



NORTHERN REGION REVIEW



Environmental Legislative and Regulatory News

SEPTEMBER 2009 VOLUME XIV, No. 5

Army Releases Chesapeake Bay Strategy

Deputy Assistant Secretary of the Army (Environmental, Safety and Occupational Health) (DASA-ESOH), Tad Davis, and U.S. Army Corps of Engineers, Deputy Commanding General for Civil and Emergency Operations, Major General Temple, jointly signed the *Army Chesapeake Bay Strategy* (Strategy) July 2009.

The Office of Regional Environmental and Government Affairs – Northern (OREGA- N) has the lead to maintain the Strategy in close cooperation with the U.S. Army Corps of Engineers and Office of the Assistant Chief of Staff for Installation Management (OACSIM). These offices co-hosted an Army meeting to roll out the Strategy at Aberdeen Proving Ground on 26 August to gain input from Army commands and installations on an *Annual Army Chesapeake Bay*



OREGA-N Deputy Director presents Army Chesapeake Bay Strategy during DoD Quarterly Management Board meeting, August 27, 2009.

Action Plan (Action Plan) that will be used to measure Strategy progress. The first Action Plan is due out by OACSIM this October. Beginning October 2010 OACSIM will prepare the *Annual Army Chesapeake Bay Progress Report* to provide input for the OREGA-N to adaptively manage the Strategy as necessary to better meet Strategy goals.

The Army recognizes that it has an environmental stewardship obligation to meet while ensuring that Army soldiers are prepared and ready for their national defense mission. As part of its commitment to environmental stewardship, the Army prepared the Strategy to define goals, objectives, and targets that the Army plans to integrate into its national defense mission to assist in Chesapeake Bay conservation and protection efforts. The Strategy incorporates stewardship initiatives for the Chesapeake Bay into the Army's daily mission activities and promotes partnerships with governmental entities, non-governmental organizations, the community and others to maximize Army resources and efforts.

The Strategy's five goals are based on the priorities established in the *2008 Chesapeake Action Plan*, the *Department of Defense Chesapeake Bay Strategic Action Plan*, and Executive Order 13508, *Chesapeake Bay Protection and Restoration*.

The Strategy addresses nutrients, toxics, and sediment reduction; habitat and living resources protection; community outreach and engagement; storm water management and partnerships.

The Army's Chesapeake Bay Strategy's five goals are as follows:

1. Contribute to restoring and sustaining the water quality of the Chesapeake Bay and its tributaries.
2. Restore and sustain living resources and healthy habitats on Army installations.
3. Support the implementation of ecosystem-based fisheries management.
4. Strengthen storm water management practices and maintain healthy watersheds.
5. Foster Chesapeake Bay stewardship.

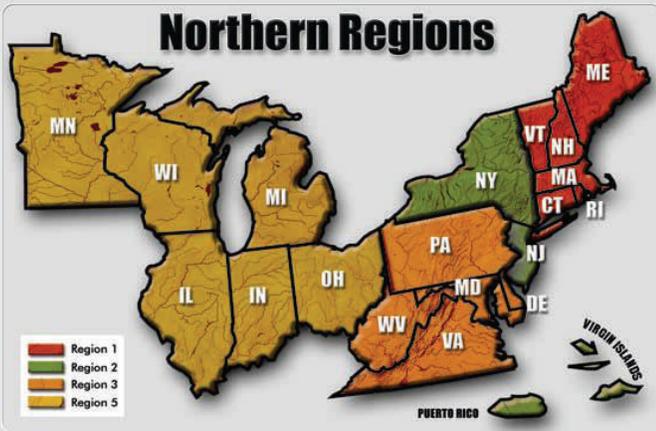
The Strategy renews the Army's commitment to protecting and conserving the integrity of the land and water on which it trains and tests in the Chesapeake Bay watershed. Army's protection efforts in the Chesapeake Bay watershed have been well documented and demonstrated over four decades through formal agreements, studies, projects, and partnerships with federal, state, and local agencies and non-governmental organizations. Looking forward, the Army will build on these successes with added efforts and focus on implementing the Strategy.

For more information on the *Army Chesapeake Bay Strategy*, please contact Vance Hobbs, Deputy Director of the OREGA-N at 410-436-0482 or e-mail vance.hobbs@us.army.mil.

The recently launched website, <http://executiveorder.chesapeakebay.net>, will increase government transparency and expand public participation in President Obama's Executive Order on Chesapeake Bay Protection and Restoration. The website serves as the clearinghouse for all Executive Order information, including news, documents and events from the various federal agencies working on new approaches to cleaning up the nation's largest estuary.

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This publication provides current information on environmental activities and events relevant to U.S. Army interests in the 22 states and territories in Federal Regions 1, 2, 3 and 5. The Review is intended to be a tool useful to Department of Defense and Army environmental decision makers, planners, and program managers in carrying out their responsibilities.

When used within the framework of ISO 14001, the Northern 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.

HOW THE REGIONAL OFFICE WORKS FOR YOU

The Northern Region Review features proposed and final rules and legislation that may affect Army or DoD operations. The Army Office of Regional Environmental and Government Affairs - Northern monitors these actions for you. 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 item, we work with Army or Service regulatory experts to communicate our position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD package and formally submitted to the state.

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

For further information on the Army's Offices of Regional Environmental and Government Affairs, visit <http://www.asaie.army.mil/Public/ESOH/reo>.



Court Decision

COURT REJECTS REGIONAL OZONE CAP AND TRADE PROVISIONS OF EIGHT-HOUR OZONE NAAQS

The US Court of Appeals for the DC Circuit has issued a [decision](#) that invalidates portions of USEPA's eight-hour ozone national ambient air quality standard (NAAQS) implementation. Principally, the court held that USEPA's Phase 2 rule is inconsistent with the Clean Air Act (CAA) in allowing participation in a regional cap and trade program to satisfy an area-specific statutory mandate for attainment of the ozone NAAQS.



US ENVIRONMENTAL PROTECTION AGENCY NEWS

Air Quality

PRIMARY NATIONAL AMBIENT AIR QUALITY STANDARD FOR NITROGEN DIOXIDE

USEPA has proposed revisions to the primary NAAQS for oxides of nitrogen (NO_x) as measured by nitrogen dioxide (NO₂) [[74 FR 34403](#), July 15, 2009]. Specifically, USEPA has proposed to supplement the current annual standard by establishing a new short-term NO₂ standard based on the three-year average of the 99th percentile of one-hour daily maximum concentrations. USEPA has proposed to set the level of the new standard within the range of 80 to 100 ppb and solicited comment on standard levels as low as 65 ppb and as high as 150 ppb. USEPA has also proposed establishing requirements for an NO₂ monitoring network that would include monitors within 50 meters of major roadways. Consistent with the terms of a consent decree, the USEPA Administrator will sign a notice of final rulemaking by January 22, 2010. For further information, contact USAEC at (410) 436-1231.

REVISIONS TO TEST METHOD FOR DETERMINING STACK GAS VELOCITY

USEPA has issued a proposed rule revising the voluntary test method for determining stack gas velocity to take into account velocity decay present near the stack or duct walls [[74 FR 42819](#), August 25, 2009]. The revision will address flow measurement with both circular and rectangular cross-sections and increase the accuracy of the application. The primary users of the proposed method are: (1) fossil fuel-fired electric utility steam generating units owned by the federal government; (2) owners and operators of utility units subject to the Acid Rain Program under Title IV of the CAA; (3) certain large electric generating units; and (4) large non-electric generating units subject to NO_x state implementation plans (SIPs) under Title I. For further information, contact USAEC at (410) 436-7077.

