



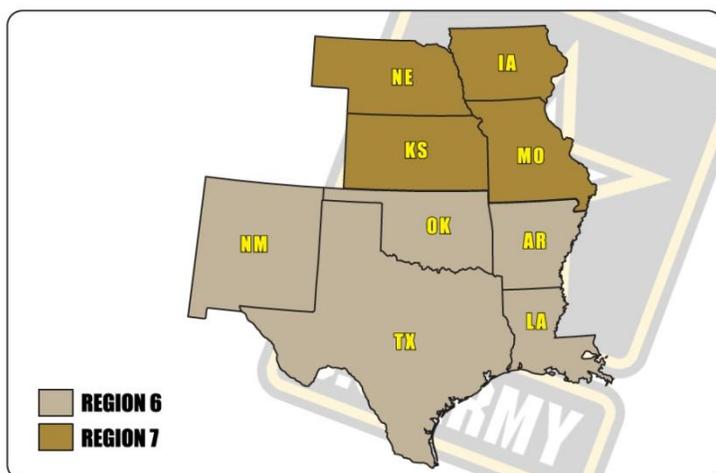
Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

November 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.



Red River Army Depot and McAlester Army Ammunition Plant Receive Army Materiel Command Environmental Awards

The Army Materiel Command (AMC) announced [Red River Army Depot](#) received an Environmental Quality Award for the Industrial and Green Installation category for fiscal year 2012. Additionally, McAlester Army Ammunition Plant received the Natural Resource Conservation Award in the large installation category.

"These awards are excellent opportunities to honor our installations for their hard work," said Pam Whitman, AMC Environmental Division chief. "We wanted to recognize our top performers and share their achievements for the advancement of the environmental and sustainability efforts across AMC and the industrial base."

A panel of headquarters AMC staff reviewed and selected winners who will be considered for the Department of the Army's Environmental Award competition. Installations and teams will be recognized in a virtual awards ceremony held at a later date. (Byline AMC Public Affairs)

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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 convenes 10 Feb 14 and adjourns 9 Mar 14 (fiscal session only).

PROPOSED RULE

(NEW) **SOUTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT BOARD PROPOSED RULE: DISTRICT WASTE TIRE COLLECTION AND DISPOSAL FEES** proposes to institute [Waste Tire Collection and Disposal Fees](#) on waste tires where no state waste tire fee has been collected, reported, and paid on a tire sold at a retail outlet. Comments due 25 Nov 13. POC: A.C. Armstrong at (870) 536-1971.



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 convenes 24 Mar 14 and adjourns 5 Jun 14.

PROPOSED RULES

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: REGULATORY PERMIT FOR STATIONARY INTERNAL COMBUSTION ENGINES (LAC 33:III.311) (AQ342)** expands existing [Regulatory Permit for Emergency Engines](#) to address non-emergency stationary internal combustion engines allowing DEQ to develop regulatory permits for certain sources of air emissions provided conditions in R.S.30:2054(B)(9)(b). Rule expands existing Regulatory Permit for Emergency Engines (LAC 33:III.311) to address non-emergency stationary internal combustion engines. Public hearing 25 Nov 13, comments 2 Dec 13. POC: Deidra Johnson at (225) 219-3985.

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: [SUBSTANTIVE CHANGES TO PROPOSED RULE AQ329](#) ASBESTOS-CONTAINING MATERIALS IN SCHOOLS AND STATE BUILDINGS (LAC 33:III.2701, 2703, 2705, 2707, 2711, 2713, 2717, 2719, 2721, 2723, 2725, 2735, 2739, 2741 AND 2799) (Log #AQ329S) (1310Pot1)** applies to work performed in and on public and commercial buildings pursuant to the federal Asbestos Hazard Emergency Response Act (AHERA) and Asbestos School Hazard Abatement Reauthorization Act (ASHARA). Changes also updates references to standards provided by the federal Occupational Safety and Health Administration (OSHA) incorporated into regulations, addresses training of care providers and accredited personnel, and provides greater clarity of the regulations. Public hearing 25 Nov 13, comments due that day. POC: Deidra Johnson at (225) 219-3985.

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: [SUBSTANTIVE CHANGES TO PROPOSED RULE AQ330](#) EMISSION STANDARD FOR ASBESTOS (LAC 33:III.5151) (Log #AQ330S) (1310Pot2)** clarifies implementation of threshold levels and other determinations of applicability of regulations to demolition and renovation activity, and clarifies requirements for disposal of asbestos-containing material. Changes make Chapter 27 and Section 5151 of Title 33, Part III of the LA Administrative Code, both dealing with asbestos, more compatible, clarify notice requirements, clarify personnel training and accreditation requirements, update incorporation of sign requirements, etc. Public hearing 25 Nov 13, comments due that day. POC: Deidra Johnson at (225) 219-3985.

