



Northern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

January 2014

The **NORTHERN REVIEW** provides current information on state and local environmental, energy, land use, and related legislative and regulatory activities relevant to Department of Defense 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 DOD and Army leaders, planners, and program managers in carrying out their responsibilities including meeting legal criteria of ISO 14001. The Northern Review monitors and targets proposed and final regulations and legislation that may affect Army or DOD operations. Click here for information on the [Army's Regional Environmental and Energy Offices](#).

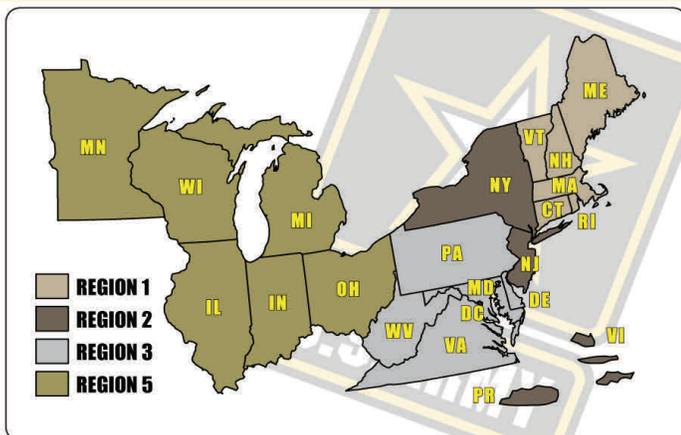


Table of Contents

Region 1	2
Region 2	6
Region 3	8
Region 5	10
DOD Activity	14
Federal Activity	14
Professional Development	16
How the Regional Offices Work for You	17

What's In This Review?

Region 1

In CT, federal 8-hour ozone attainment for the Greater Connecticut Area. In ME, proposed bills regarding solar energy development and insecticide bans. In MA, a new law establishing UST inspection requirements, and final amendments to the toxic and hazardous substance list. In NH, multiple proposed bills regarding energy facilities; and proposed amendments to the drinking water regulations. In RI, final amendments that decommission Stage II vapor recovery systems. In VT, federal approval for state hazardous waste management program revisions; and proposed legislation regarding energy facility siting and Act 250 permit requirements.

Region 2

In NJ, proposed legislation regarding UAVs, offshore energy projects, and wastewater management planning. In NY, the proposed repeal of obsolete quarantine rules.

Region 3

In DE, final revisions to the ambient air quality standards. In MD, final amendments to the "Habitat Protection Areas in the Critical Area" regulations, and proposed updates to the water quality standards. In PA, final air quality Title V fee amendments; the proposed removal of the Bald Eagle from the state threatened species list. In VA, final amendments regarding water reclamation and reuse, and enforcement of T & E regulations.

Region 5

In IL, final amendments to the water well construction code and the state definitions of VOM and VOC. In IN, an emergency rule impacting the Great Lakes Basin of Indiana. In MI, a new law establishing requirements for regulatory agency impact statements. In MN, proposed amendments to compost facility requirements and invasive species regulations. In OH, proposed legislation regarding UAVs, and statewide MS4 general permit renewal. In WI, a new law establishing electronic reporting methods for WDNR, and final amendments to the wastewater pretreatment standards and the T&E lists.

DOD Activity

Request for 2014 Secretary of Defense Environmental award nominations, and a signed MOU with USDA and DOI to advance Sentinel Landscapes.

Federal Activity

Final USEPA rules regarding PSD for PM2.5. DOE releases draft 2014-2018 Strategic Plan. FWS final revisions to the permitting regulations governing eagle takes.

Region 1

For more information on any state issues in Region 1, contact [Bob Muhly](#), Army Regional Environmental Coordinator, Regions 1 & 2, (410) 278-6140.



Legislature convenes 5 FEB 14 and adjourns sine die 4 JUN 14.

FEDERAL ACTIVITY

APPROVAL OF THE OZONE ATTAINMENT DEMONSTRATION FOR THE GREATER CONNECTICUT AREA USEPA has issued a final rule approving the ozone attainment demonstration submitted by the state of Connecticut to meet the Clean Air Act (CAA) requirements for attaining the 1997 8-hour ozone national ambient air quality standard (NAAQS) ([78 FR 78272](#)). The approved attainment demonstration relates to the Greater Connecticut 1997 8-hour ozone nonattainment area. USEPA has also approved the reasonably available control measures (RACM) analysis for this area. The final rule will become effective on 27 JAN 14.