REVISIONS TO NETWORK DESIGN REQUIREMENTS USEPA has issued a proposed rule to revise the monitoring network design requirements for ozone [[74 FR 34525](#), July 16, 2009]. The proposed rule would assist in implementing changes to the primary and secondary NAAQS for ozone that were promulgated on March 27, 2008. USEPA has proposed to modify minimum monitoring requirements in urban areas, add new minimum monitoring requirements in non-urban areas, and extend the length of the required ozone monitoring season in some states. For further information, contact USAEC at (410) 436-1231.

DRAFT INTEGRATED SCIENCE ASSESSMENT FOR PARTICULATE MATTER USEPA has released the, "[Second External Review Draft Integrated Science Assessment for Particulate Matter](#)" [[74 FR 38185](#), July 31, 2009]. The document was prepared by USEPA's Office of Research and Development as part of the review of the NAAQS for particulate matter (PM). Comments are due by September 30, 2009.

Toxic Substances

MINOR AMENDMENTS TO THE LEAD RENOVATION, REPAIR, AND PAINTING PROGRAM USEPA has issued a final rule making minor revisions to the [Lead Renovation, Repair and Painting \(RRP\) Program Rule](#) published in April 2008 [[74 FR 34257](#), July 15, 2009]. The final rule requires accredited providers of renovator or dust sampling technician training to submit post-course notifications, including digital photographs of each successful trainee, to USEPA. In addition, the final rule removes the requirement for accredited lead-based paint activities training providers to submit to USEPA a digital photograph of each successful trainee along with their post-course notifications. Accredited lead-based paint activities training providers are defined as those who provide inspector, risk assessor, project designer, and abatement supervisor and worker training. The final rule became effective on July 15, 2009. For further information, contact USAEC at (410) 436-7068.

Water Quality

NETWORK DISCHARGE MONITORING REPORT - NOW AVAILABLE USEPA has launched the [Network Discharge Monitoring Report](#) (NetDMR) [[74 FR 30075](#), June 24, 2009]. NetDMR is an internet-based reporting tool for regulated Clean Water Act (CWA) permittees to submit discharge monitoring reports (DMRs) electronically to USEPA. NetDMR allows participants to discontinue mailing in hard copy forms under 40 CFR 122.41 and 403.12. USEPA Regions and States that are currently utilizing NetDMR include: Region 1 (New Hampshire and Massachusetts), Region 3 (District of Columbia), Region 6 (Gulf of Mexico), Utah, and Louisiana. Additional States, Tribes, and Territories may adopt NetDMR and enable their regulated National Pollutant Discharge Elimination System (NPDES) facilities to begin utilizing the electronic reporting tool. For further information, contact USAEC at (410) 436-7076.

STAGE 2 DISINFECTANTS AND DISINFECTION BYPRODUCTS RULE USEPA has issued a final rule making a minor correction to the Stage 2 Disinfectants and Disinfection Byproducts Rule promulgated on January 4, 2006 [[74 FR 30953](#), June 29, 2009]. A requirement for groundwater systems serving 500-9,999 people was unintentionally excluded from the final rule. As a result, the rule allowed for less routine compliance monitoring than intended for this category of public water systems (PWSs). These PWSs should have been required to monitor for both total trihalomethanes (TTHM) and haloacetic acids (HAA5) concentrations at two locations. Due to the error, they were only required to monitor for either TTHM or HAA5 at two locations. USEPA has also made minor, unrelated changes in the regulations by adding references to the list of analytical methods approved under the Expedited Approval Process, and removing references to outdated methods. The final rule became effective on July 29, 2009. For further information, contact USAEC at (410) 436-7076.

PERCHLORATE REGULATORY DETERMINATION USEPA has issued a supplemental notice seeking comments on additional approaches to analyzing data related to USEPA's perchlorate regulatory determination [[74 FR 41883](#), August 19, 2009]. USEPA has requested the additional comments in an effort to consider all potential options for evaluating whether there is a meaningful opportunity for human health risk reduction from perchlorate through a national primary drinking water rule. On October 10, 2008, USEPA published a preliminary regulatory determination for perchlorate, requesting public comment on its determination that perchlorate did not meet all the criteria for regulation. Alternatives now under consideration could result in health reference levels which are much lower than the level identified in the October 2008 notice. The supplemental notice does not make a final regulatory determination for perchlorate nor does it change the Interim Health Advisory Level of 15 micro -grams/L. Comments are due by September 18, 2009. For further information, contact USAEC at (410) 436-7076.

AIRPORT DEICING EFFLUENT LIMITATION GUIDELINES AND NSPS USEPA has proposed technology-based effluent limitation guidelines (ELGs) and new source performance standards (NSPS) for discharges from airport deicing operations [[74 FR 44675](#), August 28, 2009]. The proposal would apply to wastewater associated with the deicing of aircraft and airfield pavement at primary commercial airports with at least 1,000 annual scheduled commercial air carrier

jet departures. However, USEPA is soliciting information and data about deicing practices at military facilities, including aircraft deicing fluid (ADF) usage, other operational characteristics and environmental impacts to decide whether to include them in the scope of this rule. If USEPA decides to expand the scope, it may solicit additional public comment on the application of these requirements to military facilities. Comments are due by December 28, 2009. For further information, contact USAEC at (410) 436-7076.

ADDITIONAL ANALYTICAL PROCEDURES FOR SAFE DRINKING WATER USEPA has approved new alternative testing methods for drinking water compliance testing [[74 FR 38348](#), August 3, 2009]. The new methods include: (1) USEPA Method 524.3 - analysis for 21 volatile organic contaminants (VOCs) and total trihalomethanes; (2) three tests using either laser or light-emitting diode (LED) nephelometry to measure turbidity in drinking water; (3) using automated discreet analysis by spectrophotometry to determine concentrations of nitrate and nitrite combined or individually in drinking water; and (4) test for cyanide, and for purgeable organic compounds. For further information, contact USAEC at (410) 436-7076.

OTHER FEDERAL AGENCY NEWS

PLANNING GUIDANCE FOR RECOVERY FOLLOWING BIOLOGICAL INCIDENTS The US Department of Homeland Security has released a draft document titled, "[Planning Guidance for Recovery Following Biological Incidents](#)" [[74 FR 41431](#), August 17, 2009]. The draft guidance provides decision makers with uniform federal guidance to protect the public, emergency responders, and surrounding environments and to ensure that local and federal first responders can prepare for an incident involving biological contamination. The draft guidance applies to characterization, decontamination, clearance, and potential reoccupancy of a variety of public facilities, drinking water infrastructure, and open areas.

Regional

DELAWARE RIVER BASIN COMMISSION WATER QUALITY AND COMPREHENSIVE PLAN The Delaware River Basin Commission (DRBC) has [proposed amendments](#) to the Water Quality Regulations, Water Code, and Comprehensive Plan. The amendments would: (1) revise the human health water quality criteria for PCBs in the Delaware Estuary; (2) apply the PCB human health water quality criterion to the Delaware Bay; and (3) provide for the use of compliance schedules to implement stream quality objectives established by the commission. DRBC is a federal interstate compact agency charged with managing the water resources of the Delaware River Basin without regard to political boundaries. Its commissioners are the governors of the four Basin states - New Jersey, New York, Pennsylvania and Delaware - and a federal representative, the North Atlantic Division Commander of the US Army Corps of Engineers. [Informational meetings](#) regarding the proposed revised human health water quality criterion for PCBs and accompanying implementation plan will be held on October 1 and 6, 2009. A public hearing regarding the entire proposal will be held on October 8, 2009.

Region 1

For more information on any state issues in Region 1, contact Bob Muhly, Army Regional Environmental Coordinator, Regions 1 & 2, (410) 436-6224, e-mail: Robert.Muhly@us.army.mil.