(NEW) **DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: HYDROCARBON STORAGE WELLS IN SALT DOME CAVITIES (LAC 43:XVII. CHAPTER 3)** action [adopts Statewide Order No. 29-M \(Revision 3\)](#) providing comprehensive regulations for hydrocarbon storage wells in salt dome cavities and amending existing Statewide Order No. 29-M, as enacted by Act 368 and Act 369 of the 2013 Legislative Session. Hearing 26 Nov, comments due 3 Dec 13. POC: Tyler Gray at (225) 342-5540.



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 convenes 21 Jan 14 and adjourns 20 Feb 14.

FINAL RULE

(EFFECTIVE 25 NOV 13) **ENVIRONMENT DEPARTMENT FINAL RULE: GENERAL CONFORMITY RULE STATE IMPLEMENTATION PLAN (SIP) – REPEAL (20.2.98 NMAC) [revision repeals](#)** Air Quality Control Regulation Part 98 of 20.2 (Conformity of General Federal Action to 20.2.98 NMAC) in response to EPA's 24 Mar 10 amendments to federal General Conformity Rule, 40 CFR Part 93, Subpart B – Determining Conformity of General Federal Actions to State or Federal Implementation Plans. Repeal makes adoption and submittal of General Conformity SIPs optional rather than mandatory for states. Upon adoption, repeal of 20.2.98 NMAC will be submitted to EPA for incorporation into SIP. POC: Gail Cooke at (505) 476-4319.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **ENVIRONMENT DEPARTMENT PROPOSED 2013 REGIONAL HAZE PROGRESS REPORT** is available for a 60-day public comment period. 40 CFR § 51.309 requires states to develop [regional haze progress](#) reports for SIPs in 2013 and 2018 to evaluate each state's progress toward reasonable progress for emissions impacting each Class I area located within the state and areas outside states. Comments and hearing requests due 29 Nov 13. POC: Pam Castañeda, Board Administrator at (505) 827-2425.



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 convenes 2 Feb 14 and adjourns 31 May 14.

EMERGENCY RULE

(EFFECTIVE 10 SEP 13) **DEPARTMENT OF ENVIRONMENTAL QUALITY EMERGENCY ADOPTION: REGISTRATION, EMISSION INVENTORY AND ANNUAL OPERATING FEES, PERMITS FOR MINOR FACILITIES (OAC 252:100-5, 7)** modifies [Subchapter 5](#), Registration, Emission Inventory and Annual Operating Fees, for all minor sources facilities registered under a Permit by

Rule (PBR) to change the emission inventory reporting schedule for these facilities. Also modifies [Subchapter 7](#), adding a new PBR for minor facilities and area sources in the oil and natural gas (O&NG) sector and streamlining the permitting process for O&NG sources affected by recent changes to federal standards. POC: Cheryl Bradley at (405) 702-4100.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY REQUEST FOR PUBLIC INPUT: WATER QUALITY INFORMATION FOR THE 2014 INTEGRATED REPORT.** DEQ invites the public to provide water quality information for OK's 2014 Integrated Report at Comments@deq.ok.gov. DEQ is developing OK's 2014 Integrated Report by combining reporting requirements under the Federal Clean Water Act (CWA) Section 305(b) - Surface Water Quality Assessment, and reporting requirements under CWA Section 303(d) - List of Impaired Waters, into one document. The Integrated Report is a biennial assessment of all Oklahoma water bodies. POC: Joe Long at (405) 702-8100.



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 not in session for 2014.

FINAL RULES

(EFFECTIVE 30 OCT 13) COMMISSION ON ENVIRONMENTAL QUALITY FINAL RULE: STAGE II DECOMMISSIONING (30 TAC 115) revises Chapter 115, Subchapter C, Division 4 [to specify owners or operators](#) of new gasoline dispensing facilities (GDFs) are not required to install Stage II equipment and allows existing GDFs in the current program areas to properly decommission Stage II equipment. POC: Santos Olivarez at (512) 239-4718.

(EFFECTIVE 25 SEP 13) PARKS AND WILDLIFE DEPARTMENT WITHDRAWING EMERGENCY RULE: WEST FORK OF THE TRINITY RIVER - CONTROL OF ZEBRA MUSSELS (31 TAC §57.972) withdraws [emergency amendment to §57.972](#), concerning General Rules adding West Fork of the Trinity River above Lake Worth Dam, including Lakes Bridgeport, Eagle Mountain, and Worth, to the list of water bodies under special regulations intended to control the spread of zebra mussels (*Dreissena polymorpha*). POC: TX Parks and Wildlife Department (512) 389-4775.