OTHER REGULATORY ACTIVITY

DRAFT GUIDANCE FOR DEMONSTRATING COMPLIANCE WITH RSRs The Connecticut Department of Energy and Environmental Protection (CDEEP) has invited comment on the draft [Guidance for Calculating the 95% Upper Confidence Level for Demonstrating Compliance with the Remediation Standard Regulations](#). In accordance with the Connecticut Remediation Standard Regulations (RSRs), the 95% upper confidence level (UCL) is a self-implementing option that may be used to demonstrate compliance with direct exposure, pollutant mobility, groundwater protection, and surface water protection criteria. The document will guide the regulated community in performing the 95% UCL statistical calculation on soil and groundwater data sets to demonstrate compliance with certain RSR criteria. Comments are due by 3 FEB 14.

MID-ATLANTIC PLANNING AREA SURVEY FOR HURRICANE SANDY RECOVERY CDEEP has received a [request](#) submitted by the Bureau of Ocean Energy Management (BOEM) to review proposed activities for consistency with the enforceable policies of Connecticut's federally approved Coastal Management Program. Specifically, the BOEM proposes to conduct reconnaissance-level and site specific surveys in the Mid-Atlantic Planning Area to support coastal recovery/resiliency efforts related to Hurricane Sandy. The comment period closed on 24 DEC 13.



Legislature convened 8 JAN 14 and adjourns sine die 18 JUN 14.

PROPOSED LEGISLATION

LD 1652 SUPPORT FOR SOLAR ENERGY DEVELOPMENT IN MAINE LD 1652 creates the Maine Solar Energy Act. The Act: (1) requires the Public Utilities Commission to take specific measures regarding solar energy, including monitoring development and market trends and determining the value of distributed solar energy generation; (2) requires the state to seek opportunities to promote solar energy development, generation and manufacturing within existing programs; and (3) establishes state solar energy generation goals. The bill was referred to the Energy, Utilities and Technology Committee.

LD 1678 BAN ON TWO INSECTICIDES LD 1678 prohibits the use of methoprene or resmethrin, two chemicals used for mosquito control, in any body of water that drains into the Gulf of Maine or on land from which runoff could enter into

any such waterway. The prohibition is in response to data showing the adverse effects that methoprene and resmethrin have had on the lobster populations in Connecticut. The bill is meant to prevent similar adverse effects on the lobster population of Maine. The bill has been prefiled.



Legislature convened 8 JAN 14 and adjourns 7 JAN 15.

FINAL LEGISLATION

HB 699 REQUIREMENTS FOR THE INSPECTION OF USTs HB 699 (Public Law Number 183) requires the State Fire Marshal to establish rules and regulations providing for an inspection of tanks or containers on an annual basis or at another frequency as determined by the marshal. The rules and regulations shall require owners or operators to maintain the tanks or containers and to keep records of inspections, repairs and maintenance for each tank or container in a form as prescribed by the marshal. An inspection fee will also be determined annually. The bill was signed by the governor on 19 DEC 13 and it will become effective on 20 MAR 14.

FINAL RULES

AMENDMENTS TO THE TOXIC OR HAZARDOUS SUBSTANCE LIST The Massachusetts Executive Office of Energy and Environmental Affairs has **adopted** amendments to 301 CMR 41.00, Toxic or Hazardous Substance List. The amendments reflect changes to the list of reportable substances, consistent with decisions/actions taken by the Massachusetts Administrative Council on Toxics Use Reduction in Fiscal Year 2013. The amendments include the designation of methylene chloride as a higher hazard substance. Methylene chloride is used in various industrial processes including: paint stripping, metal cleaning and degreasing, adhesives manufacturing and use, polyurethane foam production, and solvent distribution and formulation. The amendments became effective on 20 DEC 13.