Connecticut

AMENDMENTS TO AIR QUALITY REGULATIONS The Connecticut Department of Environmental Protection (CTDEP) has proposed [amendments](#) to the Abatement of Air Pollution Rules (Section 22a-174). The amendments would: (1) update the definitions section by adding several new terms, including Biodiesel fuel; (2) delete obsolete portions relating to emissions trading; (3) correct a formula allocating allowances from the energy efficiency and renewable energy

set-aside; (4) incorporate federal regulations by reference in section 22a-174-22c; and (5) address some performance testing inconsistencies in section 22a-174-38. The amendments would mostly impact owners of small boilers, heaters, drying ovens and furnaces by allowing them to combust biodiesel fuel blends.

FIVE YEAR REVIEW AND UPDATE OF THREATENED AND ENDANGERED SPECIES LIST CTDEP has proposed a [regulation](#) to update the lists of species which are endangered, threatened, or of special concern (CSG section 26-306). The commissioner of CTDEP is required to review, at least every five years, the designation of species to determine whether species should be: (1) added or removed from the list or, if necessary, (2) change the designation. Comments are due by September 30, 2009.



Maine

DESIGNATION AND CRITICAL HABITAT FOR GULF OF MAINE ATLANTIC SALMON The National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), and the US Fish and Wildlife Service (USFWS) have collectively issued a final rule determining that naturally spawned and conservation hatchery populations of anadromous Atlantic salmon whose freshwater range occurs in the Gulf of Maine constitute a distinct population segment (DPS) [[74 FR 29343](#), June 19, 2009]. The section of the Gulf of Maine outlined in the final rule includes the watersheds from the Androscoggin River northward along the coast to the Dennys River. The services have also issued a final rule designating critical habitat for the Atlantic salmon Gulf of Maine DPS [[74 FR 29299](#), June 19, 2009]. There is potential impact on Army installations. Although no Army installations were identified as occurring within areas designated as critical habitat, a number of Army National Guard sites occur within Maine Counties where critical habitat has been designated including: (1) Penobscot County - Bangor Training Site and Deepwoods Training Site; (2) Aroostook County - Caswell Training Site; (3) Androscoggin County - Auburn Training Site; and (4) Kennebec County - Camp Keyes and Gardiner Training Site. Both final rules became effective on July 20, 2009.

CLIMATE CHANGE ADAPTATION OPTIONS On April 23, 2009, Governor Baldacci, signed into law [LD 460](#), which directs the Maine Department of Environmental Protection (MEDEP) to create a stakeholder group to evaluate the options and actions available to state citizens and businesses to prepare for and adapt to the most likely impacts of climate change. The new law provides for: (1) membership of the group and (2) recommendations concerning greenhouse gas offset projects, built infrastructure, habitat and wildlife species, emergency response systems and planning, and related matters. The law requires MEDEP, by February 27, 2010, to report recommendations related to the evaluation, along with any necessary implementing legislation, to the Legislative Joint Standing Committee on Natural Resources. The law became effective upon signature.

CLASSIFICATION OF CERTAIN WATERS OF THE STATE On May 19, 2009, Governor Baldacci, signed into law [LD 330](#). The new law adds a condition in the water classification law that: (1) allows the Legislature to make classification changes; (2) allows the commissioner of MEDEP to make changes in management to allow water quality to attain the new classification; (3) upgrades the classification of Abbott Brook and tributaries in Lincoln Plantation from Class A to Class AA; and (4) relates to Aunt Hannah Brook and its tributaries and the Shawmut Dam. The new law became effective on September 12, 2009.

ASBESTOS ABATEMENT On June 12, 2009, Governor Baldacci signed into law [LD 1434](#). The new law clarifies that persons engaged in an activity affecting more than three square feet or three linear feet of any asbestos-containing material are subject to licensing, certification, notification, and work practice requirements administered by MEDEP. The law also: (1) increases the maximum fee that must be paid when notifying MEDEP of abatement activity; (2) changes the annual license fee for asbestos abatement contractors and asbestos abatement consultants; and (3) provides for appropriations and allocations. The new law became effective on September 12, 2009.

Region 2

For more information on any state issues in Region 2, contact Bob Muhly, Army Regional Environmental Coordinator, Regions 1 & 2 (410) 436-6224, e-mail: Robert.Muhly@us.army.mil.



New Jersey

PINELANDS MANAGEMENT PROGRAM FOR ON-SITE WASTEWATER TREATMENT SYSTEMS The New Jersey Pinelands Commission (NJPC) has proposed [amendments](#) to the “Management Program for On-site Wastewater Treatment Systems” section of the Pinelands Comprehensive Management Plan (CMP). The proposed amendments: (1) add additional definitions; (2) require that all traditional individual and non-individual onsite subsurface sewage disposal systems in active use within the Pinelands Area be inspected at least once every three years; (3) require that all Pinelands alternate design systems be equipped with functioning alarm dialing capability; and (4) add requirements for the owners or operators of traditional individual or non-individual onsite subsurface sewage disposal systems in the Pinelands Area.

PINELANDS COMMISSION WETLANDS MANAGEMENT NJPC has proposed [amendments](#) relating to activities that are permitted within wetlands. The commission concluded that vegetation management activities should be authorized in wetlands under the following limited circumstances: (1) where wetlands have been impacted by exotic species or Phragmites; (2) where the effort will return farm fields that had previously been wetlands and are no-longer in active agricultural use to a characteristic Pinelands wetland type; and (3) to achieve ecological goals such as: (a) preventing the loss of a rare wetland community through succession and (b) expanding a rare type of wetland community or creating more favorable conditions for the viability of rare plant or animal populations.

AMENDMENTS TO FORESTRY MANAGEMENT PRACTICES UNDER THE CMP NJPC has proposed [amendments](#) to the forestry management regulations within the CMP. The amendments provide more direct and specific guidance to potential applicants regarding the practices that could be employed to manage Pinelands forests by incorporating descriptions of such practices within the body of the forestry rules. The descriptions indicate where and how a particular practice should be conducted and what controls should be applied to avoid potentially negative impacts. NJPC has also proposed extensive revisions to the definitions section at N.J.A.C.7:50-2.11.

ELECTRIC TRANSMISSION RIGHT-OF-WAY MAINTENANCE PLAN NJPC has proposed [amendments](#) to CMP Pilot Programs (N.J.A.C. 7:50-10.31 through 10.35). The New Jersey Pinelands Electric Transmission Right-of-Way Maintenance Plan (ROW Plan), dated February 2009, prescribes a variety of vegetation management practices that seek to achieve several ecological and transmission objectives. The practices include: (1) create and maintain relatively stable and sustainable early successional habitats that are characteristic of the Pinelands and which provide habitat for native Pinelands plants and animals including threatened and endangered species and (2) ensure the reliability and safety of the electric transmission system in the Pinelands by creating and maintaining low growth vegetation communities.

GENERAL PERMIT FOR COMBINED SEWER SYSTEMS The New Jersey Department of Environmental Protection (NJDEP) has proposed to reissue the New Jersey Pollutant Discharge Elimination System (NJPDES) [General Permit for Combined Sewer Systems](#) (CSS) NJPDES No. NJ0105023. The general permit was last reissued on June 30, 2004 and expired on July 31, 2009. NJDEP proposed to reissue the general permit for CSS with minor administrative changes. The changes will not impact the substantive provisions of the permit.



New York

HAZARDOUS WASTE MANAGEMENT PROGRAM REVISION USEPA has issued an immediate final rule granting final authorization of revisions to the New York hazardous waste program under the Resource Conservation and Recovery Act (RCRA) [74 FR 31380, July 1, 2009]. USEPA has determined that the changes, with limited exceptions, satisfy all requirements needed to qualify for final authorization. The revisions include: (1) changes to the federal hazardous waste program issued by USEPA from October 20, 1999 through January 20, 2002; (2) the Project XL Rulemaking for New York State Public Utilities, as published on July 21, 1999 (64 FR 37624) and amended May 24, 2005 (70 FR 29910); and (3) the Uniform Hazardous Waste Manifest Rule, published on March 4, 2005 (70 FR 10776) and amended June 16, 2005 (70 FR 35034). The revisions allow the state to maintain a hazardous waste program that is equivalent to the federal program. Barring adverse comment the immediate final rule became effective on August 31, 2009.

