



# Southern Review

## of Legislative & Regulatory Actions

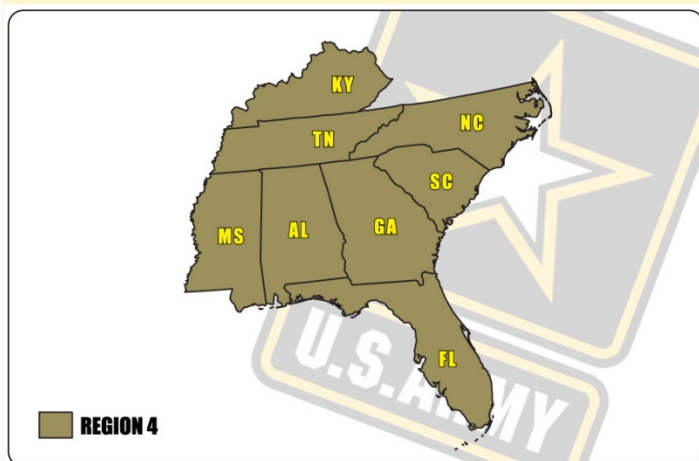


The U.S. Army Regional Environmental & Energy Office

February 2016

The *SOUTHERN REVIEW* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the eight states in Federal Region 4, the *Southern 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 *Southern Review*. To read back issues of other Regional Office *Reviews*, click on a region of the REEO website's U.S. map and then select "Publications." To receive a copy of this electronic publication, [send a subscription request](#).



## TABLE OF CONTENTS

<a href="#">Alabama</a>	<a href="#">2</a>
<a href="#">Florida</a>	<a href="#">2</a>
<a href="#">Georgia</a>	<a href="#">6</a>
<a href="#">Kentucky</a>	<a href="#">6</a>
<a href="#">Mississippi</a>	<a href="#">7</a>
<a href="#">North Carolina</a>	<a href="#">7</a>
<a href="#">South Carolina</a>	<a href="#">8</a>
<a href="#">Tennessee</a>	<a href="#">8</a>
<a href="#">DOD Activity</a>	<a href="#">9</a>
<a href="#">Federal Activity</a>	<a href="#">11</a>
<a href="#">Professional Development</a>	<a href="#">16</a>
<a href="#">Staff Directory</a>	<a href="#">20</a>

## CLIMATE CHANGE ADAPTATION AND RESILIENCE

The Deputy Secretary of Defense has issued Department of Defense Directive (DODD) [4715.21](#), Climate Change Adaptation and Resilience. The DODD, developed in compliance with [Executive Order 13653](#) and effective 14 JAN 16, establishes policy and assigns responsibilities to provide the DOD with the resources necessary to assess and manage risks associated with the impacts of climate change. Implementation of the DODD will involve deliberate preparation, close cooperation, and coordinated planning by the DOD to:

- Facilitate federal, state, local, tribal, private sector, and nonprofit sector efforts to improve climate preparedness and resilience, and to implement the [2014 DOD Climate Change Adaptation Roadmap](#);
- Safeguard U.S. economy, infrastructure, environment, and natural resources; and
- Provide for the continuity of DOD operations, services, and programs.

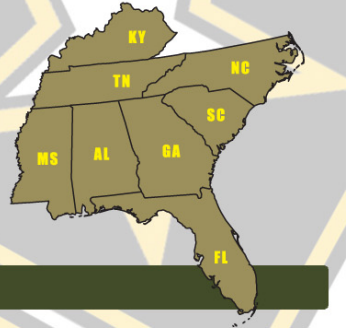
In a related action, the Honorable Katherine Hammack, Assistant Secretary of the Army for Installations, Energy and Environment, wrote on the Army homepage about the impact of climate change on the Army. Among the story highlights:

- Army does not have the luxury of engaging in the climate change debate -- we must respond to the effects of climate change affecting our mission.
- Loss or restriction on the use of training lands attributed to climate factors incurs real costs in terms of time, money, and resources.
- Nearly half of the cost of major construction projects in the Army's fiscal year 2016 military construction budget addresses risk and damage associated with a changing climate.

Read Ms. Hammack's full article [here](#).

# Region 4

For more information or to comment on any state issue in Region 4, please contact [Dave Blalock](#), REEO-S Regional Counsel, (404) 545-5655.



## *2016 LEGISLATIVE SESSION: 2 FEB 16 THROUGH 16 MAY 16*

Alabama has a one-year session. Adjournment dates are estimated and updated based on legislative activity.

### *PROPOSED RULES*

**GENERAL NPDES PERMIT FOR STORMWATER DISCHARGES FROM REGULATED CONSTRUCTION ACTIVITIES** The Alabama Department of Environmental Management has [announced](#) a public hearing to consider the department's proposal to reissue the statewide General National Pollutant Discharge Elimination System (NPDES) Permit ALR100000, regulating stormwater discharges from regulated construction activities to waters of the state of Alabama. The hearing date and comment deadline are 17 FEB 16.



## *2016 LEGISLATIVE SESSION: 12 JAN 16 THROUGH 11 MAR 16*

Florida has a one-year session. Adjournment dates are estimated and updated based on legislative activity.

### *LEGISLATION*

**HB 285, ALTERNATIVE FUELS** Authorizes the Florida Department of Agriculture and Consumer Services to receive additional applications from certain natural gas fuel fleet vehicle rebate applicants and to use certain funds to award additional rebates. Last action: House first reading 12 JAN 16. **REEO-S Note:** The rebate program perhaps benefits National Guard facilities that utilize state-registered vehicles.

**HB 351, SITE REMEDIATION** Defines background concentration and long-term natural attenuation. It also requires the Florida Department of Environmental Protection (FLDEP) to include protocols for use of long-term natural attenuation where site conditions warrant, requires that specified interactive effects of contaminants be considered as cleanup criteria, revises how cleanup target levels are applied for surface waters exposed to contaminated groundwater, authorizes use of relevant data and information when assessing cleanup target levels, provides that institutional controls are not required under certain circumstances if alternative cleanup target levels are used, and provides additional contamination cleanup criteria for brownfield sites and brownfield areas. Last action: House first reading 25 JAN 16. **REEO-S Note:** Similar measures are introduced each legislative session with limited success. If enacted, the measure could provide additional flexibility when conducting site remediation.

**HB 589, WATER WITHDRAWALS** Prohibits water management districts from modifying or reducing consumptive use permit allocations under certain circumstances. Among other provisions, it directs districts to adopt rules providing water conservation incentives, revises eligibility requirements for specified license examination, exempts certain constructed clay settling areas from reclamation rate and financial responsibility requirements, and directs FLDEP to adopt classification to protect surface waters used for treated potable water supply. Last action: House referred to committee 28 JAN 16. **REEO-S Note:** This measure could bring about needed clarity for DOD facilities engaged in conservation efforts and securing water rights under state law. The impact of water conservation on water rights is an issue of interest to DOD so we will follow the progress of this bill. It may also serve as an example for other states in the region, when presented with this issue.