OTHER REGULATORY ACTIVITY

AVAILABILITY OF BWSC ONLINE EDEP FORMS The Massachusetts Department of Environmental Protection's Bureau of Waste Site Cleanup (BWSC) has released it's first set of **eDEP forms**. The eDEP forms have been converted to a HTML format and can be filled out online. The new forms are replacing forms which were only available in a PDF format. BWSC has begun the process of migrating the eDEP forms to incorporate requirements of 2014 version of the Massachusetts Contingency Plan. Several new forms will be released each month until the migration is complete. As of 17 DEC 13, eDEP forms must be used if available; old forms will not be accepted.



Legislature convened 8 JAN 14 and adjourns sine die 30 JUN 14.

FEDERAL ACTIVITY

CO LIMITED MAINTENANCE PLANS FOR THE CITIES OF MANCHESTER AND NASHUA USEPA has issued a proposed rule to approve a State Implementation Plan (SIP) revision submitted by the state of New Hampshire establishing carbon monoxide (CO) limited maintenance plans for the cities of Manchester and Nashua (**78 FR 77628**). As part of the limited maintenance plan, year-round CO monitoring will continue at the Londonderry Moose Hill station with triggers to reestablish CO monitoring sites in Manchester and Nashua if elevated CO levels are recorded in Londonderry. Future CO transportation conformity evaluations for Manchester and Nashua would, for the length of their limited maintenance plans, be considered to satisfy the regional emissions analysis and budget test requirements. Comments are due by 23 JAN 14.

PROPOSED LEGISLATION

SB 245 PROCEDURES AND AUTHORITY OF THE ENERGY FACILITY SITE EVALUATION COMMITTEE SB 245 amends the Energy Facility Evaluation and Siting, Construction and Operation regulations at RSA 162-H:1. The bill adds to the duties

of the site evaluation committee and modifies requirements for energy facility certificates. The bill was referred to the Energy and Natural Resources Committee.

SB 252 HAZARDOUS WASTE EXCLUSION FOR CERTAIN SOLVENT-CONTAMINATED WIPES SB 252 amends the hazardous waste management regulations at RSA 147-A:2. The bill excludes, from the definition of hazardous waste, solvent-contaminated wipes and rags that are sent for cleaning and reuse. The bill was referred to the Energy and Natural Resources Committee.

SB 281 CRITERIA FOR THE SITING OF WIND TURBINES SB 281 adds a new section to the Energy Facility Evaluation, Siting, Construction and Operation regulations at 162-H:4-a, titled "Siting of Large Wind Energy Systems." The new section defines what a large wind energy system is and establishes criteria that apply to the siting of any such system. The bill was referred to the Energy and Natural Resources Committee.

HB 1151 STUDY OF SOLID WASTE OPERATOR TRAINING AND CORRECTIVE ACTION AT SOLID WASTE LANDFILLS HB 1151 establishes a House committee to study the solid waste operator training program and financial assurance for corrective action at solid waste landfills. The bill establishes the committee membership requirements and duties, and requires the committee to report its findings and any recommendations for proposed legislation by 1 NOV 14. The bill was referred to the Environment and Agriculture Committee.

HB 1258 MODIFICATION TO THE DREDGE AND FILL APPLICATIONS PROCESS HB 1258 modifies the process of submitting dredge and fill applications and providing notification. The bill requires anyone seeking a permit or other approval to submit to the New Hampshire Department of Environmental Services (NHDES): (1) a complete application form that has been signed by specified individuals; (2) other information as required by rules adopted by the commissioner, which may include maps and plans; and (3) a nonrefundable filing fee. The bill also requires that the applicant provide written notice of the proposed project to specified entities and maintain proof of notification. The bill was referred to the Resources, Recreation, and Development Committee.

HB 1304 STORAGE OF FLUORESCENT LAMPS AT TRANSFER STATIONS HB 1304 permits florescent lamps to be stored in open containers for a period of less than one week at transfer stations. The bill was referred to the Environment and Agriculture Committee.

HB 1312 COMMITTEE TO STUDY OFF-SHORE WIND ENERGY DEVELOPMENT HB 1312 establishes a committee to study off-shore wind energy development. The bill outlines committee membership requirements and duties. The committee is required to report its findings and any recommendations for proposed legislation by 1 NOV 14. The bill was referred to the Science, Technology, and Energy Committee.

