



Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

December 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.

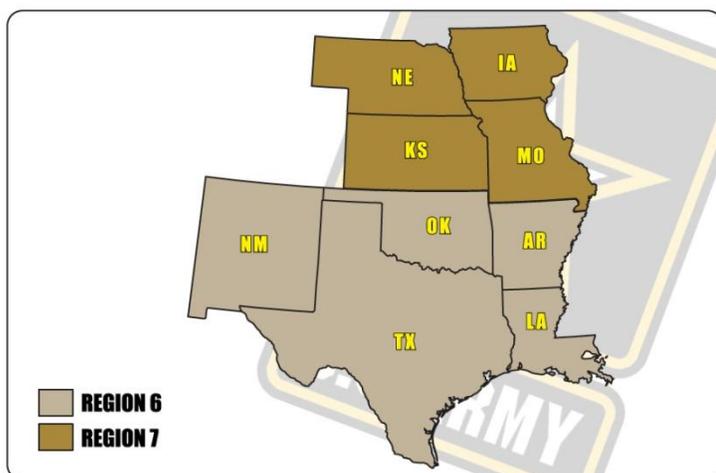


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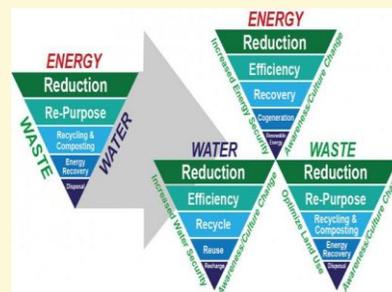
Army Showcases Energy-Efficient Technologies for Warfighters

In an event hosted by the G-4 Operational Energy team 14 Nov 13, the U.S. Army displayed [energy-efficient technologies](#) in the Pentagon courtyard already in use or being developed to make Soldiers more effective on the battlefield. These technologies included such things as a rigid wall shelter, an Integrated Soldier Power/Data System, generators and portable solar panels.

Army leaders who toured displays included Under Secretary of the Army Dr. Joseph W. Westphal, SGM of the Army Raymond F. Chandler III, and Ms. Katherine Hammack, Assistant Secretary of the Army for Installations, Energy and Environment.

MAJ Mitchell J. Wisniewski, commander of the 542nd Quartermaster Company described energy efficient readily deployable shelters, Force Provider units. They are very energy efficient utilizing solar shade liners, shower water reuse system, and microgrid generation system to reduce the amount of fuel that is used.

A rigid wall shelter, based on a 20-foot container, is now under development. That unit can accommodate a kitchen, latrines, a shower system and sleeping quarters. (Byline credit to Ms. Lisa Ferdinando ARNEWS)



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).

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 convenes 24 Mar 14 and adjourns 5 Jun 14.

PROPOSED RULE

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: REQUIREMENTS FOR EXPANDED DEFINITION OF BYPRODUCT MATERIAL (LAC 33:XV.102, 304, 322, 324, 328, 399, 460, 465, 499, 717, 729, 731, 732, 735, 1302) (RPO055FT)** amends [Radiation Protection regulations](#) and is identical to federal regulations found in 10 CFR 20, 30, 31, 32, 35, 61, and 150 applicable in LA. This move updates state regulations to be compatible with changes in federal regulations, including updating and adding several definitions to coincide with amendments relating to requirements for the expanded definition of byproduct material. Hearing scheduled and comments due 27 Dec 13. POC: Deidra Johnson at (225) 219-3985.



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.

PROPOSED RULE

(NEW) **ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD PROPOSED RULE: INCORPORATION OF FEDERAL REQUIREMENTS (20.11.63, 20.11.64 NMAC)** aimed at:

- Amending [20.11.63 NMAC](#), New Source Performance Standards For Stationary Sources, by incorporating by reference new and modified New Source Performance Standards (NSPS) published in 40 CFR 60, NSPS through 13 Sep 13; and
- Amending [20.11.64 NMAC](#), Emission Standards For Hazardous Air Pollutants For Stationary Sources, by incorporating by reference new and modified standards published in 40 CFR 61, National Emission Standards For Hazardous Air Pollutants (NESHAP), and 40 CFR 63, NESHAP by Source Category through 13 Sep 13.

Hearing scheduled 8 Jan 14, comments due 2 Jan 14. POC: Neal Butt at (505) 768-2660.



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.

