



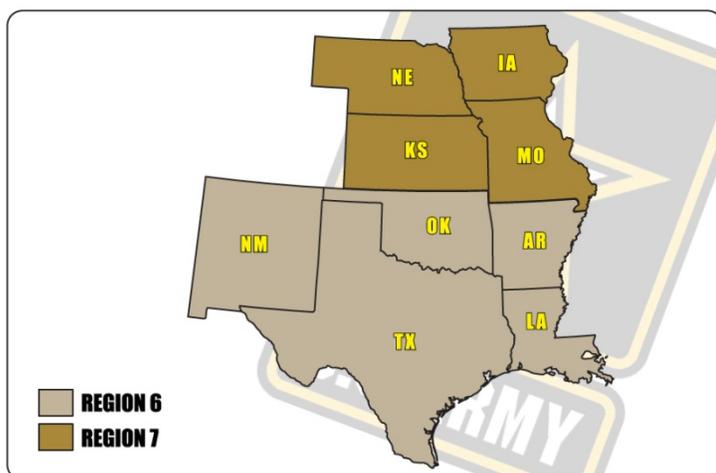
Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

June 2013

The **CENTRAL REGION REVIEW** provides current information on government affairs, energy and environment relevant to Department of Defense interests in the 9 states in Federal Regions 6 and 7. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Central Region Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. For further information please visit the [ARMY'S REGIONAL ENVIRONMENTAL AND ENERGY OFFICES'](#) website.



Army Establishes Operational Energy Policy

A policy memorandum, signed 30 Apr 13 by Secretary of the Army, Mr. John McHugh, describes [Operational Energy](#) as energy and associated systems, information and processes required to train, move and sustain forces and systems for military operations.

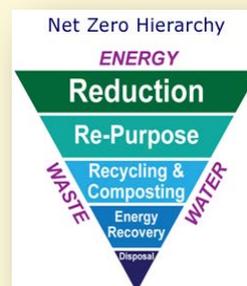
The memorandum directs the Assistant Secretaries, Army Staff, Army Commands, Army Service Component Commands, and Direct Reporting Units to find ways to improve energy performance through techniques, behaviors, and organizational culture; integrate operational energy considerations into planning and requirements development; and track, manage and report operational energy performance and usage.

The policy directs all levels of command to understand how energy supports their mission; assigns responsibilities for integrating operational energy into existing policy, strategies and regulations; and ensures operational energy is accounted for within the Army's energy consumption totals.

(Byline credit to Dennis K. Bohannon, ASA, IE&E)

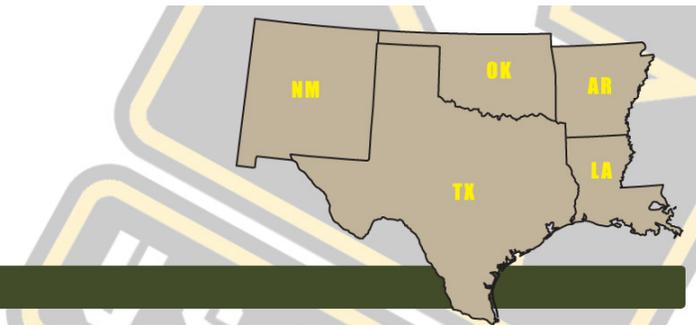
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Customer's Corner: Please send any comments, questions, lessons learned best practices etc to Dennis Takade at (816) 389-3327.

Region 6



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 14 Jan 13 and adjourned *sine die* 17 May 13.

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

[HB 1919](#) INVASIVE SPECIES, FERAL HOGS

[HB 1932](#) RENTS, FEES, AND CHARGES OF REGIONAL SOLID WASTE MANAGEMENT DISTRICTS/BOARDS

[HB 2119](#) SMOKING IN ALL PUBLIC PLACES

[SB 972](#) WETLANDS

[SB 1049](#) SUSTAINABLE ENERGY-EFFICIENT BUILDINGS PROGRAM

REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) DEPARTMENT OF ENVIRONMENTAL QUALITY REQUEST FOR COMMENTS: [TMDL, TOTAL PHOSPHORUS](#) FOR TOWN BRANCH, BENTONVILLE, AR (REACH 11070208-901). Comments due 24 Jun 13. POC: Selena Medrano at medrano@adeq.state.ar.us.

EPA PROPOSED APPROVAL AND PROMULGATION: INTERSTATE TRANSPORT OF FINE PARTICULATE MATTER (PM_{2.5}). EPA proposes to approve portions of State Implementation Plan (SIP) submittals addressing Clean Air Act (CAA) requirements [prohibiting air emissions contributing](#) to nonattainment or interfering with maintenance in any other state for the 1997 and 2006 PM_{2.5} National Ambient Air Quality Standards (NAAQS).

REMOVAL OF MAGAZINE MOUNTAIN SHAGREEN FROM LIST OF THREATENED AND ENDANGERED WILDLIFE. The US Fish and Wildlife Service (USFWS) removed the Magazine Mountain shagreen (*Infectarius magazinensis*), Logan County, AR, from the Federal List of Endangered and Threatened Wildlife ([78 FR 28513](#)). The Army is no longer considering use of Magazine Mountain for military training exercises, an activity considered an imminent threat to Magazine Mountain shagreen when it was listed. The Army withdrew its previous consideration after Magazine Mountain shagreen was listed as threatened in 1989 and no longer poses a threat to the survival of Magazine Mountain shagreen. USFWS POC: James F. Boggs, (501) 513-4470.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 8 Apr 13 and adjourned 6 Jun 13.

LEGISLATION SIGNED BY GOVERNOR

(SIGNED 23 MAY 13) [HB 186](#) HAZARDOUS MATERIALS TRANSPORTATION ROUTE DESIGNATION concerns changes for transportation of hazardous material on Interstate 49 (I-49) between Caddo-DeSoto Parish boundary and its intersection with the LA-AR boundary instead of I-49's intersection with I-20. Except for carriers making local pickups or deliveries, carriers using route to reach local pickup or delivery points, carriers traveling to or from their terminal facilities, or carriers using the route to reach maintenance or service facilities within the boundaries of the parish, no carrier shall transport hazardous materials in Caddo or Bossier parishes, except on specific routes listed in present law, including but not limited to I-49 between the Caddo-DeSoto parish boundary and its intersection with I-20. Sponsor: Representative Henry L. Burns (R)

LEGISLATION PASSED BY LEGISLATURE

(UPDATE) [HB 307](#) APPEALS OF CERTAIN DEPARTMENT OF ENVIRONMENTAL QUALITY DECISIONS. Authorizes a court to order a stay of a final permit action only after notice and hearing opportunity, and removes authority to grant such stays *ex parte*. Present law provides for stays of agency decisions through judicial review in the Administrative Procedure Act and specifies these stays may be granted by the agency or the court *ex parte* and may be granted in accordance with local court rules pertaining to injunctive relief and issuance of temporary restraining orders. Referred to House Committee on Judiciary and reported favorably from committee. Debated on floor, passed House and sent to Senate. Referred to Senate Judiciary Committee, reported favorably from committee and referred to Legislative Bureau. Returned from bureau with no comments, passed Senate and returned to House. Enrolled and signed in both House and Senate and sent to governor for signature. Sponsor: Representative Eddie J. Lambert (R)

(UPDATE) [HB 591](#) WASTE TIRE PROGRAM requires collection of \$2 per passenger/light truck tire, \$5 per medium truck tire, and \$10 per off-road tire be collected for every new tire sold. These fees are deposited into the Waste Tire Management Fund used to operate DEQ's waste tire program. Proposed law requires payments to waste tire processors by the 25th of each month. Also requires DEQ to initiate rulemaking to implement proposed law on or before 10 Aug 13, and submit the summary report to oversight committees by 31 Dec 13. Referred to House Committee on Natural Resources and Environment, reported favorably from committee as amended and ordered engrossed. Passed House, sent to Senate, referred to Senate Environmental Quality Committee. Reported from committee with amendments and referred to Legislative Bureau. Returned from Bureau as amended, amendments adopted by Senate and passed. Returned to House and scheduled for concurrence. Sponsor: Representative Stuart J. Bishop (R)