HB 1456 REQUIREMENTS FOR THE ISSUANCE OF CERTIFICATE FOR ENERGY FACILITIES HB 1456 establishes a procedure for the review, approval, monitoring, and enforcement of compliance in the planning, siting, construction, and operation of energy facilities. The bill requires the site evaluation committee to make a finding concerning applicant capability, municipal and regional concerns, and adverse effects before issuing a certificate for an energy facility. The bill was referred to the Science, Technology, and Energy Committee.

PROPOSED RULES

AMENDMENTS TO THE RULES FOR PROTECTING THE PURITY OF REGULATED WATERSHEDS NHDES has **proposed** to readopt, with amendments, expiring rules related to protecting the purity of surface water sources of drinking water. The existing rules (Env-Ws 386) establish restrictions on certain activities within the watershed of a surface water that is a source of public drinking water. The amendments add a section for definitions, clarify existing procedures, and change substantive requirements that are not source-specific to establish restrictions beyond the current setback. The rules were scheduled to expire on 30 NOV 13, but they will remain in effect during the rulemaking process. Comments are due by 11 FEB 14.

AMENDMENTS TO DRINKING WATER REGULATIONS NHDES has **proposed** to readopt, with amendments, multiple drinking water regulations related to public water systems. The amendments affect federal definitions, recordkeeping requirements, exemptions, and best available technology. The majority of the regulations were scheduled to expire on 30 NOV 13, but they will remain in effect during the rulemaking process. Comments are due by 4 FEB 14.



Legislature convened 7 JAN 14 and adjourns sine die 30 JUN 14.

FINAL RULES

AMENDMENTS TO DECOMMISSION STATE II VAPOR RECOVERY SYSTEMS The Rhode Island Department of Environmental Management (RIDEM) has **adopted** amendments to Air Pollution Control Regulation No. 11, *Petroleum Liquids Marketing and Storage*. The amendments allow for the decommissioning of Stage II vapor recovery systems at gasoline dispensing facilities. Stage II systems are no longer needed because most gasoline vehicles are now equipped with onboard refueling vapor recovery systems that control those emissions. RIDEM has also adopted a SIP revision, *Rhode Island Stage II Vapor Control Program Discontinuation*. The SIP revision demonstrates, using USEPA methodology, that discontinuation of the Stage II program will not interfere with CAA requirements. The amendments and SIP revision became effective on 25 DEC 13.

OTHER REGULATORY ACTIVITY

TEN MILE RIVER WATERSHED DRAFT TMDL RIDEM has **released** the draft water quality restoration plan (WQRP) for the Ten Mile River. The Ten Mile River and its impoundments do not meet state water quality standards for total phosphorus, dissolved oxygen, pathogens, and the following metals: aluminum, cadmium, lead, and iron. The WQRP is consistent with the Clean Water Act (CWA) requirements and is formally called a Total Maximum Daily Load (TMDL). The TMDL details specific pollution abatement requirements and recommendations for pollution sources. Given that the Ten Mile River is a bi-state river system, RIDEM coordinated with the Massachusetts Department of Environmental Protection and USEPA throughout the TMDL development process. Comments are due by 7 FEB 14.



Legislature convened 7 JAN 14 and adjourns sine die 9 MAY 14.

FEDERAL ACTIVITY

FINAL AUTHORIZATION OF STATE HAZARDOUS WASTE MANAGEMENT PROGRAM REVISIONS USEPA has issued a direct final rule granting authorization of revisions to the state of Vermont's hazardous waste program under the Resource Conservation and Recovery Act (RCRA) (**78 FR 79615**). The revisions update state regulations to address federal requirements added from 1 JUL 05 through 30 JUN 11, including the *Burden Reduction Initiative* and the *Revision of Wastewater Treatment Exemptions for Hazardous Waste Mixtures*. Barring adverse comment the direct final rule will become effective on 3 MAR 14.