PROPOSED RULES

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OAC 252:606-1-3, 252:606-3-4) [amendments](#):**

- Updates numbering subparagraph incorporated by reference in 40 CFR 124.10 because subparagraph (a)(1)(iv) revoked and subparagraph (a)(1)(v) renumbered to (a)(1)(iv);
- Replaces provision for pro-rating initial stormwater permit fees with a provision allowing initial fee to cover subsequent 12 months; and
- Revokes Appendix D and move fee language to Section 3-4.

Hearing scheduled 21 Feb 14 and comments due 14 Jan 14. POC: Mike Stickney at (405) 702-5100 or Mike.Stickney@deq.ok.gov

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: ROOFING MATERIAL RECYCLING (OAC 252:515-41-13) amendment adds [new Subchapter 41-13](#)** in response to recent legislative changes to 27A O.S. § 802.2, relating to Roofing Material Recycling Facilities. Hearing scheduled 20 Feb 14 and comments due 16 Jan 14. Mike Stickney at (405) 702-5100 or Mike.Stickney@deq.ok.gov

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: WATER POLLUTION CONTROL FACILITY CONSTRUCTION STANDARDS (OCA 252:656-3-1, 252:656-5-4, ET SEQ.) [amendments to Chapter 656](#)** - Water Pollution Control Facility Construction Standards:

- Requires submission of plans to include at least one set of construction plans on 11" x 17" paper and one set of specifications loosely bound and suitable for scanning;
- Strengthens existing prohibition against locating lagoons in areas subject to karstification;
- Adds disinfection criteria for reclaimed water systems and distinguishes those criteria from OPDES discharge

criteria ;

- Adds traveling bridge filters as an approved method for filtration; and
- Clarifies minimum dosage for Category 3 reclaimed water is based on MS-2 phage inactivation, among others.

Comments due 2 Jan 14. Hearings scheduled for 14 Jan 14 and 21 Feb 14. POC: Mark Hildebrand at (405) 702-8100 or Mark.Hildebrand@deq.ok.gov.

(NEW) **DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY PROPOSED RULE: WATER QUALITY STANDARDS IMPLEMENTATION PLAN 35:45-1** amendment to Subchapter 1 - [Water Quality Standards Implementation Plan](#) incorporates textual changes to clarify and modernize department rules. Hearing scheduled for and comments due 3 Jan 14. POC: Bennett Abbott at (405) 522-5803 or bennett.abbott@ag.ok.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 not in session in 2014.

FINAL RULES

(EFFECTIVE 28 NOV 13) **COMMISSION ON ENVIRONMENTAL QUALITY FINAL RULE: RADIOACTIVE SUBSTANCE RULES, MAXIMUM DISPOSAL RATES (30 TAC §336.1310)** sets [maximum disposal rates](#) a licensee may charge generators for disposal of low-level radioactive waste. Rate would be the same as the executive director's recommended disposal rates discussed during State Office of Administrative Hearing process. POC: Tonya Baer at (512) 239-1233.

(EFFECTIVE 14 NOV 13) **COMMISSION ON ENVIRONMENTAL QUALITY FINAL RULE: CONTROL OF AIR POLLUTION FROM VOLATILE ORGANIC COMPOUNDS SURFACE COATING APPLICATION SYSTEMS REVISION (30 TAC 115)** allows airless and air-assisted airless spray [application systems for coating](#) various metal parts and products, 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. POC: Frances Dowiak at (512) 239-3931.

(EFFECTIVE 13 NOV 13) **COMMISSION ON ENVIRONMENTAL QUALITY FINAL RULE: URANIUM SOIL CONCENTRATION STANDARD (30 TAC §336.1115)** [amends uranium limits](#) for outdoor areas to be considered suitable for release to unrestricted use. Specifically, amends uranium in soil concentration limit so uranium and all related radioactive concentrations limited by the Radium Benchmark Dose Approach as specified in NUREG-1620 Appendix H. POC: Tony Gonzalez at (512) 239-6471.

PROPOSED RULES

(NEW) **COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: GREENHOUSE GASES (GHGs) PERMITTING REQUIREMENTS UNDER PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PROGRAM AND FEDERAL OPERATING PERMITS ('TITLE V') PROGRAM (30 TAC CHAPTERS 39, 55, 101, 106, 116, 122).** House Bill (HB) 788, 83rd Legislature, 2013, added new Texas Health and Safety Code (THSC), §382.05102. The commission [initiates rulemaking](#) to fulfill the directive from the legislature. Change summary:

[Chapter 39](#)

- Changes to §39.411 ensure public notice text for PSD GHG permits correctly indicates a person may request a notice and comment hearing for PSD GHG permits (as opposed to a contested case hearing).
- New §39.412 establishes public notice procedures for certain PSD GHG permit applications previously submitted to EPA.