**HB 687, RENEWAL ENERGY TECHNOLOGIES** Restricts the manner in which counties and municipalities regulate renewable energy devices. Among other provisions, it exempts specific entities from Florida Public Service Commission regulation, authorizes local renewable energy suppliers to sell local renewable energy to certain end users, specifies conditions under which certain end users may interconnect with local renewable energy suppliers or local electric utilities, and provides conditions under which local renewable energy suppliers may interconnect. Last action: House introduced 12 JAN 16. **REEO-S Note:** As currently drafted, this measure would clarify state utility law by specifically exempting "local renewable energy supplier who exclusively produces or sells local renewable energy" from the definition of a "public utility." The result would be that third-party power purchase agreements could then be utilized to develop renewable energy projects at DOD facilities.

**HB 803, CULTURAL RESOURCES** Directs the Division of Historical Resources of the Florida Department of State to implement a program to administer discovery of certain historic and archaeological artifacts. The measure provides program requirements and directs the division to adopt rules. Last action: House referred to committee 21 JAN 16. **REEO-S Note:** The impact of this measure is currently being assessed to determine whether the DOD REC will comment on certain aspects of the bill.

**HB 851, WATER SUPPLIES AND PLANNING** Requires FLDEP to include protocols for use of long-term natural attenuation where site conditions warrant. Among other provisions, it requires specified interactive effects of contaminants to be considered as cleanup criteria, revises how cleanup target levels are applied where surface waters are exposed to contaminated groundwater, authorizes use of relevant data and information when assessing cleanup target levels, and provides that institutional controls are not required under certain circumstances if using alternative cleanup target levels. Last action: House placed on calendar 21 JAN 16. **REEO-S Note:** Similar to other measures introduced this session and during previous legislative sessions. The bill could provide additional flexibility for DOD activities engaged in remediation activities around the state.

**HB 1159 (SB 1400), DRINKING WATER SUPPLIES AND PLANNING** Establishes a Water Oversight and Planning Board to address state water issues. Provides membership for board and duties; requires board to submit long-range plans to FLDEP, water management districts, governor, and Legislature; requires board to provide findings and recommendations to governor and Legislature. Last action: House referred to committee 13 JAN 16. (Senate referred SB 1400 to committee 14 JAN 16.) **REEO-S Note:** If the measure is enacted, the activities of this entity should be monitored, especially as those activities relate to water supply. Questions of federal facility water rights in the eastern U.S. has not been thoroughly addressed, potentially leading to concerns arising in times of drought or other events impacting water availability.

**HB 1223 (SB 1544), STORMWATER SUPPLIES AND PLANNING** Creates interagency workgroup to share information, coordinate ongoing efforts, and collaborate on initiatives relating to weather events. Among other provisions, the measure requires specified agencies to participate in the workgroup, designates the Florida Division of Emergency Management director or designee as liaison and workgroup coordinator, and requires the workgroup to prepare an annual report for the governor and Legislature. Last action: House referred to committee 15 JAN 16. (Senate placed SB

1544 on committee agenda 27 JAN 16.) **REEO-S Note:** This measure and its companion bill SB 1544 may be of interest to DOD activities that may provide support through coordination with the Florida Department of Military Affairs.

**SB 552 (HB 7005), WATER WITHDRAWALS** Creates the "Florida Springs and Aquifer Protection Act." It requires FLDEP to publish, update, and maintain a database of conservation lands, authorizes certain water management districts (WMDs) to designate and implement pilot projects, and prohibits WMDs from modifying permitted allocation amounts under certain circumstances. Last action: Approved by governor 21 JAN 16. (House substituted SB 552 for HB 7005 14 JAN 16.) **REEO-S Note:** The bill is similar to other measures that have been introduced this session, which seek to promote water conservation by protecting allocated amounts of water that are provided pursuant to a state-issued consumptive use permit (CUP). May provide assurance to DOD facilities that have been issued CUPs and are implementing water conservation measures.

**SB 1052, WATER SUPPLIES AND PLANNING** Prohibits WMDs from modifying or reducing CUP allocations if actual water use is less than permitted water use due to water conservation measures or specified circumstances. It also requires FLDEP to adopt by rule a specific surface water classification to protect surface waters used for treated potable water supply. Last action: Senate pending reference review 21 JAN 16. **REEO-S Note:** The bill is similar to several other measures that have been introduced in Florida this session. It seeks to promote water conservation by locking in amounts allocated pursuant to a CUP.

**SB 1188, LAND USE PLANNING** Provides that a representative of a military installation is not required to file a specified statement of financial interests due solely to service on a local land planning or zoning board. Last action: Senate referred to committee 27 JAN 16. **REEO-S Note:** This measure seeks to eliminate further action by local officials who are demanding Community Planning and Liaison Officers (CPLOs) and other military installation representatives file financial disclosures and assessing penalties against those personnel who have been advised not to file by service counsel. There have been two instances so far in which base personnel have faced penalties for not filing financial disclosure reports with local officials.

**SB 1272, RENEWABLE ENERGY PRODUCTION CREDIT** Amends existing state law by, deleting the time limit for the renewable energy production credit against the corporate income tax, revising the total amount of tax credits that may be granted to taxpayers per state fiscal year, and revising the permissible use of certain unallocated credit amounts. Last action: on Senate committee agenda 28 JAN 16. **REEO-S Note:** In addition to rescinding the sunset provision, this measure would increase the total available tax credits to \$15 million per fiscal year. It may help to encourage development of additional renewable energy supporting DOD activities in the state.

**SB 1290, LAND USE PLANNING** Authorizes the Board of Trustees of the Internal Improvement Trust Fund to waive certain requirements and rules and substitute procedures relating to the acquisition of state lands under certain conditions. Provides for public agencies and nonprofit organizations to enter into written agreements with FLDEP rather than the Division of State Lands to purchase and hold property for subsequent resale to the board rather than the division. Also provides for the use of alternatives to fee simple acquisition by public land acquisition agencies. Last action: Senate introduced 12 JAN 16. **REEO-S Note:** This measure concerns requirements for acquisition of land for conservation purposes. Provisions involving military compatible use lands, or Readiness and Environmental Protection Initiative (REPI) projects, remain unchanged.

## *FINAL RULES*

**FEDERAL AIR POLLUTION REGULATIONS ADOPTED BY REFERENCE** (62-204.800) FLDEP has [adopted amendments](#) to 62-204.800, F.A.C. The amendments update the department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Parts 52, 63 and 70, to incorporate requirements of the department's federally approved and delegated air pollution programs. The rules became effective on 7 JAN 16.