(EFFECTIVE 25 SEP 13) TX PARKS AND WILDLIFE DEPARTMENT EMERGENCY ACTION: CONTROL THE SPREAD OF ZEBRA MUSSELS (31 TAC §57.972) adds Lake Belton, Stillhouse Hollow Lake, and portions of the Leon and Lampasas rivers to the list of water bodies under special regulations intended to [control the spread of zebra mussels](#) (*Dreissena polymorpha*). The department confirmed the presence of zebra mussels on Lake Belton on 24 Sep 13. Although Stillhouse Hollow Lake is on the Lampasas River, while Lake Belton is on the Leon River, it is being included in the effectiveness of the emergency rules because it is less than five linear miles from Lake Belton and there is considerable and constant interbasin vessel traffic. Emergency Rule expires 22 Jan 13. POC: TX Parks and Wildlife Department (512) 389-4775.

PROPOSED RULES

(NEW) **COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: RAINWATER HARVESTING (RWHS)** [amends Chapter 290](#) to:

- Remove "for indoor use" from §290.44(j);
- Require a privately owned RWHS with capacity of more than 500 gallons connected to a public water system (PWS) for a back-up supply to have a backflow prevention assembly or an air gap at the storage facility for the harvested rainwater in §290.44(j)(1);
- Remove the word "indoor" from the phrase "for indoor potable purposes" in §290.44(j)(2);
- Remove the phrase "for use for potable purposes" from renumbered §290.44(j)(3); and
- Require that the PWS used as a back-up supply for a RWHS may be connected only to the water storage tank and may not be connected to the plumbing of a structure in new §290.44(j)(4).

Comments due 12 Nov 13. POC: Cindy Haynie (512) 239-3465.

(NEW) **COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: PUBLIC DRINKING WATER (30 TAC §290.44)** reflects changes to the TX Health and Safety Code (THSC), §341.042 in House Bill (HB) 2781 relating to structures connected to a PWS and have a RWHS. Hearing scheduled 5 Nov 13, comments due by 12 Nov 13. POC: Charlotte Horn at (512) 239-0779.

(NEW) **COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES Inspection and Maintenance (I/M) (Chapter 114)** replaces current dual [inspection and registration sticker system](#) with a single registration sticker and modifies method used to collect state's portion of vehicle safety and emissions inspection fee. Changes include:

- Eliminating use of safety and emissions inspection windshield sticker;
- Verifying compliance with I/M program requirements using vehicle inspection report or vehicle registration insignia sticker instead of the current safety and emissions inspection windshield sticker;
- Passing of vehicle safety and emissions inspection no more than 90 days prior to vehicle registration expiration instead of expiration of vehicle's safety and emissions inspection windshield sticker; Replacing TCEQ with Department of Public Safety as entity providing information on compliant vehicles to Department of Motor Vehicles (DMV); and
- Collecting state's portion of safety and emissions inspection fee at time of registration or registration renewal by DMV or county tax assessor-collector.

Comments due 4 Nov 13. POC: Edgar Gilmore at (512) 239-2069.

(NEW) **DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS PROPOSED RULE: MINIMUM ENERGY EFFICIENCY REQUIREMENTS FOR SINGLE FAMILY CONSTRUCTION ACTIVITIES (10 TAC §§21.1 - 21.6)** sets [minimum energy efficiency requirements](#) for new construction, reconstruction, and rehabilitation activities in Single Family Programs in accordance with Texas Government Code, §2306.187. Comments due 25 Nov 13. POC: Brooke Boston at (512) 475-3974.

(NEW) **EDWARDS AQUIFER AUTHORITY PROPOSED RULES: ADMINISTRATIVE PROCEDURES AND ENFORCEMENT (CHAPTERS 702, 707, 709, 711, 713, 717)** makes rule changes to:

- Chapter 702 (Definitions);
- Chapter 707 (Procedures Before the Authority), Subchapter E (Actions on Applications);
- Chapter 709 (Fees), Subchapter D (Aquifer Management Fees);
- Chapter 711 (Groundwater Withdrawals):
 - Subchapter B (General Provisions);
 - Subchapter C (Exempt Wells);
 - Subchapter D (Limited Production Wells);
 - Subchapter E (Term Permits);
 - Subchapter I (General Prohibitions);
 - Subchapter L (Administration of Permits);
 - Subchapter M (Meters; Reporting);
- Chapter 713 (Water Quality), Subchapter C (Well Construction, Operation and Maintenance); and
- Chapter 717 (Enforcement)

Hearings scheduled for 21, 29 and 30 Oct 13. POC: Edwards Aquifer Authority, Policies & Rules at (210) 222-2204.