PROPOSED DISAPPROVAL FOR RACT AND RACM SIP REVISIONS USEPA has issued a proposed rule to disapprove portions of a SIP revision submitted by New York [74 FR 42813, August 25, 2009]. The revision was intended to meet some CAA requirements for attaining the 0.08 parts per million eight-hour ozone NAAQS. USEPA has proposed disapproving the reasonably available control technology (RACT) requirement as it relates to the entire State of New York, including the New York portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT and the Poughkeepsie eight-hour ozone moderate non-attainment areas. In addition, USEPA has proposed disapproving the reasonably available control measure (RACM) analysis as it relates to the New York portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT eight-hour ozone moderate non-attainment area. Comments are due by September 24, 2009.



Puerto Rico

PUBLIC WATER SYSTEM SUPERVISION PROGRAM REVISION USEPA has issued a notice announcing the intended approval of revisions to the Commonwealth of Puerto Rico's Public Water System Supervision Program. The revisions adopt USEPA's National Primary Drinking Water Regulations for Lead and Copper: Short Term Regulatory Revisions and Clarifications. USEPA has determined that the revisions are no less stringent than the corresponding federal regulations. All interested parties may request a public hearing. Barring the request for a public hearing the approval becomes effective on September 11, 2009.

Region 3

For more information on any state issues in Region 3, contact the Army Regional Environmental Coordinator, Region 3, (Vacant) (410) 436-1275, e-mail: APGR-USAECNREORegionalCounsel@conus.army.mil.



Delaware

EMISSION STANDARDS FOR HAPS FOR SOURCE CATEGORIES The Delaware Department of Natural Resources and Environmental Control (DDNREC) has issued a [proposed rule](#) to amend Regulation 1138, "Emission Standards for Hazardous Air Pollutants (HAPs) for Source Categories." The proposed rule would add a new Section 10 that covers plating and polishing operations. The proposed rule would provide increased protection for Delaware citizens against a variety of potential adverse health effects linked to a long term exposure to cadmium, chromium, lead, manganese, or nickel compounds. The proposed rule would also provide greater consistency between Delaware's air toxics standards and the recently promulgated federal standard (40 CFR Part 63 Subpart WWWW)."

AMENDMENTS TO THE SOLID WASTE REGULATIONS DDNREC has issued a [proposed rule](#) that includes four amendments to update and enhance various sections of the state solid waste regulations. The amendments: (1) strike one redundant requirement for siting new industrial landfill cells in section 6.1.3.8; (2) update an exclusion for temporary debris from the Delaware Emergency Management Agency at Transfer Stations in section 10.1.2.6; (3) update and clarify Financial Assurance criteria in section 4.1.11; and (4) clarify one exception for transporters in section 7.2.1.

AMENDMENTS TO THE SURFACE WATER QUALITY STANDARDS DDNREC has issued a [proposed rule](#) to amend the Surface Water Quality Standards. The proposed rule derives from a comprehensive review of the standards that was initiated by DDNREC Start Action Notice #2008-24, approved on October 29, 2008. The proposed rule will ensure that the state is in compliance with CWA and satisfies USEPA requirements. The standards have not been updated since July 2004.



Maryland

DATA FOR THE 1997 PM_{2.5} STANDARD USEPA has issued a proposed rule determining that the Baltimore, Maryland and Hagerstown-Martinsburg, Maryland (MD)-West Virginia (WV) non-attainment areas have clean data for the 1997 PM_{2.5} NAAQS [[74 FR 38161](#), July 31, 2009]. The proposed determination is based upon quality assured, quality controlled, and certified ambient air monitoring data showing that these areas have monitored attainment of the 1997 PM_{2.5} NAAQS based on the 2006-2008 data. In addition, monitoring data for 2009 that are available in the USEPA Air Quality System (AQS) database, but not yet certified, show that these areas continue to meet the 1997 PM_{2.5} NAAQS. If the proposed determination is made final, the requirements for these areas to submit an attainment demonstration, associated reasonably available measures, a reasonable further progress plan, contingency measures, and other planning SIPs shall be suspended for as long as these areas continue to meet the 1997 PM_{2.5} NAAQS.

CAIR SIP REVISIONS USEPA has issued a proposed rule to approve SIP revisions submitted by the State of Maryland. The revisions address the requirements of USEPA's Clean Air Interstate Rule (CAIR). Although the District of Columbia (DC) Circuit found CAIR to be flawed, the rule was remanded without vacatur and thus remains in place. Therefore, USEPA is continuing to approve CAIR provisions into SIPs as appropriate. In the full SIP revisions that USEPA has proposed approving, Maryland will meet CAIR requirements by participating in these cap-and-trade programs. USEPA has also proposed approving the full SIP revisions, as interpreted and clarified herein, as fully implementing the CAIR requirements for Maryland, except for the 2009 NO_x ozone season and NO_x annual allocations, the 2009 set-aside allocations and the Compliance Supplement Pool (CSP) allocations.

AMENDMENTS TO REGULATIONS FOR DEVELOPMENT IN CRITICAL AREAS The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays has issued an [emergency rule](#) approving amendments Regulation .03 under COMAR 27.01.02, "Development in the Critical Area." The amendments provide clarification and flexibility to local governments implementing the new requirements resulting from HB 1253, Ch. 119, Acts of 2008. The amendments allow local governments to propose alternative standards to the minimum 20 acre requirement for locating new intensely developed areas in the Critical Area. The emergency rule became effective on June 26, 2009, and will expire on November 30, 2009.

AMENDMENTS TO AIR QUALITY REGULATIONS The Maryland Department of Environment has adopted [amendments](#) to Regulation .01 under COMAR 26.11.01 "General Administrative Provisions" and Regulation .14 under COMAR 26.11.06 "General Emission Standards, Prohibitions, and Restrictions." The amendments: (1) update the adoption of the USEPA Prevention of Significant Deterioration (PSD) federal requirements found under 40 CFR Section 52.21 to include the changes in the July 1, 2008 edition of the Code of Federal Regulations (CFR) and (2) clarify the meaning of the terms "Administrator" and "Reviewing Authority" as used in 40 CFR Sections 52.21 and 52.1116. The amendments will be submitted to USEPA for approval as part of Maryland's SIP. The amendments became effective on July 16, 2009.



Pennsylvania

CONTINUOUS OPACITY MONITOR REGULATION USEPA has issued a direct final rule approving a Pennsylvania SIP revision [[74 FR 33329](#), July 13, 2009]. The revision, "Revision 58, Continuous Opacity Monitor Regulation Changes," consists of changes to the Allegheny County Health Department (ACHD) Rules and Regulations, Article XXI, Air Pollution Control. Barring adverse comment the direct final rule became effective on September 11, 2009.

DATA FOR THE 1997 PM2.5 STANDARD USEPA has issued a proposed rule determining that the Johnstown (Cambria and Indiana Counties), Lancaster (Lancaster County), Reading (Berks County) and York (York County), Pennsylvania non-attainment areas have clean data for the 1997 PM2.5 NAAQS. The proposed determination is based upon quality assured, quality controlled, and certified ambient air monitoring data showing that these areas have monitored attainment of the 1997 PM2.5 NAAQS based on the 2006-2008 data. In addition, monitoring data for 2009 that are available in the USEPA AQS database, but not yet certified, show that these areas continue to meet the 1997 PM2.5 NAAQS. If the proposed determination is made final, the requirements for these areas to submit an attainment demonstration, associated reasonably available measures, a reasonable further progress plan, contingency measures, and other planning SIPs will be suspended for as long as each of these areas continues to meet the 1997 PM2.5 NAAQS.