**WATER QUALITY CREDIT TRADING RULE** (62-306.100, .200, .300, .400, .500, .600, .700, .800) FLDEP has [adopted rulemaking](#) to update the Water Quality Credit Trading Rule in Chapter 62-306, F.A.C., pursuant to Chapter 2013-146, Laws of Florida. The proposed rule revisions 1) allow trades between two nonpoint sources, in which case trades are authorized by revision of the applicable basins with adopted basin management action plans (BMAPs) or reasonable assurance plans (RAPs); 2) require that, to allow trading, the BMAP or RAP include detailed allocations to point sources and detailed or categorical allocations to nonpoint sources; 3) allow trading within the boundaries of hydrologically connected BMAPs or RAPs; 4) establish a process for credit generators to submit information to obtain pre-approval of the generation of credits; and 5) clarify that Uncertainty Factors are not required when estimating credits if the nutrient reduction capability of the proposed activity has been established in the BMAP or RAP. The rule revisions became effective on 11 JAN 16.

**DOMESTIC WASTEWATER FACILITIES** (62-600) FLDEP has adopted rulemaking to amend Chapter 62-600, F.A.C., to update, clarify, and eliminate redundancy in requirements applicable to domestic wastewater facilities. The adopted [rules](#) simplify and clarify requirements, correct rule references, and are consistent with recently adopted rules and statutory requirements. Rules are repealed where requirements are obsolete, duplicative of other rules or statutory requirements, or have been superseded by other rules or statutory requirements. As part of this rulemaking effort, some requirements from Chapter 62-601, F.A.C., Domestic Wastewater Treatment Plant Monitoring, are incorporated into Chapter 62-600, F.A.C. Chapter 62-601, F.A.C., is proposed for repeal simultaneously with the adoption of the amendments to Chapter 62-600, F.A.C. A notice of Rule Filing was published on 26 JAN 16. The rules are effective on 8 FEB 16.

## *PROPOSED RULES*

**DESIGNATION OF SPECIES OF SPECIAL CONCERN** (68A-27.005) The Fish and Wildlife Conservation Commission has proposed revisions to 68A-27.005, F.A.C., to implement species status changes found warranted by the commission and to remove language referring to a moratorium that is no longer in effect. The commission's imperiled species rules were significantly revised in 2010, and as a result, all then listed species that had not had their status recently reviewed were evaluated against the listing criteria. Based on these evaluations, staff made listing status recommendations to the Commission. The commission approved these recommendations in June 2011. However, as specified by rule, any listing status changes were not to be implemented until a management plan for the species was approved. The Imperiled Species Management Plan covering these species is being approved concurrently with the rule revision. The revision includes reclassifying 23 species from Species of Special Concern to State designated Threatened and adding them to the Florida Endangered and Threatened Species List, and reclassifying 13 species from Species of Special Concern to unlisted and removing them from the list. A [Notice of Proposed Rule](#) was published on 13 JAN 16, and hearings are 13-14 APR 16.

**TRIENNIAL REVIEW OF STATE SURFACE WATER QUALITY STANDARDS** (62-303.100, 150, 200, 300, 310, 320, 330, 350, 351 - 354, 360, 370, 380, 390, 400, 420, 430, 450, 460, 470, 480, 500, 600, 700, 710, 720) As required by the federal Clean Water Act, FLDEP is initiating the Triennial Review of state surface water quality standards. The department is considering [revisions to specific rule sections](#) at this time; however, all surface water quality standards in Chapter 62-4, Chapter 62-302 and Chapter 62-303, F.A.C., are under review and may be revised as part of Triennial Review. The department proposes to revise certain parts of Chapter 62-303, F.A.C., to provide additional clarity on procedures used to assess state surface waters. A [Notice of Correction was](#) published on 8 JAN 16.





## *2016 LEGISLATIVE SESSION: 11 JAN 16 THROUGH 31 MAR 16*

Georgia has a two-year session (2015-2016) with 2015 bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity.

### *LEGISLATION*

**HB 693, GEORGIA LEGACY TRUST FUND** Creates the Georgia Legacy Trust Fund, relating to conservation and natural resources. Among other provisions, it would create funding mechanisms for the protection and preservation of conservation land and provide for their operation, and establish procedural requirements for approval of project proposals. Last action: House second reading 11 JAN 16. **REEO-S Note:** The measure could support REPI initiatives. Among other provisions, this measure specifically provides for funding of acquisition costs associated with conservation easements.

**HR 1135, BRAC** This resolution creates the House Study Committee on Base Realignment and Closure (BRAC). Last action: House second reading 26 JAN 16.



## *2016 LEGISLATIVE SESSION: 5 JAN 16 THROUGH 12 APR 16*

Kentucky has a one-year session. Adjournment dates are estimated and updated based on legislative activity.

### *LEGISLATION*

**HB 106, CHEMICAL MUNITIONS DISPOSAL** Proposed amendments delete references to gaps in information on the acute and chronic health effects of exposure to compounds used in chemical munitions. The bill requires that, after the compounds in chemical munitions are treated to specific treatment or destruction values set by law or by the Energy and Environment Cabinet, the Energy and Environment Cabinet will reclassify the residual wastes to ensure proper management and disposal. Last action: House introduced 5 JAN 16. **REEO-S Note:** The Bluegrass facility may be the target of this measure. The proposed changes appear to be of limited practical significance. We will continue to monitor progress and report on any implications.

**HB 208, OPEN BURNING** Among other provisions, requires the Energy and Environment Cabinet to promulgate administrative regulations no later than 15 JUL 17 to develop a comprehensive prescribed fire program and training. Requires approval of a prescribed fire plan by the Division of Forestry prior to a burn; provides liability coverage for prescribed fires conducted by state employees as a part of their employment duties; and declares prescribed fire use as in the public interest and not a nuisance to the public. Last action: House referred to committee 11 JAN 16. **REEO-S Note:** DOD activities should not be subject to the provisions contained in this measure. However, DOD activities may participate in prescribed fire permitting or coordination to the extent that the main purpose of the permitting or coordination is to provide requested fire data to state officials in the context of facilitating compliance with Clean Air Act smoke management planning or substantiating EPA Exceptional Events Rule application.

**SB 119, MILITARY MUNITIONS** Deletes references to gaps in information on the acute and chronic health effects of exposure to compounds used in chemical munitions. Requires that, after compounds in chemical munitions are treated to specific destruction values set by law or by the Energy and Environment Cabinet, the Energy and Environment Cabinet

will reclassify the residual wastes to ensure proper management and disposal. Last action: Senate referred to committee 25 JAN 16. **REEO-S Note:** This measure includes some apparently minor revisions or clarifications as to the chemical munition demilitarization activities at Bluegrass Depot.



## *2016 LEGISLATIVE SESSION: 5 JAN 16 THROUGH 8 MAY 16*

Mississippi has a one-year session. Adjournment dates are estimated and updated based on legislative activity.

