST SERIES](#) USEPA'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.

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## How the Regional Offices Work for You

**The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations.** The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services' interests are protected.

To comment on items in the *Northern Review*, please contact the Regional Environmental Coordinator listed at the top of each region's section.

To be added to the *Northern Review* distribution list, email [Leanne Dickens](#).