[Chapter 55](#)

- Changes to §55.201 ensure applications for a PSD GHG permit are not subject to contested case hearing requirements. A notice and comment hearing process will apply.

[Chapter 101](#)

- A definition of "greenhouse gases" was added under §101.1.

- §101.1 definition of "reportable quantity" amended to specify there is no Reportable Quantity (RQ) for any individual GHG or aggregate six GHGs except for specific individual air contaminant compounds previously included in the definition of RQ.
- Changes to §101.10 to exempt emissions of GHGs from counting toward emissions inventory (EI) applicability requirement for sources emitting or that have potential to emit 100 tons per year or more of any contaminant, to be consistent with federally tailored thresholds for GHGs and to exempt GHGs from reporting requirement on EI.
- Changes to §101.27 to exempt pollutant GHGs from the term "regulated pollutant" to establish there are no fees on emissions of GHGs.

[Chapter 106](#)

- Changes to §§106.2 and 106.4 specify that Chapter 106, Permits by Rule (PBR), does not authorize or limit emissions of GHGs.
- Changes to §106.4 to establish a PBR may be used in conjunction with a PSD GHG permit as long as the non-GHG pollutants meet conditions of the PBR.

[Chapter 116](#)

- Changes to relevant definitions in §116.12 establish that GHGs are a "federally regulated new source review pollutant," and define how "carbon dioxide equivalent (CO_{2e}) emissions" are determined.
- New §116.169 establishes procedures for transition of GHG PSD permit applications from EPA to TCEQ.
- Changes to §116.610 to establish that standard permits may be used in conjunction with a PSD GHG permit as long as non-GHG pollutants meet standard permit conditions.

[Chapter 122](#)

- Changes to §122.10 definition of "air pollutant" and "major source" make sites with emissions of GHGs exceeding federal threshold levels subject to the requirement to obtain a Title V Federal Operating Permit.
- Changes to §122.122 provide a method for sources to certify enforceable emission limits for GHGs. Since pollutant GHG is being added to the Title V (and PSD) permitting program, existing sources may have potential to emit over the major source thresholds, but actual emissions may be below thresholds.

Public meeting 5 Dec 13, comments due 9 Dec 13. POC: Tasha Burns (512) 239-5868.

(NEW) COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: DIESEL EMISSIONS REDUCTION INCENTIVE PROGRAM (30 TAC §114.622, §114.629) amends existing rules implementing the [Diesel Emissions Reduction Incentive \(DERI\)](#) Program established under Texas Health and Safety Code (THSC), Chapter 386, Subchapter C. DERI provides financial incentives for reducing emissions of on-road heavy-duty motor vehicles and non-road equipment. Senate Bill (SB) 1727, 83rd Legislature, 2013, amended THSC, Chapter 386, Subchapter C, to revise existing criteria for receiving an incentive grant under this subchapter. The revision to THSC, §386.106, removed maximum cost-effectiveness limit of \$15,000/ton nitrogen oxides (NO_x) reduced in the nonattainment area or affected county for any proposed project. Under revision, Wise County (north and west of Dallas-Fort Worth) is added to the Dallas-Fort Worth 2008 Eight-Hour Ozone Nonattainment Area. Hearing scheduled 12 Dec 13, comments due 18 Dec 13. POC: Steve Dayton at (512) 239-6824.

(NEW) TX RAILROAD COMMISSION PROPOSED RULE: CONTAINER CORROSION PROTECTION SYSTEM (16 TAC §9.116) new rule incorporates nationally recognized [corrosion protection provisions](#) to reduce risk of corrosion damage and subsequent leakage in Liquid Propane gas storage tanks installed wholly or partially underground. Comments due 30 Dec 13. POC: James Osterhaus at (512) 463-6692.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

EPA WITHDRAWAL OF DIRECT FINAL RULE: AIR QUALITY STATE IMPLEMENTATION PLANS (SIPs), PROCEDURES FOR STRINGENCY DETERMINATIONS, AND MINOR PERMIT REVISIONS FOR FEDERAL OPERATING PERMITS. EPA published a direct final rule approving portions of three revisions to the TX SIP concerning [Federal Operating Permits Program](#). EPA stated in the direct final rule that if EPA received relevant, adverse comments by 10 Oct 13, EPA would publish a timely withdrawal. EPA subsequently received timely adverse comments; therefore, EPA withdrew direct final approval and will respond to all relevant, adverse comments in a subsequent action based on the parallel proposal published 10 Sep 13.