### *PROPOSED RULES*

**PHASE II MS4** The Mississippi Department of Environmental Quality has [invited comment on its proposal](#) to reissue the statewide Phase II Municipal Separate Storm Sewer System (MS4). The MS4 Phase II General Permit covers the state of Mississippi and authorizes the discharge of stormwater runoff into waters of the state from small MS4s, as defined in 40 CFR 122.26(b)(16). Reissuance will allow the continued discharge of stormwater from small MS4s for an additional five-year period. The general permit will replace the previous general permit that expired 31 DEC 13. The draft permit was issued on 19 JAN 16 and comments are due by 17 FEB 16.



## *2016 LEGISLATIVE SESSION: 25 APR 16 THROUGH 30 JUN 16*

North Carolina has a two-year session (2015-2016) with 2015 bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity.

### *PROPOSED RULES*

**CAMA LAND USE PLANNING PROGRAM** (15A NCAC 07B .0801, .0804, .0601, .0701, .0702, .0802, .0803; 15A NCAC 07L .0102, .0502-.0504, .0505-.0514, .0601-.0603, .0701-.0705) The North Carolina Coastal Resources Commission is [proposing amendments](#) to the Coastal Area Management Act (CAMA) Land Use Planning Program and the Planning and Management Grant Program. The amendments include increased flexibility for plan content and format; clarification that updates and amendments are voluntary; a new process option for CAMA Major Permit Review; streamlined plan approval, amendment, and update processes; and integrated planning efforts.

**NATIONAL POLLINATOR PROTECTION STRATEGY** (02 NCAC 09L .1009) The North Carolina Department of Agriculture and Consumer Services has [proposed to amend the rule](#) Notification of Apiaries. EPA issued a national pollinator protection strategy on 19 MAY 15. Changes are necessary to keep North Carolina rules consistent with the federal strategy, as well as with new federal neonicotinoid pesticide labeling requirements for notification of beekeepers prior to pesticide application to protect pollinators.

**NON-UST PETROLEUM RELEASES** (15A NCAC 02L .0501 - .0515) The North Carolina Department of Environment and Natural Resources has [proposed rulemaking](#) to adopt procedures for Risk-based Assessment and Corrective Action for Non-Underground Storage Tank (UST) Petroleum Releases. The Environmental Management Commission has received a petition for rulemaking and the Division of Waste Management has taken comments from stakeholders who maintain it is inconsistent to require risk-based remediation for only petroleum contamination from petroleum underground storage tanks. The new requirements would also require risk-based remediation for above ground petroleum storage tanks.



## *2016 LEGISLATIVE SESSION: 12 JAN 16 THROUGH 2 JUN 16*

South Carolina has a two-year session (2015-2016), with bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity.

### *LEGISLATION*

**HB 3874, RENEWABLE ENERGY** Provides for an income tax credit to an individual or business that constructs, purchases, or leases renewable energy property and places it in service in South Carolina. The bill also defines "renewable energy property." Last action: Passed House 28 JAN 16. **REEO-S Note:** This measure would provide a 35% tax credit for renewable energy project development. The utility of the measure is somewhat limited but could encourage small-scale renewable energy development. The measure seems to have good bipartisan support, so may be enacted during 2016 session.

**HB 4641, ENVIRONMENTAL CONTROL** Among other provisions, abolishes the Department and Board of Health and Environmental Control, and transfers environmental responsibilities of the Department of Health and Environmental Control to the Division of Environmental Control of the Department of Agriculture. Last action: House referred to committee 12 JAN 16.

### *PROPOSED RULES*

**WELL STANDARDS (61-71)** The South Carolina Department of Health and Environmental Control has [proposed amendments](#) to the well standards regulation. The regulation contains the minimum standards for the construction, maintenance, and operation of boreholes and individual residential, irrigation, and monitoring wells (including non-standard installations) to ensure that underground sources of drinking water are not contaminated and public health is protected. The purpose of the amendment is for R.61-71 to be consistent with R.61-56, Onsite Wastewater Systems, and to clarify that it applies to injection wells as specified in R.61-87, Underground Injection Control Regulations.



## *2016 LEGISLATIVE SESSION: 12 JAN 16 THROUGH 20 APR 16*

Tennessee has a two-year session (2015-2016) with bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity. The current session adjourned on 4 JUN 15.

### *LEGISLATION*

**HB 1438 (SB 1553), MILITARY SECURITY** Enacts the "National Guard Force Protection Act of 2016," which requires certain security enhancements at National Guard facilities. Last action: House sponsors added 14 JAN 16 (Senate referred SB 1553 to committee 13 JAN 16). **REEO-S Note:** This measure may include direct or indirect funding implications for the National Guard Bureau.

**HB 1892 (SB 1830), WATER QUALITY STANDARDS** Requires that general permits issued under the Water Quality Control Act be no more restrictive than federal requirements for management storm water post construction. Also requires that provisions of certain general permits be promulgated in rule form prior to implementation. Last action: House (and Senate) introduced 21 JAN 16.



**HB 2163, ECOSYSTEM MANAGEMENT** Makes various changes to state soil conservation committee and soil conservation districts: adds ex officio member to committee, clarifies the duties of the committee and districts, establishes a new process for filling vacancies of district supervisors, and authorizes districts to borrow money. Last action: House filed for introduction 21 JAN 16.

**HB 2346 (SB 1669), MUNITIONS AND SERVICE MEMBERS** Confers civil immunity on a member of the National Guard who has a handgun carry permit, is authorized by the military to carry a personal handgun, and uses the handgun in justifiable self-defense. Last action: House filed for introduction 21 JAN 16 (Senate referred SB 1669 to committee 21 JAN 16).

**HR 139, MUNITIONS AND SERVICE MEMBERS** Urges Congress to revise law and policy regarding the carrying of firearms by military service members on military installations. Last action: House filed for introduction 19 JAN 16.

**SB 2357, LAND USE PLANNING** Enacts the "Dam Safety Act" to prohibit the issuance of a permit to conduct surface mining on land that is located within one mile of a dam operated by the U.S. Army Corps of Engineers (USACE). Last action: Senate filed for introduction 21 JAN 16.

## *FINAL RULES*

**CONSTRUCTION AND ANNUAL EMISSION FEES** (1200-03-26-.02) The Tennessee Department of Environment and Conservation (TDEC) has adopted amendments to Construction and Annual Emission Fees. Section 502(b)(3)(A) of the Clean Air Act requires Tennessee, as a state approved by the EPA to administer a Title V major source operating permit program, to collect an annual fee sufficient to cover all reasonable costs required to develop and administer the permit program requirements. The [rulemaking](#) amends Tenn. Comp. R. & Regs. 1200-03-26-.02, to impose on major sources a minimum annual fee, instead of a base fee, of \$7,500. The rule is amended to increase the per ton fee for non-electric utility generating units (EGU) major sources by \$4.00 and decrease the per ton fee for EGU major sources by \$6.50, based upon either actual emissions, permitted allowable emissions, or a combination of actual and allowable emissions. The rules are effective on 5 APR 16.