(UPDATE) [SB 36](#) SMOKING PROHIBITED on grounds of and inside facilities or buildings utilized by institutions managed and supervised by certain post-secondary education management boards. Present law provides general smoking prohibitions and exemptions and includes no smoking on the grounds of or inside facilities or buildings utilized by institutions managed and supervised by the Board of Supervisors of Community and Technical Colleges, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, Board of Supervisors of Southern University and Agricultural and Mechanical College, or Board of Supervisors for the University of Louisiana System. Referred to Senate Committee on Health and Welfare, reported favorably from committee and ordered engrossed for final vote. Passed Senate, floor amendments adopted, engrossed and sent to House. Under House rules, measure referred to the Committee on Education, reported favorably (Local and Consent) and referred to Legislative Bureau. Returned from bureau with no amendments, scheduled for House floor debate. Passed House and returned to Senate. Sponsor: Senator David Heitmeier (D)

PROPOSED LEGISLATION

(NEW) [HOUSE CONCURRENT RESOLUTION \(HCR\) 95 LAND ACQUISITION TASK FORCE](#) is responsible for developing a comprehensive state plan for funding acquisition of critical natural habitats to conserve the state's extensive and critical wetlands. Membership shall be composed of:

- Secretary of the Department of Wildlife and Fisheries, or designee;
- Executive assistant for the Governor's Office of Coastal Activities, or designee;
- Commissioner of Agriculture and Forestry, or designee;
- Commissioner of the Division of Administration or designee;
- Secretary of the Department of Culture, Recreation and Tourism, or designee;
- Secretary of the Department of Natural Resources, or designee;
- Secretary of the Department of Environmental Quality, or designee;
- Representative of the Louisiana Wildlife Federation; and
- Representative of the Delta chapter of the Sierra Club.

Referred to House Committee on Natural Resources. Sponsor: Representative Franklin J. Foil (R)

(NEW) [HCR 159 CONTROLLING GIANT SALVINIA](#). Urges and requests the Department of Wildlife and Fisheries to study methods of controlling and eradicating Giant Salvinia and to report with recommendations on most cost-effective method, or combination of methods, to the House Committee on Natural Resources and Environment and Senate Committee on Natural Resources on or before 15 Feb 14. Referred to House Committee on Natural Resources and Environment. Sponsor: Representative Patrick C. Williams (D)

(UPDATE) [HB 445 BEVERAGE CONTAINER ACT](#) provides for a system of deposits and redemption on glass and metal beverage containers. The bill:

- defines beverage, beverage container, dealer, department, distributor, manufacturer, mixed spirit drink, mixed wine drink, operator of a vending machine, person, place of business, redeemer, redemption center, secretary, use or consumption within the state;
- Provides for a minimum refund of \$0.05 on every beverage container sold or offered for sale that will be collected by a dealer and forwarded to DEQ;
- Requires every authorized redemption center to accept containers from and pay to redeemers the LA refund value, beginning 1 Dec 13;
- Requires handling fees to be not less than \$0.01 cent per aluminum can and \$0.02 cents per other beverage container paid by the department to the redemption center;
- Requires every beverage container sold in state to clearly indicate container refund values and letters LA Refund; and
- Exempts glass beverage containers, which already have a refund value on the container.

Referred to House Committee on Natural Resources and Environment, read and involuntarily deferred in committee. Sponsor: Representative Eddie J. Lambert (R)

FINAL RULES

(EFFECTIVE 20 MAY 13) **DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: 2012 ANNUAL INCORPORATION BY REFERENCE OF CERTAIN FEDERAL AIR QUALITY REGULATIONS (LAC 33:III.506, 507, 2160, 3003, 5116, 5311 and 5901) (AQ337ft)** incorporates by reference (IBR), federal regulations included in 1 Jul 12 edition of the Code of Federal Regulation (CFR): 40 CFR Parts 51, Appendix M, 60, 61, 63, 68, 70.6(a) and 96 into [Administrative Code LAC 33: III](#). Any exception to IBR is explicitly listed in proposed rule. Rule updates references to 1 Jul 12, for Standard of Performance for New Stationary Sources, 40 CFR Part 60. POC: Deidra Johnson at (225) 219-3985.

(EFFECTIVE 20 MAY 13) **DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: CONTROL FACILITIES TO BE INSTALLED WHEN FEASIBLE (LAC33:III.905.B) (AQ338)** allows DEQ to grant an exemption to owner or operator of an [air pollution control facility](#) installed solely to comply with a proposed federal or state regulation provided an owner or operator can comply with all emissions limitations prescribed by the stationary source's air permit without use of the air pollution control facility in question. For more information, please call Deidra Johnson at (225) 219-3985.

(EFFECTIVE 20 MAY 13) **DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: DEFINITION OF REGULATED NEW SOURCE REVIEW (NSR) POLLUTANT (LAC 33:III.509) (AQ340ft)** revises definition of "[regulated NSR pollutant](#)" in LAC 33:III.509.B consistent with corrected federal definition at 40 CFR 51.166(b)(49). Revision to federal rule "removes a

general requirement in definition of 'regulated NSR pollutant' to include condensable particulate matter (PM) when measuring emissions-related indicators for PM known as particulate matter emissions." POC: Deidra Johnson at (225) 219-3985.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(EFFECTIVE 8 JUL 13) EPA APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLAN (SIP); APPROVAL OF SECTION 110(A) (1) MAINTENANCE PLAN FOR THE 1997 8-HOUR OZONE STANDARD FOR THE PARISH OF POINTE COUPEE. EPA grants direct final approval of a revision to the LA SIP concerning a [maintenance plan](#) addressing the 1997 8-hour ozone standard for Pointe Coupee Parish. This maintenance plan meets statutory and regulatory requirements, and is consistent with EPA's guidance.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 15 Jan 13 and adjourned *sine die* 16 Mar 13.

No significant regulatory activities this reporting period.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 4 Feb 13 and adjourned *sine die* 24 May 13.

LEGISLATION SIGNED BY GOVERNOR

(SIGNED 16 MAY 13) [HB 1762](#) OPEN BURNING BANS makes it unlawful for any person to set fire to any forest, grass, range, crop, or other wildlands, build a campfire or bonfire, burn trash or other material potentially causing a forest, grass, range, crop or other wildlands fire in any county, counties or area within a county where there is gubernatorially proclaimed "extraordinary danger from fire," unless setting of any backfire during drought emergency is necessary for saving life or property. Sponsor: Representative Tommy Hardin (R)

(SIGNED 13 MAY 13) [SB 926](#) RECYCLING INITIATIVE. Legislature declares it is necessary to health and economic welfare to encourage and promote recycling and reuse of recoverable materials. Recycling and reuse substantially reduce disposal costs and flow of solid waste to state's dwindling solid waste sites while preserving, expanding and encouraging economic growth. Sponsor: Senator Rob Johnson (R)

LEGISLATION PASSED BY LEGISLATURE

(UPDATE) **[HB 1922](#) "SCENIC RIVERS ACT."** Legislature finds some free-flowing streams and rivers possess unique scenic beauty, water conservation, fish, wildlife and outdoor recreational values of present and future benefit to people of the state. Policy dictates these areas be preserved for benefit of the people. For this purpose, there are designated certain "scenic river areas" to be preserved as a part of the state's diminishing resource of free-flowing rivers and streams. Referred to House Committee on Appropriations and Budget. Reported from committee as "Do Pass" as substituted. Passed House and engrossed to Senate. Referred to Senate Committee on Energy, reported "Do Pass" from committee,

passed Senate as amended, engrossed and returned to House. House rejects Senate amendments, conference requested. Measure passed, enrolled and sent to governor for signature. Sponsor: Representative Dale R. DeWitt (R)

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

[HB 1076](#) CLARIFYING LANGUAGE RELATING TO SURFACE WATER AND GROUND WATER

[HB 1274](#) REGIONAL WATER PLANNING

[HB 1279](#) DIVERSION OF WATER

[HB 1302](#) USED TIRE RECYCLING

[HB 1348](#) WATER AND WATER RIGHTS

[HB 1497](#) OZONE DEPLETING SUBSTANCES

[HB 1500](#) GAME AND FISH

[HB 1517](#) REGIONAL WATER COOPERATION

[HB 1582](#) WATER OWNERSHIP

[HB 1615](#) ADJUDICATION OF STREAM WATER RIGHTS

[HB 1724](#) OK POLLUTANT DISCHARGE ELIMINATION SYSTEM

[HB 1746](#) PUBLIC WATER SUPPLY PERMIT REQUIREMENTS

[HB 1768](#) CONSTRUCTION OR OPERATION OF SEWAGE TREATMENT SYSTEMS

[HB 1821](#) OKLAHOMA MILITARY CODE

[HB 1879](#) DRINKING WATER AND WATER SUPPLY SYSTEM TREATMENT

[HB 2069](#) WATER COOPERATION ACT

[HB 2192](#) GRAY WATER AND WATER REUSE

[HB 2268](#) STATE RENEWABLE ENERGY STANDARD.