(NEW) **TX PUBLIC UTILITY COMMISSION PROPOSED RULE: OPEN-ACCESS COMPARABLE TRANSMISSION SERVICE FOR ELECTRIC UTILITIES (16 TAC §25.192)** allows municipally owned utilities [to recover payments](#) made in lieu of *ad valorem* taxes under certain conditions. This rule is a competition rule subject to judicial review as specified in Public Utility Regulatory Act (PURA) §39.001(e). Hearing scheduled for 9 Dec 13, Comments due 2 Dec 13. POC: Rules Coordinator at (512) 936-7223

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

EPA PROPOSED APPROVAL AND PROMULGATION: ATTAINMENT DEMONSTRATION FOR THE HOUSTON-GALVESTON-BRAZORIA (HGB) 1997 8-HOUR OZONE NONATTAINMENT AREA. EPA proposes to approve the following SIP Clean Air Act required elements for the HGB area: attainment demonstration for 1997 ozone National Ambient Air Quality Standards (NAAQS); reasonably available control measures (RACM) demonstration; contingency measures plan in the event of failure to attain

NAAQS by applicable attainment date; and a Motor Vehicle Emissions Budget (MVEB) for 2018, attainment year for the area.

EPA PROPOSED APPROVAL AND PROMULGATION: REASONABLE FURTHER PROGRESS PLAN, CONTINGENCY MEASURES, AND TRANSPORTATION CONFORMITY BUDGETS, HOUSTON. EPA proposes to approve [revisions to the TX SIP](#) to the emissions inventory, reasonable further progress plan and contingency measures, vehicle miles traveled offset analysis, and transportation conformity motor vehicle emissions budgets associated with the reasonable further progress portion of these revisions.

(EFFECTIVE 12 NOV 13) EPA FINAL APPROVAL AND PROMULGATION: PROCEDURES FOR STRINGENCY DETERMINATIONS AND MINOR PERMIT REVISIONS FOR [FEDERAL OPERATING PERMITS](#). EPA takes direct final action to approve portions of three revisions to the TX SIP concerning the TX Federal Operating Permits Program. EPA determined these SIP revisions comply with the Clean Air Act and EPA regulations and are consistent with EPA policies.

Region 7



NOTICE: Request command and installation staff contact the Army Regional Environmental and Energy Office for the Central Region (REEO-C) 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 convenes 12 Jan 14 and adjourns 7 May 14.

FINAL RULES

(EFFECTIVE 20 NOV 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: UNDERGROUND STORAGE TANKS - LEAK DETECTION AT UNSTAFFED FACILITIES (567 IAC 135.5(1)) rescinds paragraph 135.5(1)"e" and [adopts a new paragraph](#) changing deadline for compliance with certain leak detection and notification requirements applicable to unstaffed facilities operating underground storage tank (UST) systems with pressurized piping from 1 Jan 13 to 1 Jan 14. "Unstaffed facilities" are those without an operator present on site at all times the UST system is operating and available to dispense fuel to a customer. POC: Paul Nelson at (515) 281-8779.

(EFFECTIVE 6 NOV 13) IA WORKFORCE DEVELOPMENT DEPARTMENT, DIVISION OF LABOR SERVICES FINAL RULE: FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR DIGGER DERRICKS - ADOPTION BY REFERENCE (875 IAC 26.1) adopts by reference changes to federal occupational safety and health standards concerning specialized equipment known as ["digger derricks"](#) used for tasks such as installing utility poles. Under existing standards, most work done by digger derricks is exempt from cranes and derricks standards. Change expands exemption for digger derricks. POC: Kathleen Uehling at (515) 281-5387.

(EFFECTIVE 23 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: AMBIENT AIR QUALITY STANDARDS (567 IAC 22.1(2), 22.8, 22.103(2), 28.1) [amendments to Chapter 22](#), "Controlling Pollution," and Chapter 28, "Ambient Air Quality Standards," IA Administrative Code, are necessary to allow for implementation of new and revised NAAQS. POC: Christine Paulson at (515)242-5154.