## *PROPOSED RULES*

**ENDANGERED PLANT LIST** (0400-06-02-.04.) TDEC has [proposed rulemaking](#) to update the endangered plant list in Rule 0400-06-02-.04 by removing, adding, and correcting names that appear on the current list. Comments are due and a hearing will be held 18 MAR 16.

# Department of Defense Activity

**CHEMICAL AGENT SECURITY** DOD reissued Department of Defense Instruction (DODI) [5210.65](#), Security Standards for Safeguarding Chemical Agents. The DODI, effective 19 JAN 16, establishes policy, assigns responsibilities, and provides procedures for execution of the DOD Chemical Agent Security Program and the physical security, information security, and personnel reliability for Schedule 1 chemicals (i.e., chemical agents) in the possession of the DOD. The DODI applies to the Office of the Secretary of Defense, Military Departments, Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, Combatant Commands, Office of the Inspector General of the Department of Defense, Defense Agencies, DOD Field Activities, and all other organizational entities within the DOD that possess chemical agents used for research, medical, pharmaceutical, training, or protective purposes. It does not apply to recovered chemical warfare materiel or chemical agent samples, wastes, or material recovered from former destruction, storage, or production facilities.

**MICHAEL F. MCGHEE TO LEAD DOD'S OFFICE OF ENERGY INITIATIVES' RENEWABLE ENERGY EFFORTS** The Assistant Secretary of the Army for Installations, Energy and Environment, the Honorable Katherine Hammack, [announced](#) Mr. Michael McGhee as the new executive director of the U.S. Army Office of Energy Initiatives (OEI). McGhee previously served as the Acting Deputy Assistant Secretary (DAS) of the Air Force for Energy, Environment, Safety and Occupational Health (EESOH) for two years and was the Principal Director for Policy to the DAS-EESOH, in the Pentagon for the past 10 years.

**STRATEGIC SUSTAINABILITY PERFORMANCE PLAN** DOD released the [FY 2015 update](#) to its Strategic Sustainability Performance Plan, which was first released in [2010](#). The update establishes the path by which DOD will advance its mission by ensuring the longevity of critical resources; minimizing long-term costs; addressing environmental, safety, and occupational health considerations; and advancing technologies and practices that further the department's sustainability goals through 2025 and beyond.

**DOD NET ZERO PROGRAM EVALUATION** The Government Accountability Office (GAO) evaluated the DOD's Net Zero efforts and issued a report ([GAO-16-153R](#)). GAO found that DOD has not established an integrated net zero strategy or policy for achieving net zero. DOD officials stated that DOD has not established an integrated strategy because until recently there had been no statutory goals regarding net zero. As of September 2015, officials stated that DOD is working on implementation guidance to address the net zero goals included in [Executive Order 13693](#), *Planning for Federal Sustainability in the Next Decade*, issued 19 MAR 15, and it expects to issue the guidance in 2016. According to the GAO report, DOD officials say no military department has established net zero as a funded program. Instead, the services have established broad net zero goals or initiatives, such as the Army net zero program. Army officials described the Army's net zero efforts, in part, as an awareness campaign intended to generate interest in conservation and sustainability at the installation level.

GAO also found that DOD has not fully identified potential costs of implementing net zero initiatives, although it has conducted some studies to establish baselines and assess feasibility and costs. Service officials told GAO they believe that fully achieving net zero is unrealistic and ultimately cost prohibitive. However, they also stated that net zero can help generate interest in conservation and sustainability and that successful sustainability and conservation projects help support net zero goals. The FY16 National Defense Authorization Act required GAO to review DOD progress and savings from net zero initiatives.

**FOOD WASTE COMPOSTING PILOT STUDY** The USACE Engineer Research and Development Center conducted a pilot study of food waste composting at an Army installation. The objectives of the study were to:

- Investigate organic waste treatment technologies to identify those most appropriate to an Army installation setting;
- Select the organic waste treatment technology best suited to Fort Leonard Wood, Mo.; and
- Demonstrate food waste composting at the installation and formulate "lessons learned" for application of organic waste composting at other sites.

Nationally, less than three percent of food waste is composted. Most Army installations have landscape waste collection and recycling capabilities or contractual arrangements with nearby recyclers so very little landscape waste is actually landfilled or incinerated, but is instead composted to provide valuable soil amendments and fertilizers. The pilot study evaluated issues associated with adding food waste to landscape waste composting efforts. Although the demonstration focused specifically on wastes generated at Fort Leonard Wood, Mo., the results are broadly applicable to organic waste composting at DOD installations worldwide. Click [here](#) to view the report.

# Federal Activity

## AIR

**INTEGRATED SCIENCE ASSESSMENT FOR NITROGEN OXIDES: HEALTH CRITERIA** The EPA released the final [Integrated Science Assessment for Oxides of Nitrogen-Health Criteria \(81 FR 4910\)](#). The document was prepared as part of the review of the primary (health-based) national ambient air quality standards (NAAQS) for nitrogen dioxide (NO<sub>2</sub>). The agency is developing a separate assessment and conducting a separate review for the secondary (welfare-based) NAAQS for NO<sub>2</sub>, in conjunction with a review of the secondary NAAQS for sulfur dioxide (SO<sub>2</sub>). For more information, click [here](#).

## CLIMATE CHANGE

**GHG REPORTING RULE** EPA is proposing amendments to the Greenhouse Gas (GHG) Reporting rule ([81 FR 2535](#)). The amendments are intended to streamline and improve rule implementation, improve the quality and consistency of data collected under the rule, and clarify or provide minor updates to certain provisions that have been the subject of questions from reporting entities. Comments are due 29 FEB 16.

**HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS - INVENTORY TRACKING** To implement executive branch policy in the President's Climate Action Plan to procure, when feasible, alternatives to high global warming potential hydrofluorocarbons, a proposed rule published 11 MAY 15 would modify Federal Acquisition Regulation provision 52.223-11, Ozone- Depleting Substances, and 52.223-12, Refrigeration Equipment and Air Conditioners ([80 FR 81328](#)).

## CULTURAL RESOURCES

**NATIVE AMERICAN POLICY** The Fish and Wildlife Service (FWS) issued a new [Native American Policy](#), which replaces the 1994 policy ([81 FR 4638](#)). The purpose of the policy is to carry out the United States' trust responsibility to Indian tribes by establishing a framework on which to base FWS continued interactions with federally recognized tribes and Alaska Native Corporations. The policy recognizes the sovereignty of federally recognized tribes; states that the service will work on a government-to-government basis with tribal governments; and includes guidance on co-management, access to and use of cultural resources, capacity development, law enforcement, and education. The final policy was effective 20 JAN 16.