[HB 2293](#) OKLAHOMA WATER USAGE ACT

[SB 2](#) WATER RIGHTS AND LANDOWNER PRIVATE PROPERTY RIGHT

[SB 3](#) OWNERSHIP OF IMPOUNDED WATER

[SB 17](#) REGIONAL WATER PLANNING AREAS

[SB 83](#) WATER RIGHTS

[SB 189](#) BENEFICIAL USE, WATERS AND WATER RIGHTS

[SB 227](#) MORATORIUM ON USE OF GROUNDWATER FROM CERTAIN SOLE SOURCE BASINS

[SB 255](#) ELECTRONIC WASTE

[SB 305](#) WATER POLICY

[SB 306](#) WATER POLICY, EMERGENCY

[SB 348](#) GROUNDWATER AQUIFER

[SB 358](#) WATER RIGHTS

[SB 491](#) PROHIBITING SMOKING IN CERTAIN PUBLIC AREAS AND PROPERTIES

[SB 509](#) EXCAVATION EXEMPTIONS AND SPECIFYING EXCAVATION ACTIVITY

[SB 555](#) RENEWABLE ENERGY AND RENEWABLE ENERGY STANDARDS

[SB 641](#) WATER RIGHTS

[SB 654](#) WATER CONSERVATION

[SB 768](#) SECRETARY OF ENVIRONMENT TO SERVE AS EXECUTIVE DIRECTOR

[SB 800](#) WATER COOPERATION ACT

[SB 870](#) ANNUAL SERVICE FEES

[SB 875](#) INVASIVE AND NUISANCE SPECIES

[SB 964](#) VOLUNTEER ORGANIZATIONS FOR WATER PLANNING

[SB 1006](#) STATE BUILDING MAINTENANCE REVOLVING FUND

FINAL RULE

(EFFECTIVE 1 JUL 13) DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: HAZARDOUS WASTE MANAGEMENT (252:205-3-1) incorporates by reference [federal hazardous waste regulations](#) found in 40 CFR Parts 124 and 260-279 revised as of 1 Jul 12. Changes include a correction of a typographical error in the entry "K107" in a table listing hazardous wastes from specific sources at 40 CFR 261.32; and a conforming change at 40 CFR 266.20(b) to clarify a recycling facility must keep a one-time certification and notification related to recyclable materials being used in a manner

constituting disposal. These changes are neither more nor less stringent than existing federal rules. POC: Mike Edwards at (405) 702-5226.

(EFFECTIVE 1 JUL 13) DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: AIR QUALITY INCORPORATION BY REFERENCE (OAC 252:100, APPENDIX Q). DEQ incorporated [latest changes to EPA regulations](#), including changes or additions to 40 CFR Part 60, New Source Performance Standards (NSPS), and Part 63, National Emissions Standards for Hazardous Air Pollutants (NESHAP). In addition, DEQ updated language in Subchapter 2 to reflect latest date of incorporation of EPA regulations in Appendix Q and moved an existing continuous opacity monitoring requirement from OAC 252:100-31, Control of Emission of Sulfur Compounds, to OAC 252:100-25, Visible Emissions and Particulates, a more appropriate location. POC: Cheryl Bradley at (405) 702-4100.

PROPOSED RULE

(NEW) DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: LABORATORY ACCREDITATION (OAC 252:301-9-37). Amendment incorporates by reference most recent EPA required [analytical methodologies](#) for drinking water, wastewater, and solid waste. If adopted, these changes update the list of approved methods for environmental testing and provide new quality assurance and quality control requirements. Proposed amendment also deletes one redundant reference and another unneeded reference. Hearing scheduled for 11 Jun, comments due 1 Jun 13. POC: David Caldwell at (405) 702-1000.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(EFFECTIVE 29 JUL 13) EPA FINAL AUTHORIZATION OF STATE HAZARDOUS WASTE MANAGEMENT PROGRAM REVISION. OK applied to EPA for [final authorization](#) of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA determined these changes satisfy all requirements and authorizes state's changes through this immediate final action. State has enforcement responsibilities under its hazardous waste program for violations of such program. Action is effective 29 Jul 13 unless EPA receives adverse comments.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 8 Jan 13 and adjourned *sine die* 27 May 13.

LEGISLATION SIGNED BY GOVERNOR

(SIGNED 24 MAY 13) [HB 597](#) BOATER EDUCATION TO PREVENT SPREAD OF EXOTIC HARMFUL OR POTENTIALLY HARMFUL AQUATIC PLANTS, FISH, AND SHELLFISH. A boater education course or equivalency examination under this section must include information on how to prevent spread of exotic harmful or potentially harmful aquatic plants, fish, and shellfish, including department-approved methods for cleaning:

- a boat;
- a boat's motor;
- fishing and other equipment; and
- a boat trailer.

Sponsor: Representative Ryan Guillen (D)

(SIGNED 24 MAY 13) [SB 1212](#) TRANSFER OF EXOTIC SPECIES. A water transfer without evidence of the introduction of an exotic fish or shellfish is not a violation and the department may not require a permit for a water transfer. Sponsor: Senator Craig Estes (R)

LEGISLATION PASSED BY LEGISLATURE

(UPDATE) [HB 252](#) (COMPANION BILL: [SB 1170](#)) **WATER SHORTAGE REPORTING BY WATER UTILITIES.** TX Commission on Environmental Quality (TCEQ) shall require a retail public utility to:

- Project future period for which the utility's water supply is a reasonably certain source for the volume of water required for the utility's needs; and
- Notify TCEQ when utility's projected water supply is reasonably certain for less than 180 days.

Referred to House Committee on Natural Resources, reported favorably from committee as substituted, committee report filed. Passed House, engrossed and sent to Senate. Referred to Senate Natural Resources Committee, reported favorably as substituted. Passed Senate as amended, Senate amendments distributed. House concurs with Senate amendments, measure enrolled and sent to governor for signature. Sponsor: Representative Lyle Larson (R)

(UPDATE) [HB 788](#) **GREENHOUSE GAS EMISSIONS (COMPANION BILL: [SB 536](#)).** TCEQ rule shall adopt a program to allow commission to assume authority for issuing permits, including preconstruction and federal operating permits to include regulation of GHG emissions in accordance with federal law. TCEQ shall develop measures to streamline authorization, using general permits, standard permits, and/or presumptive best available control technology TCEQ determines are warranted for certain GHG source categories. Referred to House Committee on Environmental Regulation. Testimony heard, measure reported favorably from committee as substituted, committee report filed, passed House. Engrossed and sent to Senate and referred to Senate Natural Resources Committee. Reported favorably as substituted. Passed Senate as amended, amendments distributed and enrolled by House. Signed in both House and Senate, sent to governor for signature. Sponsor: Representative Wayne Smith (R)

(UPDATE) [HB 1241](#) **SPREAD OF AQUATIC INVASIVE SPECIES.** TX Parks and Wildlife Commission may adopt rules requiring a person leaving public water to drain from a vessel or portable container on board a vessel, any water collected from or that has come in contact with public water. An authorized employee may inspect a vessel leaving or approaching public water, including any portable containers on board vessel. Referred to House Committee on Culture, Recreation & Tourism. Recommended measure be sent to Committee on Local and Consent. Reported favorably from committee as substituted, passed House and sent to Senate. Referred to Senate Agriculture, Rural Affairs & Homeland Security Committee, reported favorably from committee, passed by Senate and enrolled, signed in the House and sent to governor for signature. Sponsor: Representative Ryan Guillen (D)

(UPDATE) [HB 2615](#) (COMPANION BILL: [SB 1209](#)) **IMPOUNDING, DIVERTING, OR OTHERWISE USING STATE WATER.** A person who fails to file an annual report as required by Subsection (a) or fails to comply timely with a request to make information available under Subsection (d) is liable for a penalty and state may sue to recover the penalty. Each person who has a water right issued by TCEQ commission or who impounds, diverts, or otherwise uses state water shall maintain water use information required under Subsection (a) on a monthly basis during the months a water rights holder uses permitted water. Referred to House Committee on Natural Resources, reported favorably from committee. Placed on general calendar, passed House as amended and engrossed. Sent to Senate, referred to Senate Natural Resources Committee. Reported favorably as substituted and passed by Senate. House concurs with Senate amendments, enrolled in House. Signed by House and Senate. Sponsor: Representative Eric Johnson (D)