EPA FINALIZES APPROVAL OF PUBLIC PARTICIPATION RULES IN TEXAS' CLEAN-AIR PLAN. EPA approved TX's clean-air plan covering [public notification requirements](#) for facilities applying for air permits. Revised plan gives citizens additional opportunities to comment on applications for air permits for new facilities and modifications to existing facilities. TCEQ incorporated revisions into SIP submitted to EPA. Revised plan clarified procedures for citizens to submit comments on permit applications, as well as how TCEQ is to respond to comments. Citizens will be notified when a facility applies for a

permit and after TCEQ proposes a draft permit. Facilities will also have to provide expanded technical documents to ensure citizens and interested groups have as much information as possible on proposed permits.

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 RULE

(EFFECTIVE 20 NOV 13) DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP, DIVISION OF SOIL CONSERVATION FINAL RULE: WATER QUALITY INITIATIVE (27 IAC 16) adds a new Chapter 16, "[Water Quality Initiative](#)," IA Administrative Code, supporting the Water Quality Initiative by establishing a new chapter for the initiative. Chapter provides rules for targeted watershed demonstration projects and supports individual conservation practices. Eligible practices are identified and requirements for targeted watershed demonstration projects are provided. POC: Margaret Thomson at (515) 281-5322.

PROPOSED RULES

(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: STORM WATER PERMITS - NOTICE OF INTENT, TRANSFER AGREEMENTS (567 IAC 64.6, 64.15) amendments reduce from two to one the number of [proofs of public notice](#), also known as the Notice of Intent, required to be submitted to DNR as part of the application to obtain storm water general permit coverage. Amendments also remove requirement that storm water permit holders submit transfer agreements executed when building lots in developments are transferred. Comments due 12 Dec 13. POC: Joe Griffin at (515) 281-7017.

(NEW) DEPARTMENT OF PUBLIC SAFETY PROPOSED RULE: ENERGY [CONSERVATION CODE IN CONSTRUCTION](#) - ADOPTION BY REFERENCE (661 IAC 301.10, 303.1 TO 303.3) adopts administrative rules to implement policy of adopting energy code provisions closely connected to mechanical code adopted in IA. Plumbing and mechanical codes are required to comply with most current code cycle, pursuant to Iowa Code section 105.4 as amended by 2013 Iowa Acts, Senate File 427, effective 26 Apr 13. Hearing 7 Jan 14, comments due 6 Jan 13. POC: Agency Rules Administrator at admrule@dps.state.ia.us.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) DEPARTMENT OF NATURAL RESOURCES REQUEST FOR COMMENTS: [DNR DRAFT PROPOSAL TO ADOPT NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS \(NESHAPS\) AND NEW SOURCE PERFORMANCE STANDARDS \(NSPS\)](#). DNR is considering adopting federal standards for several different industries and operations, including utility boilers, industrial, commercial and institutional boilers, solid waste incinerators, process heaters, cement plants, and stationary engines. This informal comment period is an opportunity for stakeholders to assist DNR in developing the rule

proposal. After considering public input, the DNR will determine whether to proceed with rule making. POC: Christine Paulson at (515) 242-5154.

(NEW) **DEPARTMENT OF NATURAL RESOURCES REQUEST FOR COMMENTS: DNR REQUESTS COMMENTS ON DRAFT GHG EMISSIONS INVENTORY.** DNR invites comment on draft, legislatively mandated, "[2012 Iowa Greenhouse Gas Inventory Report](#)" to improve accuracy of the report. When published, report will be the seventh GHG inventory conducted. Inventory is a policy-neutral calculation of GHG emissions in 2012, which includes various sectors, such as: agriculture, fossil fuel combustion, industrial processes, natural gas transmission and distribution, transportation and waste. It also includes carbon sinks from land use, land use change and forestry. Comments due 10 Dec 13. POC: Marnie Stein at Marnie.Stein@dnr.iowa.gov.