SCRANTON/WILKES-BARRE EIGHT-HOUR OZONE MAINTENANCE AREA USEPA has issued a direct final rule approving a SIP revision submitted by the Commonwealth of Pennsylvania [[74 FR 40083](#), August 11, 2009]. The revision amends the eight-hour ozone maintenance plan for the Scranton/Wilkes-Barre Area eight-hour ozone maintenance area. The revision amends the maintenance plan's 2009 and 2018 motor vehicle emissions budgets (MVEBs) by unequally dividing the existing approved MVEBs which covers the entire maintenance area into three sub-regional MVEBs, one set of MVEBs for each county comprising the area. The revised plan continues to demonstrate maintenance of the eight-hour NAAQS for ozone. Barring adverse comment the direct final rule becomes effective on October 13, 2009.

YORK-ADAMS COUNTIES EIGHT-HOUR OZONE MAINTENANCE AREA USEPA has issued a direct final rule approving a SIP revision submitted by the Commonwealth of Pennsylvania. The revision amends the eight-hour ozone maintenance plan for the York-Adams Counties eight-hour ozone maintenance area. The revision amends the maintenance plan's 2009 and 2018 MVEBs by unequally dividing the existing approved MVEBs which covers the entire maintenance area into two sub-regional MVEBs, one set of MVEBs for each county comprising the area. The revised plan continues to demonstrate maintenance of the eight-hour NAAQS for ozone. Barring adverse comment the direct final rule becomes effective on October 13, 2009.

EXTENSION OF GENERAL PERMIT (PAG-13) FOR MS4S The Pennsylvania Department of Environmental Protection (PADEP) has issued a [final rule](#) extending the availability of the current NPDES Storm Water Discharges From Municipal Storm Sewer Systems (MS4s) General Permit (PAG-13) for an additional 12 months. The current PAG-13 permit was initially extended for 12 months at 38 Pa.B. 4679 (August 23, 2008) and is scheduled to expire on March 9, 2010. PADEP has extended the availability of the permit to process the extensive public comments received, coordinate with the USEPA, finalize the renewal of PAG-13, and provide for municipal outreach on the revised permit. The final rule will be effective on March 10, 2010, and will expire on March 9, 2011.

IMPLEMENTATION OF THE DIESEL-POWERED MOTOR VEHICLE IDLING ACT PADEP has proposed a [SIP revision](#) to implement the Diesel-Powered Motor Vehicle Idling Act. On October 9, 2008, Governor Rendell signed the Diesel-Powered Motor Vehicle Idling Act (Act 124), which restricts idling of heavy-duty diesel vehicles to five minutes in any continuous 60-minute period. By incorporating Act 124 into the Pennsylvania SIP, Act 124 becomes enforceable by USEPA, in addition to continuing to be enforceable by state and local governmental entities. The Commonwealth will be able to take credit in subsequent SIP revisions for emission reductions resulting from compliance with Act 124. Comments are due by September 25, 2009.

STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES PADEP has [proposed revisions](#) to the NPDES General Permit for Storm Water Discharges Associated with Construction Activities (PAG-2). The current PAG-2 permit is scheduled to expire on December 7, 2009. The proposed revisions include: (1) new definitions; (2) new section titled, "Authority and Responsibilities of the Department or authorized Conservation Districts" that clearly outlines authorities and responsibilities; (3) expansion of Part B, "Termination of Coverage" section to include additional information regarding the submission of the Notice of Termination; (4) expansion of Part C, "Post Construction Storm Water Management Plans" section; and (5) addition of clean fill requirements, infiltration Best Management Practices

(BMPs), and stabilization requirement sections. An additional condition not eligible for coverage under this permit has been added to the Notice of Intent (NOI) section for when a proposed discharge to surface waters identified as impaired waters will not meet the recommended control guidelines as listed in the Pennsylvania Storm Water BMPs Manual. PADEP has also proposed increasing the PAG-2 permit filing fee from \$250 to \$500, payable to the appropriate Clean Water Fund. Comments are due by September 14, 2009.



Virginia

GROUNDWATER WITHDRAWAL REGULATIONS The Virginia Department of Environmental Quality (VDEQ) has issued a Notice of Intended Regulatory Action (NOIRA) for [amendments](#) to the Groundwater Withdrawal Regulations at 9 VAC 25 – 610. The amendments would address the increasing demand on limited groundwater resources, changes to the administrative review process, and regulatory changes necessitated by new information on the coastal plain aquifer system.

NEW TMDLS WITHIN THE WATER QUALITY MANAGEMENT PLANNING REGULATION VDEQ has adopted an [amendment](#) to the Water Quality Management Planning Regulation. The amendment adopts: (1) three new Total Maximum Daily Load (TMDL) waste load allocations in the Potomac-Shenandoah River Basin (9 VAC 25-720-50.A); (2) four TMDL waste load allocations in the Tennessee-Big Sandy River Basin (9 VAC 25-720-90.A); (3) one new TMDL waste load allocation in the James River Basin (9 VAC 25-720-60.A); and (4) adopt one new TMDL waste load allocation in the Chesapeake Bay-Small Coastal Basin (9 VAC 25-720-110.A). The amendment became effective on July 8, 2009.

AMENDMENTS TO VPDES DISCHARGES AFFECTING EASTERN SHORE TIDAL WATERS VDEQ has finalized [amendments](#) to the water quality standards at 9VAC25-260. The amendments add a new section, 9VAC25-260-275, that is initiated when applications for new or expanded Virginia VPDES discharges to or otherwise affecting Eastern Shore tidal waters are not denied pursuant to 9VAC25-260-270. Eastern Shore tidal waters include all tidal rivers and creeks on the Eastern Shore (Accomack and Northampton counties) including the tidal waters within the barrier islands on the eastern seaside of the Eastern Shore and all tidal rivers and creeks on the western bayside and including the Chesapeake Bay to a point one mile offshore from any point of land on the Eastern Shore. If the discharges result in shellfish condemnations, then the applicant must analyze whether wastewater management alternatives other than a discharge would be feasible, produce less of an environmental impact, and not result in significant social and economic impacts to beneficial uses and to the locality and its citizens. If the analysis demonstrates that an alternative meets these criteria, then that alternative must be pursued for approval prior to action on the discharge alternative. The amendments became effective on August 20, 2009.



West Virginia

DATA FOR THE 1997 PM2.5 STANDARD USEPA has issued a proposed rule determining that the West Virginia portions of three non-attainment areas have clean data for the 1997 PM2.5 NAAQS [[74 FR 38154](#), July 31, 2009]. The areas are: (1) Berkeley County, part of the Hagerstown-Martinsburg MD-WV non-attainment area; (2) Wood County, part of the Parkersburg-Marietta WV-OH non-attainment area; and (3) Marshall County and Ohio County, part of the Wheeling WV-OH non-attainment area. The proposed determination is based upon quality assured, quality controlled, and certified ambient air monitoring data that show that these areas have monitored attainment of the 1997 PM2.5 NAAQS based on 2006-2008 data. In addition, monitoring data for 2009 that are available in the USEPA AQS database, but not yet certified, show these areas continue to have clean data for the 1997 PM2.5 NAAQS. If the proposed determination is made final, the requirements for these areas to submit an attainment demonstration, associated RAMs, a RFP plan, contingency measures, and other planning SIPs will be suspended for as long as the areas continue to meet the 1997 PM2.5 NAAQS.