(UPDATE) [HB 3233](#) **INTER-BASIN TRANSFERS OF STATE WATER.** TCEQ may grant, in whole or in part, an application for an inter-basin transfer only if detriments to basin of origin during proposed transfer period are less than benefits to receiving basin. If transfer of water is based on a contractual sale of water, new water right or amended permit, certified filing, or certificate of adjudication authorizing transfer shall contain a condition for a term or period not greater than the term of contract, including any extension or renewal of contract. Referred to House Committee on Natural Resources. Reported favorably from committee as substituted, passed House as amended and engrossed. Sent to Senate and referred to Natural Resources Committee, reported favorably from committee. Passed Senate and returned to House for enrollment. Signed in House and Senate and sent to governor for signature. Sponsor: Representative Allan B. Ritter (D)

(UPDATE) [HB 3509](#) (COMPANION BILL [SB 468](#)) **ENDANGERED SPECIES HABITAT CONSERVATION.** Subject to this subchapter a political subdivision of the state may participate in a study, in preparation for and creation of a regional habitat conservation plan. Referred to House Committee on State Affairs, reported favorably from committee as substituted, committee report filed. Amended, passed House, engrossed and sent to Senate. Referred to Natural Resources Committee, reported favorably as substituted. Passed Senate as amended, House concurs with Senate amendments. Sent to governor for signature. Sponsor: Representative Dennis Bonnen (R)

(UPDATE) [SB 198](#) **DROUGHT-RESISTANT LANDSCAPING OR WATER-CONSERVING TURF**. A property owners' association may not include or enforce a provision prohibiting or restricting a property owner from:

- Implementing measures promoting solid-waste composting of vegetation, including grass clippings, leaves, or brush, or leaving grass clippings uncollected on grass;
- Installing rain barrels or a rainwater harvesting system;
- Implementing efficient irrigation systems, including underground drip or other drip systems; or
- Using drought-resistant landscaping or water-conserving turf.

Referred to Natural Resources Committee, reported favorably as substituted. Passed Senate engrossed to House. Referred to House Committee on Natural Resources. Reported favorably from committee, passed House, engrossed and sent to governor for signature. Sponsor: Senator Kirk Watson (D)

(UPDATE) [SB 634](#) **PUBLIC NUISANCE** is:

- Keeping, storing, or accumulating refuse on premises in a neighborhood unless refuse is entirely contained in a closed receptacle;
- Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;
- Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests; or
- Allowing weeds to grow on premises in a neighborhood if weeds are located within 300 feet of another residence or commercial establishment, among others.

In case of a nuisance under Section 343.011(c)(13), county may use any means of abatement reasonably necessary to bring the system into compliance with Chapter 366 only after the defendant fails to abate the nuisance as ordered by the court under Section 343.012(e). Referred to Senate Committee on Intergovernmental Relations, reported favorably from committee. Passed Senate, sent to House and referred to House Committee on County Affairs. Reported favorably from committee, passed House, sent to governor for signature. Sponsor: Senator Wendy R. Davis (D)

(UPDATE) [SB 1200](#) **TX MILITARY PREPAREDNESS COMMISSION (TMPC)** is composed of 13 public members, appointed by the governor and the following ex officio members:

- Chair of the committee of the Texas House of Representatives having primary jurisdiction of matters concerning defense affairs and military affairs; and
- Chair of the committee of the Texas Senate having primary jurisdiction of matters concerning defense affairs and military affairs.

TMPC shall act as liaison to improve coordination among the TX Commander's Council and state agencies including:

- TX Veterans Commission,
- Veterans' Land Board, and
- Public Utility Commission.

Referred to Senate Committee on Veteran Affairs and Military Installations, reported favorably from committee as substituted. Passed Senate, reported engrossed and sent to House. Referred to House Committee on Defense and Veterans' Affairs, reported favorably from committee and passed House as amended. Senate concurs with House amendments, measure enrolled and sent to governor for signature. Sponsor: Senator Leticia R. Van De Putte (D)

(UPDATE) [SB 1241](#) (**COMPANION BILL: [HB 2701](#)**) **EDWARDS AQUIFER AUTHORITY AND WELLS WITH LIMITED PRODUCTION CAPABILITIES**. EAA's regulation of wells with limited production capabilities reads as follows:

- A well serving a subdivision requiring platting does not qualify for an exempt use;
- A well drilled on or before 1 June 13, for any purpose authorized under this article is exempt from the requirement to obtain a withdrawal permit provided the well:
 - is not capable of producing more than 1,250 gallons of water a day; or
 - is metered and does not produce more than 1.4 acre-feet of water in a calendar year.

Referred to Senate Committee on Natural Resources. Testimony heard, recommend for local and uncontested calendar. Passed Senate, sent to House. Referred to House Committee on Natural Resources, then passed on to Committee on Local and Consent, reported favorably from committee and passed House, enrolled. Sent to governor for signature. Sponsor: Senator Glenn Hegar (R)

(UPDATE) [SB 1532](#) (**COMPANION BILL: [HB 340](#)**) **INJECTION WELLS TRANSECTING OR TERMINATING IN THE EDWARDS AQUIFER**. This section applies only to the portion of the Edwards Aquifer within a geographic area circumscribed by external boundaries of the Barton Springs-Edwards Aquifer Conservation District but is not in that district's territory or the

territory of EAA. TCEQ by rule or permit may not authorize an injection well transecting or terminating the Edwards Aquifer. TCEQ by rule may authorize injection of fresh water withdrawn from the Edwards Aquifer into a well transecting or terminating in the Edwards Aquifer for the purpose of providing additional recharge or injection of rainwater, stormwater, flood water, or groundwater into the Edwards Aquifer by means of an improved natural recharge feature such as a sinkhole or cave located in a karst topographic area. Referred to Senate Committee on Natural Resources. Reported favorably from committee as substituted, passed Senate and reported engrossed. Sent to House and referred to House Committee on Natural Resources. Reported favorably from committee, passed House and enrolled in Senate. Sent to governor for signature. Sponsor: Senator Judith Zaffirini (D)

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

- [HB 147](#) REGULATORY ANALYSIS OF RULES
- [HB 493](#) GENERAL HEALTH AND SAFETY
- [HB 569](#) STATE ENVIRONMENTAL STANDARDS
- [HB 648](#) ELECTRONIC WASTE LAND DISPOSAL
- [HB 787](#) INCENTIVES FOR THE PURCHASE OR LEASE OF AN ELECTRIC-POWERED LIGHT-DUTY MOTOR VEHICLE
- [HB 822](#) EDWARDS AQUIFER AUTHORITY
- [HB 824](#) ACCIDENTAL DISCHARGES OR SPILLS FROM WASTEWATER FACILITIES
- [HB 828](#) VEHICLES RETROFITTED TO OPERATE ON COMPRESSED NATURAL GAS (CNG)
- [HB 871](#) MOLD REMEDIATION
- [HB 876](#) APPLICATION REQUIREMENTS FOR SOLID WASTE FACILITIES
- [HB 1377](#) OWNERSHIP AND LOCAL REGULATION OF TREES AND TIMBER
- [HB 1460](#) WILDLIFE MANAGEMENT/CONSERVATION
- [HB 1473](#) BEVERAGE CONTAINER RECYCLING INCENTIVES
- [HB 1490](#) COLLECTION AND USE OF MUNICIPAL SOLID WASTE FEES
- [HB 1509](#) (COMPANION BILL: [SB 654](#)) ORDINANCE ENFORCEMENT BY CIVIL ACTION
- [HB 1584](#) SCRAP TIRES
- [HB 1653](#) LOW LEVEL RADIOACTIVE WASTES
- [HB 1694](#) RECYCLING AND BANNING CERTAIN WASTES FROM LANDFILLS
- [HB 1714](#) COMPLIANCE HISTORY PROGRAM
- [HB 2150](#) DECLASSIFICATION OF ELK AS EXOTIC ANIMALS
- [HB 2154](#) INNOVATIVE ENVIRONMENTAL REGULATION PROGRAMS ADMINISTERED BY TCEQ
- [HB 2354](#) STRINGENCY OF ENVIRONMENTAL REGULATIONS
- [HB 2486](#) SALE OR DISPOSAL OF SCRAP TIRES
- [HB 2517](#) OPEN BURNING
- [HB 2674](#) ENERGY EFFICIENT BUILDINGS AND STANDARDS
- [HB 2692](#) PROMOTE CONSTRUCTION OF SMALL-SCALE ELECTRIC GENERATING FACILITIES
- [HB 2695](#) MUNICIPAL AUTHORITY TO REGULATE WIND TURBINES
- [HB 2701](#) EDWARDS AQUIFER AUTHORITY (EAA) AND WELLS WITH LIMITED PRODUCTION CAPABILITIES
- [HB 2949](#) PERFORMANCE-BASED PROGRAM FOR PERMITS ISSUED BY TCEQ
- [HB 2997](#) LAND APPLICATION OF CLASS B SLUDGE
- [HB 3013](#) UNDERGROUND STORAGE OF WATER
- [HB 3087](#) CONDEMNATION OF CONSERVATION EASEMENTS
- [HB 3154](#) ENVIRONMENTAL OR HEALTH AND SAFETY AUDITS
- [HB 3222](#) ADMINISTRATIVE PENALTIES
- [HB 3289](#) LICENSING OF PROFESSIONALS ENGAGED IN TX POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES)-RELATED STORMWATER
- [HB 3513](#) LAND USE PLANNING
- [HB 3538](#) (COMPANION BILL: [SB 1745](#)) EDWARDS AQUIFER, STORMWATER
- [HB 3678](#) LAND APPLICATION OF CLASS B SLUDGE
- [HB 3718](#) DEVELOPMENT, PROTECTION, AND PRODUCTION OF BRACKISH AQUIFERS
- [HB 3783](#) STORAGE, TRANSPORTATION, AND DISPOSAL OF TIRES
- [HB 3853](#) POLLUTION PREVENTION
- [HB 3879](#) CERTAIN GROUNDWATER WITHDRAWALS ALLOWED BY EDWARDS AQUIFER AUTHORITY
- [SB 167](#) SAFETY TRAINING FOR EMPLOYEES OF CERTAIN CONTRACTORS WITH A GOVERNMENTAL ENTITY