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.

REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **DEPARTMENT OF HEALTH AND ENVIRONMENT REQUEST FOR COMMENTS: TMDLs** presented for public review are listed below:

- Upper Marais des Cygnes (HUC 10290101), [Pomona Lake](#) - Eutrophication and Siltation (Revision)
- Lower Marais des Cygnes (HUC 10290102), [Hillsdale Lake](#) - Eutrophication (Revision)
- Lower Republican River Basin (HUC 10250017) and Middle Republican (HUC 10250016), [Milford Lake](#) - Eutrophication and Dissolved Oxygen.

Comments due 20 Dec 13. POC: Tom Stiles at (785) 296-6170.



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 JAN 14) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: AUTO EXHAUST EMISSION CONTROLS – RESCISSION (10 CSR 10-3.010) [rule rescission](#) is an administrative step to ameliorate an outdated state air rule. Rule originally intended to control emissions from all vehicles subject to required vehicle safety inspections in areas outside of Kansas City, Springfield, and St. Louis metropolitan areas. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(EFFECTIVE 30 NOV 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: REFERENCE METHODS (10 CSR 10-6.040) provides [reference methods](#) for determining data and information necessary for enforcement of air pollution control regulations. Amendment updates incorporated by reference in Section 4 to include latest Federal Register promulgation dates, recent Federal Register Notices add Federal Equivalency Methods (FEMs) for ambient monitoring of NO₂ and fine particulate matter, and two FEMs for laboratory analysis of lead. ASTM International methods for determining parameters such as fuel sulfur and heat content are also being updated to latest versions available. POC: Chief, Air Quality Planning Section at (573) 751-4817.

PROPOSED RULE

(NEW) **DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: RESCISSION, ADDITIONAL AIR QUALITY CONTROL MEASURES REQUIRED IF SOURCES ARE CLUSTERED IN A SMALL LAND AREA (10 CSR 10-5.240)**. DNR proposes [rescission](#) of 10 CSR 10-5.240. Rule allows more restrictive air quality control requirements for areas where sum of particulate and/or sulfur dioxide emissions from existing and proposed sources exceeds specified limits. Rescission deletes an outdated state air rule no longer necessary given section 643.050, RSMo, provides commission authority to promulgate regulations necessary to enforce the provisions of the Clean Air Act. Public meeting 30 Jan 14, comments due 2 Feb 14. POC: Chief, Air Quality Planning Section at (573) 751-4817.



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 RULES

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: CLASS II GENERAL VOLATILE ORGANIC COMPOUND (VOC) AND/OR HAZARDOUS AIR POLLUTANT (HAP) EVAPORATIVE LOSS OPERATING PERMIT**. DEQ is issuing a Class II general VOC and/or HAP [evaporative loss operating permit](#). Qualifying sources eligible for this permit use products containing VOCs, HAPs, or both. Examples of these products are cleaning/degreasing solvents, printing inks, adhesives, surface coatings, and fiberglass parts manufacturing. Term of the proposed permit renewal is 18 months. Comments due 16 Nov 13. POC: Robert Sheeder at (402) 471-2186.

(NEW) **DEPARTMENT OF AERONAUTICS PROPOSED RULE: AIRPORT ZONING REGULATIONS (17 NAC CHAPTER 001-002, 009)** proposed adding a new chapter relating to [Airport Hazard Area Zoning](#). Hearing scheduled 1 Dec 13. POC: Andre B. Aman at (402) 471-2371.

Department of Defense Activity

CONSERVATION GROUP, DOD PROVIDE GUIDANCE FOR RENEWABLE ENERGY DEVELOPMENT. A new guide developed jointly by the Pentagon and Natural Resources Defense Council (NRDC) should help minimize conflicts with defense operations created by development of renewable energy projects on and around military ranges, airspace and installations. The [24-page primer](#) provides a range of factors and siting considerations that can be applied by developers and other stakeholders when working with DOD on siting renewable energy projects. The guide is intended to help developers better screen wind and solar projects at the very beginning of the siting process by avoiding or mitigating potential conflicts with defense missions or environmental concerns. POC: [Kit Kennedy](#)

Federal Activity

ENERGY

FEDERAL ENERGY MANAGEMENT PROGRAM (FEMP) ANNOUNCES ASSISTING FEDERAL FACILITIES WITH ENERGY CONSERVATION TECHNOLOGIES (AFFECT) GRANT PROGRAM FOR RENEWABLE ENERGY AT FEDERAL FACILITIES. Department of Energy issued a Funding Opportunity Announcement to provide direct funding to federal agencies for development of

combined heat and power or renewable energy capital projects at agency facilities. Anticipated total funding is \$5 million, with awards ranging between approximately \$50,000 and \$1 million. Additional information on [FEMP website](#). Inquiries: AFFECT@go.doe.gov.