## ENERGY

**SUPREME COURT VALIDATES DEMAND RESPONSE ENERGY MARKET** In the case, [FERC v. Electric Power Supply Association](#), the Supreme Court determined in January that demand response can participate in wholesale electricity markets, based on rules structured by the Federal Energy Regulatory Commission (FERC). Demand response is a loosely defined term that describes any way of deploying timely reductions in energy demand in response to changing grid conditions. In unregulated energy markets, companies that organize these reductions are called "demand response aggregators." They are like power generators, only they sell not-power, or "[negawatts](#)." The [ruling](#) is expected to give demand response — a way of coordinating people to not use energy at certain times — a huge boost, which in turn is expected to reduce carbon emissions and the price of electricity. For more information, click [here](#) or [here](#).

**AUTOMOTIVE ALTERNATIVE FUEL RATINGS, CERTIFICATION, AND DISPENSER LABELING** The Federal Trade Commission issued a final rule adopting rating, certification, and labeling requirements for certain ethanol-gasoline blends ([81 FR 2053](#)). The amendments require that entities rate all ethanol fuels to provide useful information to consumers about ethanol concentration and suitability for their cars and engines. Retailers must post such information on fuel dispensers.

The final rule, effective 14 JUL 16, specifies exact fuel dispenser label requirements, dependent on the amount of ethanol present in the fuel being dispensed.

**ENERGY AND WATER EFFICIENCY PROGRAMS - COVERED CATEGORIES LISTING** Department of Energy (DOE) has posted a consolidated listing of product categories covered by Energy Star efficiency, green electronics, low standby power, and WaterSense requirements.

**REFRIGERATED BEVERAGE VENDING MACHINES - ENERGY CONSERVATION STANDARDS** DOE has issued a final rule amending the energy conservation standards for Class A and Class B beverage vending machines ([81 FR 1027](#)). The new standards will increase efficiency by 16 percent averaged between the various classes of vending machines. DOE is amending the definition of combination vending machine, is defining two new classes of combination vending machines, Combination A and Combination B, and is promulgating standards for those new classes. DOE is also amending the definition for Class A equipment to more unambiguously differentiate Class A and Class B beverage vending machines. Compliance by manufacturers is required on and after 8 JAN 19.

**COMMERCIAL PACKAGE AIR CONDITIONING AND HEATING EQUIPMENT AND WARM AIR FURNACES** DOE has formally issued the final rule addressing energy conservation standards for commercial package air conditioning and heating equipment and commercial warm air furnaces ([81 FR 2419](#)). DOE also refers to the "air-cooled commercial package air conditioning and heating" group of equipment as air-cooled commercial unitary air conditioners and heat pumps (CUAC and CUHP). DOE estimates a national average savings of 24 percent relative to the energy use of these products in the no-new-standards case for CUAC and CUHP equipment purchased in 2018-2048 time range.

## ***HAZARDOUS MATERIALS***

**SAFE TRANSPORTATION OF BULK EXPLOSIVES** Department of Transportation is amending the Hazardous Materials Regulations by establishing standards for the safe transportation of explosives on cargo tank motor vehicles and multipurpose bulk trucks transporting materials for commercial blasting operations ([80 FR 79423](#)).

## ***NATURAL RESOURCES***

**NATIONAL COASTAL CONDITION ASSESSMENT** EPA released the final [National Coastal Condition Assessment 2010](#) ([81 FR 3409](#)). The assessment describes the results of a nationwide coastal probabilistic survey that was conducted in the summer of 2010 by EPA and its state, tribal, and federal partners. Results include estimates of coastal area with good, fair, and poor biological quality, water quality, sediment quality, and ecological fish tissue quality. Results are presented nationally and regionally for the Northeast, Southeast, Gulf of Mexico, West, and Great Lakes coasts. The report finds that more than half of the nation's coastal and Great Lakes nearshore waters are rated in good condition for biological and sediment quality, approximately one third are rated in good condition for water quality, and that less than one percent are rated in good condition based on the potential harm that fish tissue contaminants pose to predator fish, birds, and wildlife. The report also finds that excessive phosphorus is the greatest contributor to the poor water quality rating and that selenium is the greatest contributor to the poor rating for potential harm to predator fish, birds, and wildlife from fish tissue contaminants.

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

**NORTHERN LONG-EARED BAT** FWS finalized a rule that provides for conservation of the [long-eared bat](#) (*Myotis septentrionalis*) ([81 FR 1900](#)). The rule, allowed under section 4(d) of the Endangered Species Act (ESA), was designed to provide maximum benefit to the species while providing reasonable limits to regulations. The final rule is designed to protect bats when they are most vulnerable, including when they occupy hibernacula and during the two-month pup-rearing season from June through July. The greatest potential restrictions are during these months, with reduced restrictions at all other times. The final rule affects tree removal and timber harvesting in certain locations and/or times of the year. Populations of northern long-eared bats have drastically declined due to white-nose syndrome, which has

an estimated mortality rate of between 95-100 percent in hibernating bats and has killed an estimated 5.5 million bats in the Northeast, Southeast, Midwest, and Canada. The final rule is effective 28 FEB 16.

**ALL SALAMANDERS ADDED TO LIST OF INJURIOUS AMPHIBIANS** FWS issued an interim rule adding all 201 species of salamanders to the list of injurious amphibians ([81 FR 1534](#)). With this interim rule, both importation into the U.S. and interstate transportation between states, the District of Columbia, the commonwealth of Puerto Rico, or any territory or possession of the U.S. of any live or dead specimen, including parts, of the 20 genera of salamanders are prohibited, except by permit. The rule is intended to protect against the establishment and spread of the chytrid fungus [Batrachochytrium salamandrivorans](#) into ecosystems of the U.S. The interim rule was effective 28 JAN 16. Comments are due 14 MAR 16.

**WHITE TIPPED SHARK** The National Marine Fisheries Service (NMFS) announced it will conduct a status review of the oceanic [white-tipped shark](#) (*Carcharhinus longimanus*) to determine if listing is warranted ([81 FR 1376](#)). The shark is a large, highly migratory oceanic species of shark, and is one of the most widespread shark, found throughout the world in epipelagic tropical and subtropical waters between 30°N and 35°S latitude. In the Western Atlantic, oceanic whitetips occur from Maine to Argentina, including the Caribbean and Gulf of Mexico. Oceanic whitetips are also found throughout the western and central Pacific, including the Hawaiian Islands south to the Samoa Islands. In the eastern Pacific, the species can be found from southern California to Peru, including the Gulf of California and Clipperton Island. Comments are due 14 MAR 16.

**NORTH ATLANTIC RIGHT WHALE** NMFS issued a final rule expanding critical habitat for endangered [North Atlantic right whales](#) to cover its northeast feeding areas in the Gulf of Maine/Georges Bank region and southeast calving grounds from North Carolina to Florida ([81 FR 4837](#)). The final rules does not exclude any particular area from the final critical habitat. For more information, click [here](#). To view a report prepared under ESA Section 4(b)(2), click [here](#).