[SB 459](#) RETENTION AND DISPOSAL OF SCRAP OR USED TIRES

[SB 468](#) ENDANGERED SPECIES HABITAT CONSERVATION

[SB 536](#) (Companion bill: HB788) REGULATION OF GHG EMISSIONS.

[SB 762](#) ELECTRONIC WASTE DISPOSAL

[SB 1024](#) WASTEWATER MANAGEMENT, CONTRIBUTING ZONE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER

[SB 1209](#) IMPOUNDING, DIVERTING, USING STATE WATER

[SB 1745](#) (COMPANION BILL: [HB 3538](#)) MINIMUM POLLUTION REMOVAL REQUIREMENTS FOR CERTAIN STORMWATER DISCHARGES IN THE EDWARDS AQUIFER

[SB 1791](#) AIR QUALITY FEE

FINAL RULES

(EFFECTIVE 20 MAY 13) HISTORICAL COMMISSION FINAL RULE: REPEAL OF RULES CONCERNING PRACTICE AND PROCEDURE (13 TAC §§26.1 - 26.22, 26.24, 26.25, 26.27) repeals Chapter 26, §§26.1 - 26.22, 26.24, 26.25, and 26.27, concerning Practice and Procedure. New [§§26.1 - 26.27](#) replaces repealed sections. POC: Mark Wolfe at (512) 463-1858.

(EFFECTIVE 20 MAY 13) HISTORICAL COMMISSION FINAL RULE: REPEAL OF RULES CONCERNING OFFICE OF THE STATE ARCHEOLOGIST (OSA) (13 TAC §§25.1 - 25.7) repeals Chapter 25, §§25.1 - 25.7 to eliminate outdated terminology and procedures and replaces them with [new sections](#) implementing necessary updates, additions and changes to more precisely reflect programs and procedures of the State Archeological Program, formerly known as OSA. POC: Mark Wolfe at (512) 463-1858.

(EFFECTIVE 8 MAY 13) DEPARTMENT OF TRANSPORTATION FINAL RULE: FEDERAL MOTOR CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS (761 IAC 520.1(1)). Commercial vehicles [transporting hazardous materials](#) in interstate commerce or transporting certain hazardous materials intrastate are subject to Hazardous Materials Regulations. Adoption of federal regulations by DOT extends enforcement of regulations to commercial vehicles operated intrastate unless exempted by statute. POC: Tracy George at (515) 239-1358.

PROPOSED RULES

(NEW) COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: CONTROL OF AIR POLLUTION FROM VOLATILE ORGANIC COMPOUNDS SURFACE COATING APPLICATION SYSTEMS REVISION(30 TAC 115) allows using airless and air-assisted airless spray [application systems for coating](#) miscellaneous metal parts and products, miscellaneous plastic parts and products, automotive/transportation and business machine plastic parts, and motor vehicle materials in the Dallas-Fort Worth and Houston-Galveston-Brazoria 1997 eight-hour ozone nonattainment areas. Public hearing scheduled 2 Jul 13, comments due 8 Jul 13. POC: Frances Dowiak at (512) 239-3931.

(NEW) WATER DEVELOPMENT BOARD AND HISTORICAL COMMISSION PROPOSED RULE: MEMORANDUM OF UNDERSTANDING, REPEAL (31 TAC §354.1). TWDB proposed [repealing §354.1](#), concerning MOU between TWDB and THC. This section is proposed for repeal because a new §354.1 is proposed elsewhere in the Texas Register. Board has determined, due to the extensive reorganization of proposed new §354.1, repeal of the entire section is more efficient than to propose amendments for the changes. Comments due by 2 Jun 13. POC: Water Development Board at (512) 463-8061.

(NEW) WATER DEVELOPMENT BOARD (TWDB) AND HISTORICAL COMMISSION (THC) PROPOSED RULE: MEMORANDUM OF UNDERSTANDING, NEW RULE (31 TAC §354.1). TWDB proposed new §354.1, [Memorandum of Understanding](#) between TWDB and THC. New §354.1 replaces current §354.1 in its entirety and revises responsibilities of the parties and reorganizes contents of the MOU to make clear those responsibilities. Comments due 2 Jun 13. POC: Water Development Board at (512) 463-8061.

(NEW) PARKS AND WILDLIFE DEPARTMENT PROPOSED RULE: MIGRATORY GAME BIRD PROCLAMATION (31 TAC §§65.314, 65.315, 65.318 - 65.321) amendments concern the [Migratory Game Bird Proclamation](#). USFWS issues annual frameworks for hunting of migratory game birds. Regulations adopted by individual states may be more restrictive than the federal frameworks, but may not be less restrictive. Responsibility for establishing seasons, bag limits, means, methods, and devices for harvesting migratory game birds within USFWS frameworks is delegated to TX PWD under Parks and Wildlife Code, Chapter 64, Subchapter C. POC: TX PWD at (512) 389-4775.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **COMMISSION ON ENVIRONMENTAL QUALITY: APRIL 2013 DRAFT WATER QUALITY MANAGEMENT PLAN UPDATE.** TCEQ announced availability of draft April 2013 Update to the [Water Quality Management Plan](#) (WQMP) developed and promulgated in accordance with the requirements of federal Clean Water Act, §208. Draft WQMP update includes projected effluent limits of indicated domestic dischargers useful for water quality management planning in future permit actions. POC: Nancy Vignali at (512) 239-1303.

(NEW) **COMMISSION ON ENVIRONMENTAL QUALITY: TMDL PUBLIC COMMENT NOTICE.** TCEQ invites comment on [13 draft TMDLs](#) for indicator bacteria in the Lower West Fork Trinity River. Comments due 12 Jul 13. POC: Dania Grundmann (512) 239-3449.

(EFFECTIVE 5 JUL 13) EPA APPROVAL AND PROMULGATION OF SIPS: REVISIONS TO CONTROL OF AIR POLLUTION FROM NITROGEN COMPOUNDS FROM STATIONARY SOURCES. EPA approves revisions concerning two separate actions to SIP, [30 TAC, Chapter 117 Control of Air Pollution from Nitrogen Compounds](#): 1) EPA proposes to approve revisions to emissions specifications for lean burn engines fired on landfill or other biogas at minor sources of nitrogen oxides (NO_x) and 2) EPA approves including low temperature drying and curing ovens used in wet-laid non-woven fiber mat manufacturing operations when nitrogen containing resins or other additives are used.

EPA APPROVAL AND PROMULGATION OF SIPS: LOW EMISSION DIESEL FUEL RULE REVISIONS. EPA grants direct final approval of a revision to the TX SIP concerning [Low Emission Diesel fuel](#) rules. Revisions clarify existing definitions and provisions, revise approval procedures for alternative diesel fuel formulations, add new registration requirements, and update the rule to reflect current program status because rule is now fully implemented.