IMPLEMENTATION OF CAIR USEPA has issued a final rule approving a SIP revision submitted by the State of West Virginia [[74 FR 38536](#), August 4, 2009]. The revision establishes budget trading programs for NOx annual, NOx ozone season, and sulfur dioxides (SO₂) annual emissions to address the requirements of USEPA's CAIR. The revision also recodifies and revises provisions pertaining to internal combustion engines and cement kilns that are subject to the NOx SIP Call. West Virginia will meet its CAIR requirements by participating in the USEPA-administered regional cap-and-trade

program for NO_x annual, NO_x ozone season, and SO₂ annual emissions. USEPA has determined that the SIP revision fully implements the CAIR requirements for West Virginia. The final rule will also cause the CAIR Federal Implementation Plans (CAIR FIPs) concerning SO₂, NO_x annual, and NO_x ozone season emissions by West Virginia sources to be automatically withdrawn.

TRANSPORTATION OF HAZARDOUS WASTE The West Virginia Department of Transportation (WVDOT) has finalized a [rule](#) amending regulations for the transportation of hazardous wastes by vehicle upon the roads and highways of the state. The rule is applicable if the transport requires a manifest under section 6 of the rules of the West Virginia Division of Environmental Protection. The rule is necessary to comply with time limitations established by changes to federal statute 40 CFR and 49 CFR. The rule has been filed with the secretary of state and the legislative rule-making review committee for their review.

Region 5

For more information on any state issues in Region 5, contact Tony Nesky, Army Regional Environmental Coordinator, Region 5, (410) 436-7248, e-mail: Tony.Nesky@us.army.mil.



Illinois

ILLINOIS LAKE MANAGEMENT PROGRAM ACT AMENDMENTS On August 14, 2009, Governor Quinn signed into law [H.B. 3828](#), which amends the Illinois Lake Management Program Act. The new law creates the Task Force on the Conservation and Quality of the Great Lakes for the protection of the water quality and supply of the Great Lakes. The law also establishes the membership, powers, and duties of the task force. The new law became effective upon signature.

AMENDMENTS TO CONTAMINANT EVALUATION REGULATIONS On August 24, 2009, Governor Quinn signed into law, [H.B. 4021](#), which amends the Environmental Protection Act by changing Sections 15, 25d-1, 25d-2, 25d-3, 42, and 44 and by adding Section 18.1. The new law requires the Illinois Environmental Protection Agency (IEPA) to: (1) evaluate the release of contaminants if it determines that the extent of soil, soil gas, or groundwater contamination may extend beyond the boundary of the site where the release occurred and (2) notify the owner of the contaminated property if soil contamination occurs beyond the boundary of the site where the release occurred, soil gas contamination beyond the boundary of the site where the release occurred, or both pose a threat of exposure to the public above the appropriate Tier 1 remediation objectives. The law also establishes new notification requirements for owners or operators of community water systems and creates a civil penalty for violations of these notice requirements. The new law became effective upon signature.

NPDES PERMIT FEES On August 11, 2009, Governor Quinn signed into law [H.B. 629](#), which amends the Environmental Protection Act by changing Section 12.5. The new law limits the circumstances under which IEPA must send a fee notice to existing NPDES permittees. The law exempts NPDES construction-site storm water permittees, who meet certain requirements, from paying an annual NPDES construction-site storm water permit fee after payment of an initial annual fee of: (1) \$500 before January 1, 2010 or (2) \$250 to \$750, depending on the number of acres disturbed, for applications received on or after January 1, 2010. The new law became effective upon signature.

GREEN INFRASTRUCTURE FOR CLEAN WATER ACT On June 30, 2009, Governor Quinn, signed into law [S.B. 1489](#), which creates the Green Infrastructure for Clean Water Act. The new law makes legislative findings concerning the utility of green infrastructure. The law also requires IEPA, in consultation with other agencies and entities, to submit a report to the general assembly and governor that reviews the latest available scientific research and institutional knowledge relating to storm water management. The new law became effective upon signature.

BENEFICIAL USE DETERMINATIONS On August 14, 2009, Governor Quinn, signed into law [S.B. 2034](#), which amends the Environmental Protection Act by adding Section 22.54. The new law authorizes IEPA to make written determinations that certain materials that would otherwise be required to be managed as waste may be managed as non-waste if those materials are used beneficially and in a manner that is protective of human health and the environment. The law requires applicants for beneficial use determinations to demonstrate that: (1) the chemical and physical

properties of the material are comparable to similar commercially available materials; (2) the market demand for the material meets certain requirements; (3) the material is legitimately beneficially used; (4) the management and use of the material will not cause, threaten, or allow the release of any contaminant into the environment, except as authorized by law; and (5) the management and use of the material otherwise protects human health and safety and the environment. The law became effective upon signature.

CREATION OF THE ALTERNATE FUELS COMMISSION On August 11, 2009, Governor Quinn signed into law [H.B. 4245](#), which establishes the Alternate Fuels Commission within the Department of Commerce and Economic Opportunity. The commission shall investigate and recommend strategies that the governor and the general assembly may implement to promote the use of alternate fuels and biodiesel fuels and to encourage the use of vehicles that utilize alternate fuels and biodiesel fuels. The commission shall also identify mechanisms that promote research into alternate fuels and biodiesel fuels. The commission is required to submit a written report on its investigation and recommendations to the general assembly and the governor by August 11, 2010.

TIRE MANAGEMENT REGULATIONS On August 25, 2009, Governor Quinn, signed into law [S.B. 2103](#), which amends the Environmental Protection Act by changing Sections 31.1, 42, 55, and 55.1. The new law authorizes the IEPA to issue an administrative citation and impose a civil penalty if any person: (1) causes or allows water to accumulate in used tires; (2) fails to collect the new or used tire fee as required by Section 55.8; or (3) transports used or waste tires in violation of the registration and vehicle placarding requirements adopted by the Illinois Pollution Control Board (ILPCB). The law became effective upon signature.

COMPOSTING On August 13, 2009, Governor Quinn, signed into law [S.B. 99](#), which amends the Environmental Protection Act by amending Sections 3.330, 22.26, and 22.34 and adding Sections 3.197 and 3.282. The new law: (1) deletes the definitions of the terms compost, compostable material, composting, and garbage; (2) replaces the definition of the term food scrap; (3) redefines organic waste; (4) defines "pollution control facility," which does not include the portion of a site or facility that is used for the composting of food scrap; (5) specifies the type of notice that an applicant must give before IEPA may issue the applicant a permit to construct or develop a composting facility; (6) provides that solid waste permits for organic waste compost facilities shall be issued under the ILPCB's Solid Waste Rules at 35 Ill. Adm. Code 807; and (7) requires permits to include, but not to be limited to, measures designed to reduce pathogens in the compost. The new law became effective upon signature.

STANDARDS AND LIMITATIONS FOR ORGANIC MATERIAL EMISSIONS FOR AREA SOURCES ILPCB has adopted amendments to the air regulations titled, "Standards and Limitations for Organic Material Emissions for Area Sources." The amendments were adopted in order to attain the new USEPA ozone NAAQS by 2010. The amendments reduce volatile organic material emissions (VOM) from various consumer products, architectural products, and industrial maintenance products. These products represent significant, yet widely diffuse, sources of VOM and comprise the various forms of consumer products used by individual households and small businesses. Together, these items emit about ten percent of the total anthropogenic VOM emissions from sources in Illinois. The amendments became effective on June 8, 2009.

INCREASE IN PERMIT FEES FOR INSTALLING OR EXTENDING WATER MAIN IEPA has finalized [amendments](#) to the rule, "Permit Fees For Installing Or Extending Water Main (Part 690)." The amendments establish a new fee structure for installing and extending water mains. The amendments were needed to formally incorporate the new fee adopted in June 2003 and make updates to the rule language since no amendments had been done to Part 690 since 1990. The amendments became effective on June 25, 2009.