## Toxics

**2014 TOXIC RELEASE INVENTORY** EPA posted the [2014 Toxic Release Inventory \(TRI\) Data](#) online. The data show a six percent decrease in total disposal or other releases to the environment from 2013 to 2014. Air releases from industrial facilities decreased by 4 percent during this period, mainly due to decreases from chemical manufacturing facilities and electric utilities. To view a press release about the inventory report, click [here](#). EPA's TRI website is available [here](#).

**DRAFT GUIDELINES FOR HUMAN EXPOSURE ASSESSMENT** EPA announced a 45-day public comment period for the external review draft of the [Guidelines for Human Exposure Assessment](#) ([81 FR 774](#)). The current guidance document for human exposure assessment was published in 1992, reflecting the state-of-the-science in the 1970s and 1980s. Since its publication, the field of exposure science has undergone significant transformation in methods and approaches. EPA programs have incorporated many of these advances into their policies and practices. The exposure guidelines are being revised and updated to reflect these changes. The agency is seeking public comment on the draft exposure guidelines prior to external peer review. Comments are due 22 FEB 16.

**LEAD PAINT TEST KITS** EPA is requesting comment on lead test kits and other field testing options to determine the absence of lead-based paint by virtue of a negative result ([80 FR 79335](#)). The 2008 Lead Renovation, Repair, and Painting rule established negative response and positive response criteria for lead test kits recognized by EPA. No lead test kit has been developed that meets the positive response criterion.

**SELECT AGENTS AND TOXINS - BIENNIAL REVIEW OF LISTS** The Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) released a proposed rule to amend and republish the list of select agents and toxins that have the potential to pose a severe threat to animal or plant health or animal or plant products ([81 FR 2762](#)). APHIS proposes to delete five agents, to add additional biocontainment and biosafety language, and add definitions for inactivation and kill curve. Separately, the Health and Human Services, Centers for Disease Control and Prevention also proposes to [add definitions](#) for inactivation and kill curve, and to delete six agents from the list of agents that pose a



threat to public health and safety. Some agents overlap between the two lists. In the proposed language, select agents can include waste generated during the delivery of patient care of a patient infected with a select agent.

**FOOD WRAPPER CHEMICALS BANNED** The Food and Drug Administration will no longer allow three specific perfluoroalkyl ethyl substances on food wrappers ([81 FR 5](#)). The rulemaking was in response to a petition. The rule is effective 4 JAN 16. Objections were due 3 FEB 16.

## *WASTE*

**CONSENT-BASED SITING OF NUCLEAR WASTE STORAGE AND DISPOSAL FACILITIES** DOE held a public meeting in January to discuss next steps toward implementing a consent-based siting process for nuclear waste storage and disposal facilities ([81 FR 1408](#)). In a consent-based siting approach, DOE will work with communities, tribal governments, and states across the country that express interest in hosting any of the facilities identified as part of an integrated waste management system. For more information, click [here](#).

## *WATER*

**OBAMA VETOES RESOLUTION SEEKING TO OVERTURN CLEAN WATER RULE** President Obama vetoed a congressional resolution that would have overturned the EPA/USACE Clean Water Rule (definition of Waters of the United States). For more information, click [here](#). To view the President's veto message, click [here](#).

**PUBLIC-PRIVATE INNOVATION STRATEGY TO BUILD A SUSTAINABLE WATER FUTURE** The Obama Administration [announced](#) a new public-private water innovation strategy. This strategy includes an aggressive two-part approach led by federal agencies to address the impacts of climate change on the use and supply of the nation's water resources and calls on private sector and other stakeholder groups to help significantly scale up research and investment in water efficiency solutions. The administration's new water innovation strategy calls for:

- Boosting water sustainability and long-term water security by increasing use of water-efficient and -reuse technologies; and
- Promoting and investing in breakthrough research and development that will reduce the price, energy costs, and emissions requirements of new water supply technology to achieve "pipe parity" in the next decade.

To kick-start the strategy, the administration:

- Released a [new report](#) that lays out the water innovation strategy in greater detail and proposes strategies for addressing challenges in the decades ahead;
- Hosted a roundtable on water innovation to engage with industry and public leaders to start building broader consensus on a path forward;
- Called for commitments from private sector and stakeholder groups to advance innovation and technology for potential solutions to increase water supply;
- Launched a new [Center for Natural Resources Investment](#) at the Department of the Interior; and
- Launched a [new tool](#) at the Department of the Interior to shed light on the ongoing drought in the Colorado River basin.

**MS4 GENERAL PERMIT REVISIONS** In response to a remand from the Ninth Circuit Court of Appeals, EPA is proposing to amend regulations governing small municipal separate storm sewer system permits ([81 FR 415](#)). The court found that regulations providing coverage under the small MS4 general permit program did not provide for adequate public notice. Additionally, the court found that EPA failed to require permitting authority review of best management practices (BMPs) to be used at a particular MS4 to ensure that the permittee reduces pollutants in their discharges to the maximum extent practicable. EPA is proposing three options that would revise the small MS4 regulations. Option one would align the

process for issuing small MS4 general permits with the way general permits are issued for other categories of discharges. This option would require the permitting authority to establish within the permit all requirements that MS4s must meet. Option two would require that BMPs and measurable goals be included with each notice of intent for coverage and that such BMPs and measurable goals be subject to public comment and request for public hearing. Option three, referred to as the "state choice" option, would be a combination of options one and two. Comments are due 21 MAR 16.

**PESTICIDE GENERAL PERMIT** All 10 EPA regions are requesting public comment on the draft Pesticide General Permit (PGP) ([81 FR 4289](#)). The draft 2016 PGP covers point source discharges from the application of pesticides to waters of the U.S.. Once finalized, the draft 2016 PGP will replace the existing permit that expires 31 OCT 16. The draft 2016 PGP has the same conditions and requirements as the 2011 PGP. EPA is proposing to issue this permit in all areas of the country where EPA is the permitting authority. For more information, click [here](#). Comments are due 11 MAR 16.

**NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN** EPA is proposing revisions to the [National Oil and Hazardous Substances Pollution Contingency Plan](#) ([81 FR 3982](#)). The revisions align the National Oil and Hazardous Substances Pollution Contingency Plan with the Department of Homeland Security's [National Response Framework](#) and [National Incident Management System](#). The revisions also update the descriptions of federal agency organizational structures and capabilities and how they operate and recognize the establishment of the Department of Homeland Security. Comments are due 25 MAR 16.

**DRINKING WATER CONTAMINANT MONITORING DETERMINATIONS** EPA determined it will not issue national primary drinking water regulations for four of the 116 contaminants listed on the [Third Contaminant Candidate List](#) ([81 FR 13](#)). The agency determined it will not regulate dimethoate, 1,3-dinitrobenzene, terbufos, and terbufos sulfone. However, the agency is delaying its final determination on whether to list strontium. The Safe Drinking Water Act requires EPA to make regulatory determinations every five years on whether or not to begin the process to propose and promulgate a national primary drinking water regulation for at least five unregulated contaminants.