PROPOSED REVISION OF CRITICAL HABITAT FOR THE COMAL SPRINGS DRYOPID BEETLE, COMAL SPRINGS RIFFLE BEETLE, AND PECK'S CAVE AMPHIPOD. USFWS has released a draft economic analysis and is reopening the comment period on the 19 Oct 12, proposed revision of critical habitat for the Comal Springs dryopid beetle, Comal Springs riffle beetle, and Peck's cave amphipod ([78 FR 25679](#)). Approximately 169 acres are proposed as revised critical habitat for all three species in Hays and Comal Counties, TX. Quantified incremental cost impacts are limited to administrative costs of Section 7 consultation. USFWS anticipates two consultations with DoD operations, and six consultations with the Army Corps of Engineers pertaining to several construction-related activities in the Comal Springs Unit and San Marcos Springs Unit that may require a section 404 permit over the next 20 years. Comments are due 17 Jun 13. FWS POC: Adam Zerrenner, (512) 490-0057 X248.

Region 7



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 14 Jan 13 and adjourned *sine die* 23 May 13.

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

[HF 48](#) GEOTHERMAL, SOLAR AND WIND ENERGY PROPERTY

[HF 59](#) ENERGY STAR SPECIFICATIONS

[HF 243](#) INDOOR RADON

[HF 261](#) OPEN BURNING

[HF 275](#) INVASIVE SPECIES

[SENATE STUDY BILL \(SSB\) 1007](#) RADON STANDARDS

[SF 7](#) INVASIVE SPECIES

[SF 24](#) IOWA NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

[SF 176](#) NPDES DISCHARGE POINT SIGNS

PROPOSED RULES

(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: RECIPROCATING INTERNAL COMBUSTION ENGINES - NESHAP (RICE NESHAP) ADOPTION (567 IAC 23.1(4)) proposed amendments to Chapter 23, "[Emissions Standards for Contaminants](#)," Iowa Administrative Code. Rule changes are made to adopt the federal air toxics standards for stationary engines commonly known as the RICE NESHAP. EPA recently updated the RICE NESHAP generally providing regulatory relief and clarity from the previous requirements. POC: Christine Paulson at (515) 242-5154.

(NEW) IA WORKFORCE DEVELOPMENT, LABOR SERVICES DIVISION PROPOSED RULE: FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR GENERAL INDUSTRY AND CONSTRUCTION (875 IAC 10.20, 26.1) [proposed amendments](#) to Chapter 10, "General Industry Safety and Health Rules," and Chapter 26, "Construction Safety and Health Rules," IA Administrative Code that adopt by reference changes to federal occupational safety and health standards concerning cranes and derricks in construction and hazard communication in general industry. Changes supplement previous changes to the standards. Comments due 19 Jun 13. POC: Kathleen Uehling at kathleen.uehling@iwd.iowa.gov.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) DEPARTMENT OF NATURAL RESOURCES REQUEST FOR COMMENTS: REGIONAL HAZE STATE IMPLEMENTATION PLAN - 5 YEAR REVIEW. DNR requests public comment on [proposed revision to the SIP](#) to address visibility protection at national parks and scenic areas, also referred to as mandatory Class I Federal areas. SIP revision fulfills requirements for periodic reporting on evaluating progress toward reasonable progress goals in mandatory Class I Federal areas potentially impacted by IA's emissions. Hearing scheduled for 11 Jun 13, comments due 12 Jun 13. POC: Matthew Johnson at

(NEW) **DEPARTMENT OF NATURAL RESOURCES REQUEST FOR COMMENTS: PROPOSED CHANGES TO MODELING GUIDANCE.** DNR invites comment on proposed [changes to modeling guidance](#). DNR is updating several dispersion modeling guidance documents to provide additional clarification on some aspects of guidance, and to provide updates in response to recent changes in federal modeling guidance and requirements. Updates include:

- Clarification that current background concentrations should be used when comparing previous modeling results to the NAAQS in the modeling determination flow chart;
- Addition of the new 1-hour SO₂ NAAQS to the non-Prevention of Significant Deterioration (PSD) modeling guidelines;
- Additional guidance on when intermittent sources may be excluded from modeling analyses for 1-hour NO₂ and SO₂;
- Clarification of the proper method for using the daily fine particulate matter (PM_{2.5}) paired-sums background data for modeling analyses associated with non-PSD projects;
- Clarification that DNR's guidance on rounding modeled concentrations does not apply to PSD projects; and
- Updates to modeling guidance to reflect recent court decisions and EPA guidance regarding the use of PM_{2.5} significant monitoring concentrations and significant impact levels.

Comments due 3 Jun 13. POC: Brad Ashton at Brad.Ashton@dnr.iowa.gov.

(NEW) **DEPARTMENT OF NATURAL RESOURCES PUBLIC REVIEW AND REQUEST FOR COMMENTS: 2013 AIR MONITORING NETWORK PLAN.** The 2013 [Air Monitoring Network Plan](#), required by EPA's national ambient air monitoring regulations, is now available for public review and comment. It contains detailed information about the location and purpose of any monitor in Iowa's air monitoring network that produces data for comparison with national ambient air quality standards. Plan and comments will be submitted to EPA after a 30 day review period. Comments due 1 Jul 13. POC: Sean Fitzsimmons at Sean.Fitzsimmons@dnr.iowa.gov.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 14 Jan 13 and adjourns 20 Jun 13.

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

- [HB 2072](#) SOLID WASTE
- [HB 2074](#) SOLID WASTE DISPOSAL AREA RESTRICTIONS
- [HB 2219](#) INDOOR CLEAN AIR ACT.
- [HB 2304](#) AIR QUALITY FEE TRANSFER
- [HB 2321](#) STANDARDS FOR USE OF GRAYWATER
- [HB 2362](#) NONGAME AND ENDANGERED SPECIES CONSERVATION
- [HB 2365](#) CONSERVATION EASEMENT
- [HB 2367](#) RENEWABLE ENERGY, WIND TURBINE
- [SB 43](#) RESERVOIR WATER STORAGE

FINAL RULE

(EFFECTIVE 31 MAY 13) **DEPARTMENT OF AGRICULTURE, DIVISION OF WATER CONSERVATION FINAL RULE: WATER RIGHTS (K.A.R. 11-12-1 THROUGH K.A.R. 11-12-7).** Department of Agriculture, Conservation Division [finalized the following](#):

- K.A.R. 11-12-1 establishes operating definitions for words and terms used in program implementation;
- K.A.R. 11-12-2 provides additional clarification for those areas where applications will be considered;
- K.A.R. 11-12-3 outlines timelines, standards and procedures where agency will accept applications;

- K.A.R. 11-12-4 identifies which applications for water right retirement grant applications will be evaluated and prioritized, and methods of payment for approved applications; and
- K.A.R. 11-12-5 provides a mechanism for water rights to be conditioned to provide for a brief period of limited irrigation where lands are being converted to permanent vegetation.

POC: Leslie Garner at (785) 296-4623.

PROPOSED RULES

(NEW) **KANSAS WATER OFFICE PROPOSED RULE: WATER SUPPLIES AND PLANNING (K.A.R. 98-1, 98-2, 98-4, 98-5, 98-6, 98-7, 98-8)**. Proposed regulations regarding [state water plan](#) public hearings, weather modification permits, water purchase contract negotiations, the Lower Smoky Hill Water District, and easements on navigable rivers. Hearing scheduled for 9 Jul 13, comments due 1 Jul 13. POC: Leslie Garner at (785) 296-4623.

(NEW) **DEPARTMENT OF HEALTH AND ENVIRONMENT PROPOSED RULE: IMPLEMENTATION, MAINTENANCE AND ENFORCEMENT OF NAAQS FOR SULFUR DIOXIDE (SO₂)**. [Changes are proposed](#) in accordance with requirements of Section 110 of the Federal Clean Air Act Amendments (CAAA) of 1990. Proposed revision (page 518) demonstrates compliance with CAA, Section 110, providing necessary plans, programs and statutory authority to implement Section 110 requirements of the federal Clean Air Act (CAA) as they pertain to SO₂. Public hearing 26 Jun 13. If no requests for a hearing, it will be cancelled. POC: Miles Stotts at (785) 296-1615.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **DEPARTMENT OF HEALTH AND ENVIRONMENT: TMDLS FOR STREAMS AND LAKES IN THE MARAIS DES CYGNES AND MISSOURI BASINS**. KDHE prepared [total maximum daily loads \(TMDLs\)](#) for streams and lakes in the Marais des Cygnes and Missouri Basins not meeting state water-quality standards. These TMDLs represent the third round of TMDLs for waters in these basins since 2001 and 2007. POC: Tom Stiles at (785) 296-6170.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 9 Jan 13 and adjourned *sine die* 30 May 13.