PERMIT FEES FOR INSTALLING OR EXTENDING SEWERS IEPA has issued a [final rule](#) amending Part 320, "Permit Fees For Installing Or Extending Sewers" (35 IAC 320). The final rule changes the title of Part 320 to "Fees For Construction Permits Required Under Section 12(B) Of The Illinois Environmental Protection Act." The rule also updates IEPA procedures for collecting permit fees under Part 320 and the amounts of those fees in response to changes to Section 12.2 of the Environmental Protection Act. The new fees are: (1) \$1000 for industrial wastewater that does not require pretreatment; (2) \$3000 for industrial wastewater that requires pre-treatment for non-toxic pollutants; (3) \$6000 for industrial wastewater that requires pre-treatment for toxic pollutants; and (4) \$2,500 for construction relating to land application of industrial sludge or spray irrigation of industrial wastewater. The final rule became effective on July 22, 2009.



Indiana

ADOPTION OF THE CLEAN AIR INTERSTATE RULE The Indiana Department of Environmental Management (IDEM) has issued a [final rule](#) adopting CAIR. The new rule adds definitions, alters permit requirements, and establishes an annual NOx emissions budget and annual NOx trading program. The new rule impacts CAIR NOx units including: (1) stationary fossil-fuel boilers or combustion turbines; (2) cogeneration units; and (3) solid waste incineration units. The rule became effective on June 11, 2009.

INCORPORATION OF FEDERAL VOC DEFINITION IDEM has proposed a [rule](#) to revise the definition of VOCs to exclude dimethyl carbonate and propylene carbonate. The rule is a direct incorporation, by reference, of a federal law 40 CFR 51.100. The rule will allow the state program to maintain the required consistency between the state and federal regulations. The rule is scheduled to be adopted on September 2, 2009.

PROHIBITION ON OPEN BURNING OF PESTICIDE CONTAINERS The Indiana Pesticide Review board has adopted a [rule](#) that adds section 357 IAC 1-13 to Title 357, "Indiana Pesticide Review Board." The new section establishes a prohibition against open burning of pesticide containers, which makes Title 357 more consistent with a similar prohibition under the Indiana clean air rules. The rule became effective on July 4, 2009.



Minnesota

90-DAY FINDING ON A PETITION TO LIST THE NORTHERN LEOPARD FROG USFWS has issued a notice announcing a 90-day finding on a petition to list the western US population of the northern leopard frog as threatened under the ESA [[74 FR 31389](#), July 1, 2009]. Following the review of the petition, USFWS found that it provides substantial scientific or commercial information indicating that listing this species may be warranted. Therefore, with the publication of this notice, they are initiating a status review of the species, and will issue a 12-month finding to determine if listing the species throughout all or a significant portion of its range is warranted. There is potential impact on Army installations. There are many Army installations within the range of the proposed western population of northern leopard frog, including areas in Minnesota.

WETLAND CONSERVATION The Minnesota Board of Water Soil Resources (BWSR) has adopted [amendments](#) to the rules relating to Wetland Conservation: Minnesota Rules Chapter 8420. The amendments adopt permanent rules as required by statute and incorporate 2007 and 2008 statutory changes into the permanent rule. The amendments increase state and federal regulatory coordination through incorporating provisions of the BWSR - US Army Corps of Engineers. The amendments include provisions for wetland identification, wetland replacement, exempt and no loss activities, wetland banking, wetland planning, enforcement and appeals. The amendments became effective on August 10, 2009.



Michigan

PROHIBITED AND RESTRICTED SPECIES LISTS On June 23, 2009, Governor Granholm signed into law [H.B. 4579](#), which amends the Natural Resources and Environmental Protection Act regarding the restricted and prohibited species list maintained by the Department of Natural Resources and the Department of Agriculture. The new law permits both departments to add or delete from the prohibited and restricted species lists any species, other than an insect or plant species, after consultation with each other. The law requires the departments to add a species to the *Prohibited List* if: (1) the species is not native to or naturalized in Michigan and has the potential to harm human health or to severely harm natural, agricultural, or silvicultural resources and (2) effective management or control techniques for the organism are not available. The law requires departments to add a species to the *Restricted List* if: (1) the species is not native to Michigan but is naturalized in the state and has the potential to harm human health or to harm natural, agricultural or silvicultural resources; and (2) effective management or control techniques for the organism are available. The law becomes effective on September 21, 2009.



Ohio

VOC EMISSION CONTROL MEASURES FOR CLEVELAND USEPA has issued a final rule approving several Ohio SIP revisions implementing VOC control rules [[74 FR 37171](#), July 28, 2009]. The revisions satisfy the VOC RACT requirement for the Cleveland-Akron eight-hour ozone non-attainment area. Specifically, the revisions satisfy the control and enforceability requirements of RACT, including Ohio's requirement to adopt VOC RACT rules for the Control Technique Guideline (CTG) documents issued by USEPA in 2006 and 2007. The final rule became effective on August 27, 2009.

WATER WELL STANDARDS The Ohio Environmental Protection Agency (OEPA) has [amended rules](#) regarding water well standards, scope and exemptions, well monitoring, well siting, well development, and pump tests. The amendments: (1) clarify applicant's requirements when applying for a variance from rules; (2) provide for long-term protection of a well's water source water; (3) relate to setback distances and waste management activities; (4) allow experienced water well professionals, not just hydrogeologists, to propose and conduct alternative aquifer or pumping tests and clarifies analytical sampling and analysis requirements for new wells; and (5) require development or update of a drinking water source protection plan within two years after receiving approval for a new well. The amendments became effective on September 1, 2009.

CONTROL OF LEAD AND COPPER IN WATER OEPA has adopted [amendments](#) to the rules regarding the control of lead and copper (OAC 3745-81-01, -80 thru -90, -96-01 thru -03). The amendments concern requirements for all community and non-transient non-community public water systems to provide notice of tap water lead monitoring results to all served by the sampling site. The amendments also revise rules regarding lead line replacement reevaluation, notification requirements for treatment and source changes and monitoring revisions for systems with less than five taps for human consumption. The amendments became effective on July 24, 2009.



Wisconsin

REVISIONS TO THE FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE The Wisconsin Department of Commerce (WDOC) has finalized [amendments](#) to the flammable, combustible, and hazardous liquids regulations. The amendments primarily implement operator-training criteria issued by USEPA for underground storage tanks systems. The amendments require operators to have a permit. The amendments became effective on August 1, 2009.