(EFFECTIVE 23 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) FOR RECIPROCATING INTERNAL COMBUSTION ENGINES (RICE) (567 IAC 23.1(4)) amends Chapter 23, "Emissions Standards for Contaminants," IA Administrative Code to adopt federal air toxics standards for stationary engines commonly known as [RICE NESHAP](#). Upon adoption, DNR, not EPA, implements and enforces regulations. Rule allows DNR to provide compliance assistance and outreach to affected facilities as soon as possible. POC: Christine Paulson at (515)242-5154.



NOTICE: Request command and installation staff contact the Army Regional Environmental and Energy Office for the Central Region (REEO-C) 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 convenes 12 Jan 14 and adjourns 29 Apr 14.

No significant regulatory activities this reporting period.



NOTICE: Request command and installation staff contact the Army Regional Environmental and Energy Office for the Central Region (REEO-C) 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 14 and adjourned 30 May 14.

FINAL RULES

(EFFECTIVE 30 DEC 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROLLING EMISSIONS DURING EPISODES OF HIGH AIR POLLUTION POTENTIAL (10 CSR 10-6.130) specifies conditions establishing [air pollution alert and emergency alert levels](#) and associated procedures and emissions reduction objectives. Updates a table by removing pollutant concentration breakpoints that become inaccurate each time NAAQSs change; clarifies requirements for sources to provide DNR with an emissions reduction plan when requested; clarifies rule provisions; and removes definitions found in 10 CSR 10-6.020 Definitions and Common Reference Tables. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 DEC 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: EMISSIONS STANDARDS AND MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY REGULATIONS (10 CSR 10-6.075, 6.080) establishes emission control technology, performance criteria and work practices to achieve emission standards for sources emitting or having potential to emit hazardous air pollutants. Rulemaking adopts by reference new emission standards, updates, and clarifications to existing federal rule 40 CFR 63 promulgated from 17 Feb 12 through 31 Dec 12. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 DEC 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: NEW SOURCE PERFORMANCE REGULATIONS (10 CSR 10-6.070) [adopts by reference](#) new emission standards, updates, and clarifications to existing federal rule 40 CFR 60 promulgated from 17 Feb 12 through 31 Dec 12. Evidence supporting need for this proposed rulemaking, per 536.016, RSMo, include elements of the state/EPA work plan and Title V Operating Permit Program requirements. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONSTRUCTION PERMITS REQUIRED (10 CSR 10-6.060) defines sources required to obtain [permits to construct](#) (scroll to mid-page). It also establishes permit fees and public notice requirements for certain sources, and incorporates a means for unifying the processing of construction and operating permit issuance. Amendment incorporates by reference three EPA rules revising plantwide applicability limitations for greenhouse gases (GHG), repeals a grandfather provision for particulate matter less than 2.5 micrometers

(PM_{2.5}), and corrects definition of regulated pollutants in the NSR program. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF NITROGEN OXIDES (NO_x) EMISSIONS FROM LARGE STATIONARY INTERNAL COMBUSTION ENGINES (10 CSR 10-6.390) reduces [NO_x emissions](#) to ensure compliance with the federal NO_x control plan regarding transport of air pollutants, and establishes emission levels for large stationary internal combustion engines. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: [CONTROL OF NO_x EMISSIONS FROM UPWIND SOURCES – RESCISSION](#) (10 CSR 10-6.345) protecting air quality in the St. Louis area addresses NO_x sources proposed for construction outside and upwind of the St. Louis non-attainment area because the rule expired. Subsection (1)(C) states rule expires five years from the effective date (30 Dec 06); the five year period ended 30 Dec 11. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF SULFUR EMISSIONS FROM STATIONARY BOILERS (10 CSR 10-5.570) amends rule [limiting sulfur dioxide](#) (SO₂) emissions from industrial boilers in the St. Louis Nonattainment Area. Rule clarifies limit for emissions from breweries is for applicable units only and not a limit for the entire installation's emissions. Amendment removes definitions found in 10 CSR 10-6.020 Definitions and Common Reference Tables. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: REPORTING EMISSION DATA, EMISSION FEES, AND PROCESS INFORMATION (10 CSR 10-6.110) proposes amendments to procedures for [reporting emission related information](#) and establishing emission fees for purpose of state air resource planning. Amendment adds a reference to applicable year(s) for set emission fees, clarifies information required in emission reports, clarifies types and frequency of reports to be submitted for Emissions Inventory Questionnaire purposes, and removes definitions of terms now located in 10 CSR 10-6.020. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: RESTRICTION OF EMISSION OF PARTICULATE MATTER FROM INDUSTRIAL PROCESSES (10 CSR 10-6.400) restricts emissions of [filterable particulate matter](#) in source gas of an operation or activity except where 10 CSR 10-6.405 and/or 10 CSR 10-6.070 would be applied. Amendment provides a hierarchy of various compliance methods to use for demonstrating compliance, clarifies this rule limits filterable particulate matter only, and removes definitions found in 10 CSR 10-6.020 Definitions and Common Reference Tables. POC: Chief, Air Quality Planning Section at (573) 751-4817.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) DEPARTMENT OF NATURAL RESOURCES INFORMATIONAL MEETING - DOMESTIC WASTEWATER TREATMENT FACILITIES PERMIT to be [held 3 Dec 13](#) about the development of a new permit, MO-GD0000, covering private domestic wastewater treatment facilities discharging less than 50,000 gallons per day. POC: Water Protection Program at (573) 751-1300.