LEGISLATION PASSED BY LEGISLATURE

(UPDATE) **HB 28 OPEN BURNING BAN** authorizes any municipality or fire protection district to adopt orders, ordinances or resolutions, including burn ban orders, as specifically related to actual or impending occurrence of a natural or man-made disaster of major proportions within county of municipality or fire protection district when safety and welfare of inhabitants are jeopardized. Orders, ordinances, or resolutions may include a penalty for a violation as an infraction or a misdemeanor. Introduced and referred to House Committee on Local Government, reported "Do Pass" from committee. Passed House, sent to Senate and referred to Senate Committee on Jobs, Economic Development, and Local Government, voted "Do Pass." Perfected with amendments, passed House and sent to Senate. Referred to Senate Jobs, Economic Development, and Local Government Committee and voted "Do Pass." Reported truly agreed to and passed by Senate. Emergency clause adopted and truly agreed to. Sent to governor for signature. Sponsor: Representative Donna Lichtenegger (R)

(UPDATE) **SB 41 PRIVATE NUISANCE ACTIONS** based on an air emission or water or solid waste discharge, other than placement of nuclear waste, are specifically prohibited if emission or discharge was expressly authorized by and not in violation of a statute or regulation; a license issued by a public body specified in the act; or a court order. However, a person may file suit based on these types of actions if permit or order creates a condition not reasonably foreseeable at the time of issuance or if permit holder fails to disclose certain facts. Referred to Senate Commerce, Consumer Protection, Energy and Environment Committee, voted "Do Pass" by committee, Senate Amendment 1 defeated on Senate floor. Placed on informal calendar for perfection, bill reported "truly perfected," passed Senate. Sent to House and referred to

Judiciary Committee. Passed House as amended, returned to Senate, which refuses to concur with amendment and Senate requests conference. House grants conference. Sponsor: Senator Scott Sifton (D)

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

[HOUSE CONCURRENT RESOLUTION \(HCR\) 18](#) TRANSFER OF AUTHORITY FOR REMEDIATION OF WEST LAKE LANDFILL RADIOACTIVE WASTES TO USACE

[HB 44](#) HYDROPOWER

[HB 74](#) REPAIR OR REPLACEMENT FEE, RESIDENTIAL LATERAL SEWER SERVICE LINES

[HB 122](#) SOLID WASTE TRANSPORTATION.

[HB 328](#) RESIDENTIAL ELECTRONIC PRODUCTS RECYCLING AND REUSE

[HB 417](#) EXISTING WATER STORAGE TANK MAINTENANCE

[HB 880](#) BOARDS AND COMMISSIONS IN THE DEPARTMENT OF NATURAL RESOURCES

[SB 140](#) 2013 WATER QUALITY STANDARDS

[Senate Concurrent Resolution \(SCR\) 11](#) TRANSFER OF AUTHORITY FOR REMEDIATION OF WEST LAKE LANDFILL RADIOACTIVE WASTES TO USACE

[SB 361](#) MUNICIPAL WASTEWATER

[SB 363](#) RESIDENTIAL ELECTRONIC PRODUCTS RECYCLING AND REUSE

[SB 417](#) PROVISIONS RELATING TO THE DEPARTMENT OF NATURAL RESOURCES

FINAL RULES

(EFFECTIVE 30 MAY 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF GASOLINE REID VAPOR PRESSURE (10 CSR 10-2.330) limits [volatility of motor vehicle gasoline](#) in the Kansas City maintenance area and is intended to reduce emissions as quickly as possible to reduce risk of further ozone violations possibly resulting in re-designation and/or sanctions from EPA. Amendment updates a sampling procedure reference and a test procedure reference. These two appendices referenced (40 CFR, part 80, Appendix D and Appendix E) no longer exist and will be replaced with references to current sampling and test methods. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 MAY 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: AIR CONSERVATION COMMISSION, ORGANIZATION AND GENERAL METHODS (10 CSR 10-1.010) provides a description of organization, general methods and [scope of operation](#) of the Missouri Air Conservation Commission and Air Pollution Control Program. Amendment updates public information section to reflect current notification procedures for public hearings and rules in development. In addition, Air Pollution Control Program section titles and main functions will be updated to incorporate changes made since last rule amendment in 1998. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 MAY 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF MERCURY EMISSIONS FROM ELECTRIC GENERATING UNITS (10 CSR 10-6.368) [rescinds rule](#) restricting mercury emissions from electric generating units at power plants through a regional mercury trading program because federal Clean Air Mercury Rule (CAMR) regulations are being replaced with new non-trading Mercury and Air Toxics Standards (MATS) regulations. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 MAY 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: SEWAGE SLUDGE INCINERATORS (10 CSR 10-6.191) adopts rule incorporating by reference [federal regulatory requirements](#) for existing sewage sludge incineration units. POC: Air Quality Planning Section at (573) 751-4817.



NOTICE: Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

Legislature convened 9 Jan 13 and adjourns 5 Jun 13.

LEGISLATION SIGNED BY GOVERNOR

(SIGNED 29 MAY 13) [LB 140](#) LAND USE PLANNING, AIRPORT ZONING provides airport hazard area dimensions, changes provisions relating to airport hazard area zoning regulations, board of adjustment, and judicial review among others. Sponsor: Senator Bob Krist (I)

(SIGNED 25 MAY 13) [LB 242](#) ADMINISTRATIVE RULES AND REGULATIONS. An agency shall adopt and promulgate rules and regulations within one year after the public hearing required under subsection (2) of section 84-907. Any agency that does not adopt and promulgate such rules and regulations as required by this section shall submit electronically an explanation to the Executive Board of the Legislative Council. Sponsor: Senator Sara Howard (I)

PROPOSED LEGISLATION

(NOTE: Bills listed below were cited in the Review but failed to pass upon *sine die* adjournment)

[LB 13](#) RADON RESIDENTIAL CONSTRUCTION

[LB 185](#) STATE ASSISTANCE FOR STREAMFLOW ENHANCEMENT PROJECTS

[LB 353](#) DEFINING REGULATORY AUTHORITY OF NATURAL RESOURCES DISTRICTS

[LB 391](#) PROVISIONS RELATING TO WATER STORAGE

[LB 454](#) ELECTRONICS EXTENDED PRODUCER RESPONSIBILITY

PROPOSED RULE

(NEW) DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: TITLE 129 – NEBRASKA AIR QUALITY REGULATIONS
[revisions](#) include:

- Removing listing of exempt VOCs from Chapter 1 and adding a reference to the CFR and correcting grammatical errors;
- Reorganizing Chapter 4 to align with federal language, update the NAAQS as appropriate, and correct nomenclature of standards;
- Removing “not” before “incomplete” in section 023.01 and 023.02 in Chapter 19;
- Correcting grammatical errors in Chapters 19 and 22; and
- Updating CFR reference in Chapter 28 and correct missing information excluded from two NESHAPs in the chapter.

Hearing 20 Jun 13. POC: Shelly Schneider at (402) 471-2189.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(Effective 1 Apr 13) Department of Agriculture Declares *Sericea Lespedeza* a Noxious Weed in Nebraska. *Sericea lespedeza* is a perennial that grows well in grasslands, pastures, roadsides and drainage areas. *Sericea* is found mainly in southeastern NE and can be spread by wildlife and livestock. Infested areas that are utilized for hay production accelerate spread of the weed into new areas.

Lespedeza cuneata is a species of flowering plant in the legume family known by the common names Chinese bushclover and *sericea lespedeza*, or just sericea. It is native to Asia and eastern Australia and it is present elsewhere as an introduced species and sometimes an invasive plant.

With the addition of *sericea lespedeza*, Nebraska has 12 noxious weeds. The list includes: Canada thistle, leafy spurge, musk thistle, plumeless thistle, purple loosestrife, spotted knapweed, diffuse knapweed, saltcedar, phragmites, Japanese knotweed and giant knotweed. POC: Noxious Weed Program Manager at (402) 471-6844.