CLIMATE CHANGE

EXECUTIVE ORDER - PREPARING THE UNITED STATES FOR THE IMPACTS OF CLIMATE CHANGE. On 1 Nov 13, President Obama signed [Executive Order 13653](#) titled "Preparing the United States for the Impacts of Climate Change." The EO provides that:

- Within nine months, heads of the DOD, Interior and Agriculture Departments, the National Oceanic and Atmospheric Administration, the Federal Emergency Management Agency, Environmental Protection Agency (EPA), and others shall work with the Chair of the Council on Environmental Quality and Director of the Office of Management and Budget (OMB) to complete an inventory and assessment of proposed and completed changes to their land- and water-related policies, programs, and regulations necessary to make the Nation's watersheds, natural resources, and ecosystems more resilient in the face of a changing climate, including emphasis on carbon sequestration;
- Agencies shall continue to update Climate Adaptation Plans, in particular addressing any risks to agency missions or ability to operate;
- There is established an interagency Council on Climate Preparedness and Resilience, which will supersede the Interagency Climate Change Adaptation Task Force;
- There is established, for 18 months, a State, Local, and Tribal Leaders Task Force; and
- Other provisions regarding open data and tools relevant to climate issues and decision-making.

DRAFT EPA CLIMATE CHANGE ADAPTATION IMPLEMENTATION PLANS. EPA is seeking comments on its draft [Climate Change Adaptation Implementation Plans](#), including one plan for each of ten EPA regions and seven National Programs ([78 FR 65980](#)). EPA's draft Implementation Plans provide a road map for the agency to address future changes in climate and to incorporate considerations of climate change into its mission-driven activities. Comments due 3 Jan 14. POC: Gerald Filbin, (202) 566-2182.

REMEDIATION

AMENDMENT TO STANDARDS AND PRACTICES FOR ALL APPROPRIATE INQUIRIES WITHDRAWN. Because EPA received adverse comment, the agency is withdrawing the direct final rule for "Amendment to Standards and Practices for All Appropriate Inquiries" published 15 Aug 13 ([78 FR 64403](#)). Amendment would have recognized and referenced ASTM International's updated standard E1527-13, [Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process](#). POC: [Rachel Lentz](#), (202) 566-2745.

HAZARDOUS CHEMICALS

ADDITION OF ORTHO-NITROTOLUENE TO EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA) REPORTING. EPA added ortho-nitrotoluene to the list of toxic chemicals subject to reporting under EPCRA ([78 FR 66848](#)). Ortho-nitrotoluene was classified by the National Toxicology Program in its 12th Report on Carcinogens as "reasonably anticipated to be a human carcinogen." Reporting requirement applies to facilities manufacturing, importing, processing, or using ortho-nitrotoluene in excess of reporting threshold quantity generally 25,000 pounds manufactured (including imported) or processed at a facility or 10,000 pounds otherwise used at a facility for the applicable calendar year. POC: [Daniel Bushman](#), (202) 566-0743.

THREATENED & ENDANGERED SPECIES

US FISH AND WILDLIFE SERVICE DESIGNATES CRITICAL HABITAT FOR THE JEMEZ MOUNTAINS SALAMANDER. USFWS designated critical habitat for the Jemez Mountains salamander (*Plethodon neomexicanus*) ([78 FR 69569](#)). Approximately 90,716 acres (36,711 hectares) are designated in Los Alamos, Rio Arriba, and Sandoval Counties, NM. Rule becomes effective 20 Dec 13. FWS POC: Wally Murphy, (505) 346-2525.

USFWS ANNUAL REVIEW OF LISTINGS, SPECIES ENDANGERED OR THREATENED is a Candidate Notice of Review (CNOR) updating yearly list of plant and animal species as candidates for addition to Lists of Endangered and Threatened Wildlife

and Plants ([78 FR 70103](#)). USFWS identified no new candidates for listing. Additional information available at [USFWS website](#). POC: USFWS Communications and Candidate Conservation Branch, (703) 358-2171.