EPA DECISION ISSUED ON MISSOURI'S WATER QUALITY STANDARDS. EPA approved Department of Natural Resources' (DNR) [new and revised recreational use designations](#) for 102 water bodies and disapproved DNR's designations for 41 water bodies to protect Missouri's waters for purposes of recreational activities. EPA requires states assign fishable and swimmable uses to their waters unless science-based studies show that these uses cannot be attained and disapproves designations when studies do not show lowering use is appropriate.



NOTICE: Request command and installation staff contact the Army Regional Environmental and Energy Office for the Central Region (REEO-C) 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 convenes 7 Jan 14 and adjourns 8 Mar 14.

PROPOSED RULE

(UPDATE) **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, updating the NAAQS as appropriate, and correcting 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 correcting missing information excluded from two NESHAPs in the chapter.

Attorney General approval filed 22 Oct 13. POC: Shelly Schneider at (402) 471-2189.

Department of Defense Activity

PARTNERING FOR ENHANCED MISSION EFFECTIVENESS VIDEO. The U.S. Army is partnering with private sector, other agencies, government and local communities for what Army leadership calls Enhanced Mission Effectiveness. "Our mission capabilities are enhanced and our costs reduced when we focus on our core competencies, and rely on the expertise and experience of our partners for non-core functions and services. This 'win-win' approach keeps us Army Strong," said Hon. Katherine Hammack, assistant secretary of the Army, Installations, Energy and Environment. See related video - [Partnering for Enhanced Mission Effectiveness](#).

Federal Activity

AIR

U.S. ENERGY-RELATED CARBON DIOXIDE EMISSIONS, 2012 REPORT released by the Department of Energy (DOE) released a report on U.S. energy-related CO₂ emissions indicate:

- The 2012 downturn means emissions are at their lowest level since 1994 and over 12 percent below the 2007 peak;
- After 1990, only 2009 saw a larger percentage emissions decrease than 2012; and
- Energy-related carbon dioxide emissions have declined in five out of the last seven years.

Full report available on [Energy Information Administration website](#).

ENERGY

“Working with the Department of Defense: Siting Renewable Energy Development.” The goal of a primer by this title is to identify key considerations for [siting renewable energy projects](#) that could impact the military mission, whether on or outside of military managed lands. These considerations are intended as informational guidelines for

developers and other participants in the renewable energy siting process. Further information may be obtained by contacting osd.dod-siting-clearinghouse@mail.mil.

HEATING OILS FROM BIOMASS ADDED TO RENEWABLE FUEL STANDARD PROGRAM. EPA added heating oils derived from biomass to the list of fuels counting toward federal volume requirements for the [Renewable Fuel Standard \(RFS\)](#) program ([78 FR 62462](#)). Final rule expands program scope by amending definition of heating oil and adding so-called “fuel oils” from qualifying renewable substances that warm houses, office buildings, and other residential and workplace facilities. Additional information available on [EPA website](#). EPA POC: [Suzanne Bessette](#), (734) 214-4703.

(EFFECTIVE 23 OCT 13) CONSUMER PRODUCTS AND COMMERCIAL AND INDUSTRIAL EQUIPMENT. As required by the recently enacted [American Energy Manufacturing Technical Corrections Act, Public Law 110-140](#), DOE incorporates new energy conservation standards and definitions regarding certain consumer products and commercial and industrial equipment ([78 FR 62988](#)). Equipment includes walk-in coolers and walk-in freezers, service over the counter commercial refrigeration equipment, niche residential central air conditioners, and incandescent lighting products. DOE POC: [DeLucas Adin](#), (202) 287-1317.

CLIMATE CHANGE

SENSITIVITY OF STREAMFLOW, NUTRIENT, AND SEDIMENT LOADS TO POTENTIAL CLIMATE CHANGE. EPA issued a final report titled, [Watershed Modeling to Assess the Sensitivity of Streamflow, Nutrient, and Sediment Loads to Potential Climate Change and Urban Development in 20 U.S. Watersheds](#). Additional information available on [EPA website](#). EPA POC: [Thomas Johnson](#), (703) 347-8618.