Department of Defense Activity

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

ARMY TO EXPAND NET ZERO INITIATIVE ACROSS ALL INSTALLATIONS. The Army plans to extend the [Net Zero Initiative](#), a pilot effort to reduce net consumption of energy and water and generation of waste to an effective rate of zero, to all permanent Army posts. A new policy will be issued by 30 Sep 13. Announcement came on 22 May 13 with release of the [2012 Net Zero Progress Report](#) that includes a summary of achievements to date, best practices at the 18 pilot installations and service's plans for rolling out the initiative Army-wide.

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

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

Federal Activity

AIR

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

OZONE-DEPLETING SUBSTANCES SUBSTITUTES. EPA approved additional substitutes for ozone depleting substances for use in refrigeration and air conditioning, foam blowing, solvent cleaning, adhesives, coatings and inks, and fire suppression sectors, as follows ([78 FR 29034](#)):

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

- Adhesives, Coatings and Inks: Trans-1-chloro-3,3,3-trifluoroprop-1-ene (Solstice™ 1233zd(E)), as a carrier solvent in adhesives or coatings.

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

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

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

CULTURAL RESOURCES

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA) REVISIONS. Since 1995, numerous inaccuracies or inconsistencies in [NAGPRA](#) have been identified by or brought to the attention of the Department of Interior (DOI). NAGPRA amendments are now final and are published in the Federal Register ([78 FR 27078](#)). Among the more substantive changes are:

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

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

ENERGY

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

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

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

HAZARDOUS CHEMICALS

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

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

THREATENED & ENDANGERED SPECIES

LISTING OF THE LESSER PRAIRIE-CHICKEN AS THREATENED SPECIES WITH SPECIAL RULE. USFWS proposes to create a special rule with measures that provide for the conservation of the lesser prairie-chicken (*Tympanuchus pallidicinctus*) ([78 FR 26302](#)). In addition, USFWS announces the reopening of the public comment period on the 11 Dec 12 proposed rule to list the lesser prairie-chicken as a threatened species. USFWS also announces the availability of a draft range-wide conservation plan for the lesser prairie-chicken, which has been prepared by the Lesser Prairie-Chicken Interstate Working Group, and request comments on the plan as it relates to their determination of status. Comments are due 20 Jun 13. FWS POC: Dixie Porter, (918) 581-7458.

OTHER

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

National Conferences and Symposia

NONE

Regional Meetings

15 MAY 13 KANSAS SMALL BUSINESS ENVIRONMENTAL ASSISTANCE PROGRAM (SBEAP) PERMIT AWARENESS WEBINARS for Class I or Class II air operating permits. Permit Awareness Webinar explains air operating permit requirements in plain language, will break down individual components of the permit, and provide linkages to regulatory citations and required KDHE forms. SBEAP will conduct one webinar at 10:00 a.m. for Class I air operating permits and at 1:00 p.m. for Class II air operating permits.

Class I webinar (10:00 am): <https://www3.gotomeeting.com/register/503452334>.

Class II webinar (1:00 pm): <https://www3.gotomeeting.com/register/432326766>.

27-29 AUG 13, TOPEKA, KS [2013 KANSAS ENVIRONMENTAL CONFERENCE](#) provides updates on environmental issues, new technologies, regulatory information, and pollution prevention. Anyone interested in the status of the environment in Kansas is invited to attend.

Professional Development

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER - [FedCenter.gov](#)

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;
- P2 opportunities and best management practices;
- EPA 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.

FedCenter also provides member assistance services such as:

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

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

5-6 Aug 13, Washington, DC, [The American Energy Security Summit](#) - Hosted by the [United States Leadership Forum](#), features top government and industry leaders, providing the latest details on federal energy priorities, programs, and contracts, featuring Departments of Defense, Energy, Agriculture, Veterans Affairs, and other federal agencies. Topics include state government and local government energy priorities, programs, and contracts; energy efficiency priorities, including achieving net zero installations and advanced lighting solutions among others.

VARIOUS DATES AND TIMES ONLINE

25 JUL, GENERAL SERVICES ADMINISTRATION (GSA) CARBON FOOTPRINT TOOL - [Live Demonstration of New Features](#) will highlight GSA Carbon Footprint Tool basics as well as the new Energy Star Portfolio Manager Import functionality.

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

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS. U.S. Army offers numerous environmental training courses. Information on training providers and fiscal year class schedules are available on [US ARMY ENVIRONMENTAL COMMAND \(AEC\) WEBSITE](#).

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

[INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#) 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 via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community.

[EPA 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.

[NATIONAL ENFORCEMENT TRAINING INSTITUTE](#). EPA environmental enforcement training opportunities are offered (e-learning, classroom, and webinar) for federal, state, tribal and local government environmental enforcement professionals.

USACE PROSPECT TRAINING. USACE announces its FY13 PROSPECT training program. Please see [Course Catalog \(a.k.a. Purple Book\)](#) and [List of Classes and schedule](#) for details. Courses are open to all federal employees, state, county and city employees and contractors. There are different registration processes for each entity.

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

[AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY13](#). The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineering 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, and contractor).



Internet Resources

Region 6 Regulatory & Legislative Internet Sites

USEPA Region 6

Arkansas Dept of Environmental Quality (ADEQ)

Arkansas General Assembly

Louisiana Department of Environmental Quality (LDEQ)

Louisiana Legislature

New Mexico Environment Department (NMED)

New Mexico Legislature

Oklahoma Department of Environmental Quality (ODEQ)

Oklahoma Legislature

Texas Commission on Environmental Quality (TCEQ)

Texas Legislature

<http://epa.gov/region6/index.htm>

<http://www.adeq.state.ar.us>

<http://www.arkleg.state.ar.us/>

<http://www.deq.state.la.us/>

<http://www.legis.state.la.us/>

<http://www.nmenv.state.nm.us/>

<http://www.nmlegis.gov/lcs/>

<http://www.deq.state.ok.us>

<http://www.lsb.state.ok.us/>

<http://www.tceq.state.tx.us/>

<http://www.capitol.state.tx.us/>

Region 7 Regulatory & Legislative Internet Sites

USEPA Region 7

Iowa Department of Natural Resources (IDNR)

Iowa General Assembly

Kansas Department of Health and Environment (KDHE)

Kansas Legislature

Missouri Department of Natural Resources (MDNR)

Missouri General Assembly

Nebraska Department of Environmental Quality (NDEQ)

Nebraska Legislature

<http://www.epa.gov/region7/index.htm>

<http://www.iowadnr.com/>

<http://www.legis.iowa.gov/index.aspx>

<http://www.kdhe.state.ks.us>

<http://kslegislature.org/li/>

<http://www.dnr.mo.gov/index.html>

<http://www.moga.mo.gov/>

<http://www.deq.state.ne.us>

<http://nebraskalegislature.gov/>

Other Federal Agencies Internet Sites

Department of the Interior, Bureau of Land Management State Offices

Eastern States AR, LA, MO, IA

NM, KS, OK, TX

WY, NE

U.S. Geological Survey Central Region

All Region 6 and 7 states

DOE Office of Environmental Management

All states

U.S. Fish and Wildlife Service

Southwest Region NM, TX, OK

Mountain – Prairie Region KS, NE

Midwest Region IA, MO

Southeast Region AR, LA

<http://www.blm.gov/es/st/en.html>

<http://www.blm.gov/nm/st/en.html>

<http://www.blm.gov/wy/st/en.html>

<http://www.cr.usgs.gov/>

<http://www.em.doe.gov/pages/emhome.aspx>

<http://www.fws.gov/southwest/>

<http://www.fws.gov/mountain-prairie/>

<http://www.fws.gov/midwest/>

<http://www.fws.gov/southeast/>

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How the Regional Offices Work for You

When used within the framework of ISO 14001, the Central Region Review can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the Review is intended for general guidance, and the reader should refer to the cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The U.S. Army Regional Environmental and Energy Office, Central (REEO-C) monitors the following actions on your behalf. If a proposed state action has: (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) a disproportionate effect on the Army or DOD, we coordinate with the potentially affected installations, commands, and/or other military Services to further assess the potential impact. If action is needed on a proposed measure, we work with Army or Service regulatory experts to communicate DA/DoD position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD/Army package and formally submitted to the state.

For further information please visit the [Army's Regional Environmental and Energy Offices'](#) website.

Want to comment on a rule or bill in the Review?
Please contact your Regional Environmental Coordinator listed above.

Acronyms used in this document can be found at:

<http://www.asaie.army.mil/Public/InfraAnalysis/REEO/Central/docs/acronyms.doc>