USFWS REVISED LIST OF MIGRATORY BIRDS adds and/or removes numerous species based on new taxonomy and evidence of occurrence in the U.S. or U.S. territories ([78 FR 65843](#)). POC: George Allen (703) 358-1825.

(EFFECTIVE 2 DEC 13) USFWS REVISED DEFINITION OF HYBRID MIGRATORY BIRD revises definition of "hybrid" as it relates to birds protected under the Migratory Bird Treaty Act to make it clear it applies to all offspring of any species listed ([78 FR 65576](#)). The former definition specified only hybrids of two species protected under the [Migratory Bird Treaty Act](#) were protected. Additional information available at [USFWS website](#). POC: George Allen, (703) 358-1825.

OTHER

EPA'S NEW ENFORCEMENT AND COMPLIANCE HISTORY ONLINE (ECHO) WEBSITE. Please note the [Online Tracking Information System \(OTIS\)](#) and the old [ECHO](#) site will begin redirecting to the new site. The modernized version, EPA's primary website for providing public access to regulatory compliance and enforcement data, was launched on 3 Dec 13. ECHO is a go-to resource for information about environmental inspections, violations, and enforcement actions for more than 800,000 regulated facilities. Program-specific searching - like air, water, waste - and other features will be phased in to ECHO throughout 2014 until all key features from the previous system are replaced, based on the [ECHO Modernization schedule](#).

EPA NATIONAL FEDERAL FACILITIES COMPLIANCE & ENFORCEMENT FY 2014 PROGRAM AGENDA. Recently released, EPA's [Federal Facilities Enforcement and Compliance Program](#) uses Integrated Strategies to combine enforcement and compliance assurance strategies, through inspections and compliance monitoring, compliance assistance and, when necessary, enforcement. Integrated Strategies are aligned with EPA's national environmental priorities as much as possible, but also include areas where environmental problems in the federal facility sector have been identified, or regions have particular priorities. Regions are accountable for Integrated Strategy inspection targets in the commitment system.

EPA DRAFT FY 2014-2018 STRATEGIC PLAN. EPA released its Draft FY 2014-2018 EPA Strategic Plan for comment ([78 FR 69412](#)). EPA made targeted revisions to the existing plan seeking to advance efforts to address changing climate, protecting water and land resources, and advancing chemical safety. EPA is proposing new FY 2014-2015 Agency Priority Goals to include:

- Continuing emphasis on use of information technologies to optimize business processes and increase transparency;
- Promoting use of safer chemicals in commerce;
- Continuing evaluation of pesticide and commercial chemical risks;
- Enhancing nonpoint source program to address nation's largest sources of water pollution; and
- Advancing sustainability by selecting sustainability indicators covering energy use, water use, and materials use and preparing to pilot them within and across EPA programs.

EPA anticipates the final Strategic Plan will be submitted to Congress in February 2014. Additional information available on [EPA website](#). Comments due 3 Jan 14. POC: [Vivian Daub](#).

PRODUCT ENVIRONMENTAL PERFORMANCE STANDARDS AND ECOLABELS FOR VOLUNTARY USE IN FEDERAL PROCUREMENT.

EPA released [draft Guidelines](#) for using non-governmental product environmental performance standards and ecolabels in federal purchasing ([78 FR 70938](#)). These guidelines for standards and ecolabels are voluntary for both manufactures and federal agencies and help agencies implement sustainable acquisition requirements of [Executive Order 13514](#) and [Federal Acquisition Regulation \(FAR\) 23.103](#), requiring 95% of the government's applicable contract actions to be sustainable. Specifically, guidelines for standards and ecolabels could provide clarity regarding the term "environmentally preferable" for purposes of the Executive Order. EPA is considering a limited pilot project, assuming sufficient appropriations are available, to test an assessment approach, especially with respect to guidelines addressing "environmental effectiveness" of a standard or ecolabel's criteria. In addition to seeking input on the draft guidelines themselves, EPA is seeking input on how standards and ecolabels should be assessed for conformance to such guidelines. Comments due 25 Feb 14. POC: [Alison Bennett](#), (202) 564-8859.

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 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 PROSPECT courses. See [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.

VARIOUS DATES AND TIMES ONLINE

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

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.kdheks.gov/>

<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>