CULTURAL RESOURCES

PROPOSED RULE FOR DISPOSITION OF UNCLAIMED HUMAN REMAINS ON FEDERAL LANDS. The National Park Service (NPS) proposes procedures for disposition of unclaimed human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered on federal lands after 16 Nov 90 ([78 FR 64436](#)). Rule would implement section 3 (b) of [Native American Graves Protection and Repatriation Act of 1990](#). Comments due 30 Dec 13. NPS POC: Dr. Sherry Hutt, (202) 354-1479.

HAZARDOUS CHEMICALS

(EFFECTIVE 1 NOV 13) ENHANCED ENFORCEMENT PROCEDURES - RESUMPTION OF TRANSPORTATION. The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule related to enhanced inspection, investigation, and enforcement authority ([78 FR 60755](#)). Specifically, PHMSA amendments include procedures for an agent of the Secretary of Transportation to open packages of perishable hazardous materials and to provide notification to the responsible party an agent has exercised a safety inspection or investigation authority. PHMSA POC: Vincent Lopez, (202) 366-4400.

EPA UPDATE TO TEST METHODS FOR EVALUATING SOLID WASTE. EPA issued Update V to publication [SW-846](#) - Test Methods for Evaluating Solid Waste, Physical/Chemical Methods ([78 FR 63185](#)). containing eight new and 15 revised analytical methods for monitoring or complying with hazardous and non-hazardous waste regulations. Comments due 21 Jan 14. EPA POC: [Kim Kirkland](#), (703) 308-8855.

(EFFECTIVE 30 OCT 13) NON-TANK VESSEL RESPONSE PLANS AND OTHER RESPONSE PLAN REQUIREMENTS. The U.S. Coast Guard promulgated a final rule requiring non-tank vessel response plans, for commercial vessels, to further protect the nation from threats of oil spills in U.S. waters ([78 FR 60099](#)). Rule requires owners or operators of non-tank vessels to prepare oil spill response plans, submit plans to the Coast Guard, and specifies content of a response plan addresses, among other issues, a requirement to plan for responding to a worst case discharge and a substantial threat of such a discharge. Coast Guard POC: [Lieutenant Commander John Peterson](#), (202) 372-1226.

THREATENED & ENDANGERED SPECIES

EASTERN SMALL-FOOTED BAT AND THE NORTHERN LONG-EARED BAT. US FISH AND WILDLIFE SERVICE (USFWS) finds listing the eastern small-footed bat as an endangered or threatened species as not warranted but proposed listing the northern long-eared bat as an endangered species throughout its range ([78 FR 61045](#)). USFWS also determined critical habitat for the northern long-eared bat is not determinable at this time. The northern long-eared bat ranges reaches from MA west

to MT, south to eastern **KS**, eastern **OK, AR**, and east to FL. Additional information available on [FWS website](#). Comments due 2 Dec 13. FWS POC: Peter Fasbender, (920) 866-3650.

DESIGNATION OF CRITICAL HABITAT FOR DAKOTA SKIPPER AND POWESHIEK SKIPPERLING. USFWS proposed designating critical habitat for the Dakota skipper and Poweshiek skipperling butterflies ([78 FR 63625](#)). In total, approximately 39,035 acres is being proposed as critical habitat for both species combined, with approximately 14,931 acres of the proposed critical habitat being common to both species. States where critical habitat is proposed include MN, ND, SD, **IA**, and MI. Additional information available on [FWS website](#). Comments due 23 Dec 13. FWS POC: Pete Fasbender, (612) 725-3548.

OTHER

FEDERAL GREEN CHALLENGE FY2014 ENROLLMENT OPEN NOW. The Federal Green Challenge is a national effort under EPA's [Sustainable Materials Management Program](#), challenging EPA and other federal agencies to lead by example in reducing the federal government's environmental impact. For more details and information on how your office or facility can become a FY2014 participating member, visit the [Federal Green Challenge website](#).

Enforcement and Compliance History Online (ECHO) Modernization. [website](#) is being modernized and redesigned to make it easier to use and maintain. This is a public access website to data stored in EPA compliance and enforcement data systems. Data in the EPA systems come from EPA staff, state/local/ tribal agencies, and in some cases directly from regulated facilities.

National Conferences and Symposia

NONE

Regional Meetings

NONE

Professional Development

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;
- 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.