PROFESSIONAL DEVELOPMENT

WHAT	WHEN	WHERE	DETAILS
<u>Endangered Species Recovery Planning and Implementation Training Course</u>	9/21 - 9/25/09 8/2 - 8/6/10	Shepherdstown, WV Shepherdstown, WV	Hosted by Department of the Interior (DOI) the course covers the technical, policy, and practical aspects of recovery planning and implementation for threatened and endangered species. Topics covered include: statutory framework, purpose and steps of recovery plan development, policies and guidance relevant to recovery, the relationship of recovery to all parts of the ESA, five-year reviews, the application of conservation tools such as decision analysis and adaptive management to recovery efforts, and monitoring. Case studies and exercises are included to reinforce lecture sessions.
<u>GIS Tools for Strategic Conservation Planning</u>	10/27 - 10/30/09	Shepherdstown, WV	The course is hosted by the National Oceanic and Atmospheric Administration (NOAA) and the Conservation Fund at the National Conservation Training Center. The course will teach how to apply GIS tools, methodologies, and analysis to strategic conservation planning using a "Green Infrastructure" approach.
<u>"Yes We Can, Greening Our Futures" Environmental Conference</u>	11/3 - 11/5/09	Washington, DC	The theme for the New England and Mid-Atlantic Regions 2009 Federal Facilities Environmental Conference is, "YES WE CAN-GREENING OUR FUTURE." The two and a half day sustainability forum is a partnering and training opportunity for environmental professionals at all levels within DoD, the states, and EPA. There is a \$200.00 conference fee. The deadline to register is October 28, 2009. To access the website, use the code: EPA47224.
<u>2009 AWRA Annual Water Resources Conference</u>	11/9 - 11/12/09	Seattle, WA	Hosted by the American Water Resources Association (AWRA), the conference will provide a forum for participants to explore the many multidisciplinary aspects of water resources research, policy, and management. Topics that will be addressed include: recent advances in water resource monitoring, modeling and analysis; effects and responses to drought, floods, and other natural calamities; and collaborative efforts to address transboundary and international water issues.
<u>Greenbuild International Conference and Expo</u>	11/11 - 11/13/09	Phoenix, AZ	Hosted by the US Green Building Council, the conference is the world's largest conference and expo dedicated to green building. Thousands of building professionals from all over the world come together at Greenbuild for three days of educational sessions, speakers, green building tours, special seminars, and networking events.
<u>Partners in Environmental Technology Technical Symposium & Workshop</u>	12/1 - 12/3/09	Washington, DC	Sponsored by the DoD's Strategic Environmental Research and Development Program (SERDP), and DoD's Environmental Security Technology Certification Program (ESTCP). Technical sessions will highlight research and innovative technologies that assist DoD in addressing increasingly complex environmental and mission sustainability challenges. The deadline for submitting abstracts for consideration is July 31, 2009.

WHAT	WHEN	WHERE	DETAILS
2010 North American Environmental Field Conference and Exposition	1/12 - 1/15/10	Tampa, FL	The conference is presented by the Nielsen Environmental Field School, Inc. The conference will include interactive indoor and outdoor workshops, conference presentations, and field equipment demonstrations. A wide variety of stakeholders in environmental site characterization and monitoring will be represented, including Federal, State, tribal, regional, county and local government officials; and DOD and DOE environmental staff.
7th International Conference Remediation of Chlorinated and Recalcitrant Compounds	5/24 - 5/27/10	Monterey, CA	The conference is organized and presented by Battelle. The conference focuses on innovative application of existing and new technologies and approaches for characterizing, treating, and monitoring chlorinated and other recalcitrant compounds in various environmental media. Abstracts are due by July 31, 2009.
2010 NDIA Environment, Energy & Sustainability Symposium & Exhibition	6/14 - 6/17/10	Denver, CO	The symposium is hosted by the National Defense Industrial Association (NDIA). For the 2010 symposium, NDIA is inviting administration senior leaders from the White House, DoD, DoE, USEPA, and the Services to present their organizations' goals for the next three years. The Services will emphasize their leadership initiatives and program and budget changes in order to provide attendees with policy updates and technical training. Abstracts are due by December 1, 2009.
5th National Conference on Coastal and Estuarine Habitat Restoration	11/13 - 11/17/10	Galveston Island, TX	Hosted by <i>Restore America's Estuaries</i> , the conference theme is, "Preparing for Climate Change." The conference bring together the coastal habitat restoration community and a group of diverse stakeholders from across the country, including top representatives from federal, state, and local governments; corporations and businesses; and education—all united in the search for solutions to the needs of our coastal ecosystems.
The Conservation Leadership Network Training Courses	Various Times	Various Locations	Hosted by the The Conservation Fund, the courses are designed to foster collaboration and to replicate real world scenarios. The courses are applicable for individuals from a variety of disciplines and sectors, with responsibilities that scale the national, regional, and local levels. Examples of courses include; Strategic Conservation Planning Using the Green Infrastructure Approach, and Balancing Nature and Commerce in Communities that Neighbor Public Lands.
GoLearn	Anytime	Online	GoLearn.gov provides government employees and military personnel with web-based learning and development courses, as well as many other products and services. Recent course addition includes, working effectively with Tribal governments. Site registration is required, including a nominal fee for federal users.
US Army Corps of Engineers Training Program	Various Times	Various Locations	USACE Fiscal Year 2010 training program is now available and open for registration. For further information, contact USACE, (402) 697-2559, or register online.

WHAT	WHEN	WHERE	DETAILS
Naval Civil Engineer Corps Officers School (CECOS) Training Courses	Various Times	Various Locations	During FY 2010, CECOS will offer 57 different courses with 260 individual course offerings. The Mobile Training Teams will be conducting over 80 percent of the courses. Courses being offered include: facilities energy management; environmental compliance assessment; DoD conservation law enforcement program; introduction to cultural resource management laws and regulations; historic preservation law and Section 106 compliance; natural resource conservation; and basic and to advanced environmental law.
USEPA Watershed Academy Web	Anytime	Online	USEPA online training website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in time to complete, from 1/2 hour to 2 hours.
USEPA and ITRC Training Website	Multiple Dates	Multiple Locations	USEPA, in partnership with the Interstate Technology Regulatory Council (ITRC) provides a range of training relevant to hazardous waste remediation, site characterization, risk assessment, emergency response, site/incident management, counter-terrorism, and the community's role in site management and cleanup. The website includes training schedules for deliveries of many courses - both classroom and Internet-based.
NPDES Training and Workshops	Various Times	Various Locations	The NPDES permitting program offers training courses, workshops, and webcasts to explain the regulatory framework and technical considerations of the NPDES permitting program. The courses are designed for permit writers, dischargers, USEPA officials, and other interested parties.
USEPA Mold Web Course	Any Time	Online	The web course contains information on mold prevention and remediation, and is designed primarily for environmental and public health professionals. It is based on the USEPA voluntary guidance document, "Mold Remediation in Schools and Commercial Buildings."
USEPA Watershed Assessment Tools Training	Various Times	Various Locations	USEPA offers training on various watershed modeling or aquatic toxicity simulation tools such as BASINS, AQUATOX, and others.
USEPA Online EMS Training Course	Any Time	Online	The course provides an overview of how environmental management systems (EMS) can support facility programs. The course takes about one hour to complete.
Qualified Recycling Program Course	Various Times	Various Locations	The course provides training on how to identify and market recyclable materials. The course is for any person or organization that generates recyclable materials, is associated with an installation recycling program or DoD precious-metals recovery program, or works for a Defense Reutilization and Marketing Office.

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Internet Resources

FEDERAL SOURCES

USAEC <http://aec.army.mil/>

USEPA <http://www.epa.gov/>

Region 1 <http://www.epa.gov/region01/>

Region 2 <http://www.epa.gov/region02/>

Region 3 <http://www.epa.gov/region03/>

Region 5 <http://www.epa.gov/region5/>

USDA <http://www.usda.gov/>

DOI <http://www.doi.gov>

Federal Register

<http://www.gpoaccess.gov/fr/index.html>

Code of Federal Regulations

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>

STATE / TERRITORY SOURCES

Connecticut <http://www.state.ct.us/>

Delaware <http://www.state.de.us/>

District of Columbia <http://www.dc.gov/>

Illinois <http://www.illinois.gov/>

Indiana <http://www.state.in.us/>

Maine <http://www.maine.gov/>

Maryland <http://www.maryland.gov/>

Mass. <http://www.mass.gov/>

Michigan <http://www.michigan.gov/>

Minnesota <http://www.state.mn.us/>

New Hampshire <http://www.nh.gov/>

New Jersey <http://www.state.nj.us/>

New York <http://www.state.ny.us/>

Ohio <http://www.ohio.gov/>

Pennsylvania <http://www.state.pa.us/>

Puerto Rico <http://www.gobierno.pr/>

Rhode Island <http://www.state.ri.us/>

Vermont <http://vermont.gov/>

Virgin Islands <http://www.usvi.org/>

Virginia <http://www.myvirginia.org/>

West Virginia <http://www.wv.gov/>

Wisconsin <http://www.wisconsin.gov/>

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DSN: 584-4044

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