**TREATMENT OF INDIAN TRIBES IN A SIMILAR MANNER AS STATES: 303(D)** EPA is proposing to establish regulatory procedures for eligible tribes to obtain treatment in a similar manner as states for the Clean Water Act (CWA) Section 303(d) Impaired Water Listing and Total Maximum Daily Load (TMDL) Program ([81 FR 2791](#)). The proposed rule would enable eligible tribes to obtain authority to identify impaired waters on their reservations and to establish TMDLs, which serve as plans for attaining and maintaining applicable water quality standards. The proposal is comparable to similar regulations that EPA issued in the 1990s for the CWA Section 303(c) Water Quality Standards and CWA Section 402 and 404 Permitting Programs, and includes features designed to minimize paperwork and unnecessary reviews. Comments are due 18 FEB 16.

# Professional Development

## *DOD TRAINING SOURCES*

**US ARMY CORPS OF ENGINEERS PROSPECT TRAINING** USACE announces course availability for the FY16 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to 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, but are not limited to:

- 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)
- Environmental Laws and Regulations (CCN 170)

**NAVY AND ISEERB ENVIRONMENTAL TRAINING** The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule 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** 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, free of charge. Travel costs are borne by the student.

**DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS** The Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the U.S. Army Environmental Command [website](#), which has links to training provided by DOD organizations.

## *FEDERAL TRAINING SOURCES*

**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 (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- Pollution prevention opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);

- Access to free, FedCenter-sponsored courses:
  1. [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
  2. [Environmental Management Systems](#) (FedCenter membership required);
  3. [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental [conferences](#), meetings, [training](#), and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

- Collaboration tools for workgroups,
- Environmental reporting tools, and
- Daily newsletter and subscription services.

## ***SCHEDULED WEBINARS***

### **11 FEB 16** [Chromate/Hazardous Material Free Coating Systems for Military Aircraft and Ground Support Equipment](#)

Learn about multi-service efforts to replace chromate coatings with chromate/hazardous material free coatings. The results of [a project](#) to test chromate free coatings and application systems on DOD equipment will be presented, along with an overview of Air Force efforts to replace chromate containing corrosion protection systems. The webinar will be available online after the presentation is conducted.

**\*REPI WEBINAR SERIES** DOD's Readiness and Environmental Protection Integration (REPI) program [announced](#) a series of webinars scheduled for 2016. All webinars start at 1:00 p.m. eastern, unless otherwise noted. For detailed webinar descriptions and connection instructions, including links to past webinars, visit [www.REPI.mil](http://www.REPI.mil).

- **24 FEB** [National Fish and Wildlife Foundation Programs](#) Provides an overview of the National Fish and Wildlife Foundation's programs and funding opportunities nationwide, including highlights of military installations that have used foundation funding and services to support their encroachment mitigation efforts.
- **16 MAR** [The Full Suite: The REPI Toolbox](#) Learn about the full suite of tools offered through the REPI Program, beyond funding and guidance for buffer partnerships.
- **20 APR** [Annual REPI Help Session for FY17](#) Learn about changes to the REPI process for FY 2017, highlighting successful buffer proposal write-ups, and answering questions about REPI policy guidelines and changes involving the new online proposal system.
- **25 MAY** [How to Develop your Sentinel Landscapes](#) Learn about efforts to define and develop Sentinel Landscapes and how that feeds into requirements for REPI buffers and other encroachment management tools.
- **20 JUL** [Thinking Outside the Base: Off-Installation Solutions to Environmental Regulatory Issues](#) Learn about opportunities for regional crediting schemes and other options for DOD installations to address ESA and other species and habitat-related issues through innovative off-installation practices, while highlighting DOD's efforts at updating its Natural Resources Program strategy.
- **21 SEP** [State Policies and Encroachment Protection Efforts](#) Learn about the various tools, policies, and authorities states provide in support of encroachment management and mission sustainability.
- **7 DEC** [Environmental Law Institute Brief: Sentinel Landscapes Partnership Authorities and Opportunities](#) The Environmental Law Institute has analyzed ways to enhance Sentinel Landscape Partnership implementation and will brief on the opportunities and roadblocks presented by the various partner agencies' authorities and programs.

**SERDP AND ESTCP WEBINAR SERIES** The DOD environmental research and development funding programs [SERDP and ESTCP](#) offer webinars 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. Prior presentations are archived for viewing any time.

**FEMP eTRAINING COURSES** The Federal Energy Management Program (FEMP) offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy water-management and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide to host these comprehensive, FEMP-developed eTraining courses. [Promotional materials](#) are available to help federal agencies encourage the completion of FEMP's eTraining courses. For more information about FEMP eTraining courses, contact [Beverly Dyer](#), (202) 586-7753.

**ENERGY STAR WEBCASTS** Energy Star is a EPA voluntary program that helps businesses and individuals save money and protect our climate through superior energy efficiency.

**CLEAN AIR ACT GENERAL CONFORMITY TRAINING MODULES** The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. The training from EPA covers all aspects of the rule and is divided into four modules:

- The Basics, for top agency managers and the general public: [Module I](#) provides an overview of the program purpose, regulation content, program design, legal requirements, and relationship to other environmental programs.
- The Key Concepts, for program managers and others who need a working knowledge of the program: [Module II](#) provides information on determining applicability of regulations to federal actions, requirements for determining conformity, and the review process for a determination.
- All The Details, for individuals responsible for preparing the determination: [Module III](#) contains detailed information on evaluating conformity including emission calculations, requirements for associated programs and special situations.
- State and tribal requirements and responsibilities, for state, tribal, and local air quality managers: [Module IV](#) provides information on state and tribal requirements and responsibilities in evaluation of conformity for federal actions.

**WATER MANAGEMENT BASICS** This FEMP course provides a concise introduction to comprehensive water management, to include key topic areas of basic water management terminology, history of federal water mandates, current Executive Order 13693 provisions, best practices associated with comprehensive water management, and proven water conservation financing mechanisms and strategies. The three-module course offers a thorough overview of water management in the federal context:

- Module One: Introduction to Federal Water Management
- Module Two: Introduction to Comprehensive Water Management
- Module Three: Financing and Launching Water Management Projects

**USGS CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES** U.S. Geological Survey (USGS) webinars are designed 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 U.S.. Video recordings with closed captioning are made available one to two weeks after each presentation.

**EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY** Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of live and archived webinars. Building



on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

**ITRC INTERNET BASED TRAINING** The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers training courses to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming Internet-based training events.

# Staff Directory

<a href="#">Director/DOD Region 4 REC</a>	(404) 562-5146
<a href="#">Regional Counsel</a>	(404) 562-5016
<a href="#">Regions 4 Army REC</a>	(404) 562-5231
<a href="#">Regulatory Affairs Specialist</a>	(410) 278-6137

## 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 an item in the *Southern Review*, please contact the Regional Environmental Coordinator listed at the top of page two.

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