U.S. ARMY CORPS OF ENGINEERS (USACE) FY 14 PROSPECT TRAINING. USACE Learning Center (ULC), the Center for Learning and Training for USACE, announced its FY14 Proponent-Sponsored Engineer Corps Training (PROSPECT). This program provides job-related training through technical and professional courses to meet the unique needs of USACE and other government agencies. The PROSPECT Program course catalog, known as the Purple Book, currently lists over 200 courses that cover a wide variety of topics and are available to federal, state or local government employees. Highly dedicated instructors who excel in their areas of expertise are selected from headquarters, divisions, districts, laboratories, the ULC, or from universities or private firms to design and teach the PROSPECT courses. See the [Course Catalog \(a.k.a. Purple Book\)](#) for list of classes and schedules. Courses are open to all federal, state, county and city employees, and contractors. Several environmental courses are also ISEERB approved. [Course registration](#) can be found on the ULC website.

DoD MASTER PLANNING INSTITUTE (DODMPI) 2014 COURSE SCHEDULE. [DODMPI](#) is a virtual suite of DoD master planning courses providing the DoD planning community with an understanding of the base planning process and has an extensive course schedule planned for 2014. The first class is Master Planning principles, course 75, scheduled at the USACE Savannah District in Savannah, GA, 18-21 Nov 13. The class involves lectures, applied instruction training exercises, and a field trip around Savannah identifying patterns used in planning bases. Course details can be found on [DODMPI website](#) or [ULC website](#).

VARIOUS DATES AND TIMES ONLINE

NRDC-DEPARTMENT OF DEFENSE RENEWABLE ENERGY SITING PRIMER 1:00 PM (EST) 19 Nov 13. New siting considerations jointly developed by the Department of Defense and the Natural Resources Defense Council (NRDC) for the first time address core issues for developing renewable energy sources on and around military installations. Clearinghouse library at: http://www.acq.osd.mil/dodsc/library/Siting_Renewable_Energy_Primer_5SEP13_FINAL_WEB.pdf. Please contact event coordinator Lenny Siegel at LSiegel@cpeo.org to RSVP.

ASSOCIATION OF DEFENSE COMMUNITIES (ADC) SECTION 331/SHARED SERVICES TRAINING WORKSHOP. Section 331 of the National Defense Authorization Act allows shared services agreements among defense communities, the military, and the private sector. Hosted by the City of Monterey, CA, on 18-19 Nov 13, this workshop is designed to provide an intensive two-day session to any community considering the development of shared service agreements or installation staff interested in working with their communities.

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

UTILITY ENERGY PROJECT INCENTIVE FUNDS This FEMP course teaches federal agencies about financing the capital costs of energy improvement projects from savings generated through energy efficiency measures funded by utilities, public benefit funds, and other resources. [The training session is delivered live via satellite or through streaming media at your desktop.](#)

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 environmental community members.

[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.



Internet Resources

Region 6 Regulatory & Legislative Internet Sites

USEPA Region 6	http://epa.gov/region6/index.htm
Arkansas Dept of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us/
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://www.nmlegis.gov/lcs/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tceq.state.tx.us/
Texas Legislature	http://www.capitol.state.tx.us/

Region 7 Regulatory & Legislative Internet Sites

USEPA Region 7	http://www.epa.gov/region7/index.htm
Iowa Department of Natural Resources (IDNR)	http://www.iowadnr.com/
Iowa General Assembly	http://www.legis.iowa.gov/index.aspx
Kansas Department of Health and Environment (KDHE)	http://www.kdheks.gov/
Kansas Legislature	http://kslegislature.org/li/
Missouri Department of Natural Resources (MDNR)	http://www.dnr.mo.gov/index.html
Missouri General Assembly	http://www.moga.mo.gov/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://nebraskalegislature.gov/

Other Federal Agencies Internet Sites

Department of the Interior, Bureau of Land Management State Offices	
Eastern States AR, LA, MO, IA	http://www.blm.gov/es/st/en.html
NM, KS, OK, TX	http://www.blm.gov/nm/st/en.html
WY, NE	http://www.blm.gov/wy/st/en.html
U.S. Geological Survey Central Region	
All Region 6 and 7 states	http://www.cr.usgs.gov/
DOE Office of Environmental Management	
All states	http://www.em.doe.gov/pages/emhome.aspx
U.S. Fish and Wildlife Service	
Southwest Region NM, TX, OK	http://www.fws.gov/southwest/
Mountain – Prairie Region KS, NE	http://www.fws.gov/mountain-prairie/
Midwest Region IA, MO	http://www.fws.gov/midwest/
Southeast Region AR, LA	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>