PROPOSED LEGISLATION

SB 201 AMENDMENTS TO THE PUBLIC SERVICE BOARD SITING REVIEW STATUTE SB 201 revises the statute governing siting review by the Public Service Board of electric generation and transmission and natural gas facilities. These revisions include: (1) altering the standards for obtaining party status; (2) creating a "friend of the Board" category of participants; (3) assessing application fees for non-utility and nongovernmental facilities; and (4) requiring substantial deference to the recommendations of local and regional bodies and to the local plan. The bill has been prefiled.

SB 202 FUNDING FOR THERMAL ENERGY EFFICIENCY SB 202 requires that each year, starting in 2015, any money raised from the energy efficiency charge in excess of the currently approved amount for 2014 (\$45.9 million) will be used to deliver thermal energy and process-fuel energy efficiency services. The bill has been prefiled.

SB 224 PERMIT REQUIREMENTS FOR DISTURBANCES TO THE SHORELANDS OF LAKES SB 224 requires an **Act 250** permit prior to the construction of a new structure, the expansion of an existing structure, and certain clearing of vegetation within the shorelands of lakes. An Act 250 permit is issued under Vermont's Development Control Law. The bill was prefiled.

SB 229 REQUIREMENTS FOR THE COLLECTION OF MANDATED RECYCLABLES SB 229 exempts solid waste transporters in a municipality from the requirement, which begins on 1 JUL 15, to offer collection of mandated recyclables separate from other solid waste if certain criteria is met. The criteria includes: (1) the Secretary of Natural Resources has approved a solid waste implementation plan for the municipality; (2) the approved plan delineates an area in the municipality where collection of mandated recyclable services is not required; and (3) in the delineated area, alternatives to services for collection of mandated recyclables is offered. The bill was prefiled.

SB 292 REQUIREMENTS FOR ENERGY FACILITY SITING REVIEW PROCESS SB 292 amends the Public Service Board's siting review process to require energy facilities to demonstrate that they will not result in a net increase in greenhouse gas (GHG) emissions. The bill would also require that electric generation facilities demonstrate that they are designed to minimize curtailment of their expected generation and include sufficient transmission facilities for that generation. The amendments also require energy facilities to be sited on land subject to an Act 250 permit and must comply with the terms of that permit or obtain an amendment to it. The bill was prefiled.

PROPOSED RULES

AMENDMENTS TO THE AMBIENT AIR QUALITY STANDARDS The Vermont Agency of Natural Resources (VANR) has **proposed** a rule to update Vermont's ambient air quality standards for particulate matter (PM), oxides of nitrogen (NO_x), sulfur dioxide (SO₂), ozone, and lead to make them consistent with the NAAQS. Minor clarifying amendments have also been proposed for permitting regulations and used oil combustion regulations. Comments are due by 10 FEB 14.

AMENDMENTS TO THE SOLID WASTE MANAGEMENT PLAN VANR has **proposed** amendments to the solid waste management plan, including significant changes to the structure and layout of the plan. The amendments include five material specific chapters and a chapter addressing general planning needs. Each chapter contains tools of action, state goals, and performance standards. The state goals and performance standards establish deliverables for the planning period that include reporting, outreach and education, and convenience requirements. The amendments incorporate recommendations from the 2008 VANR solid waste stakeholder group. Comments are due by 21 FEB 14.

Region 2

For more information on any state issues in Region 2, contact [Bob Muhly](#), Army Regional Environmental Coordinator, Regions 1 & 2, (410) 278-6140.



Legislature convenes 14 JAN 14 and adjourns 12 JAN 16.

PROPOSED LEGISLATION

SB 2702 (AB 4073) GUIDELINES FOR THE USE OF UNMANNED AERIAL VEHICLES SB 2702 establishes guidelines to be followed by law enforcement agencies and fire departments that use unmanned aerial vehicles, commonly referred to as drones. The bill prohibits a law enforcement agency from utilizing a drone unless the agency has obtained a warrant, or exigent circumstances make it unreasonable to obtain a warrant. The bill identifies additional warrant requirements and clarifies that the warrant requirements do not apply to fire departments when monitoring a fire, and to emergency management offices when responding to an emergency as defined in the bill. The bill has passed the Senate and was reported out of the Assembly committee with amendments.

AB 4531 (SB 3107) AMENDMENTS TO THE WASTEWATER MANAGEMENT PLANNING PROCESS AB 4531 provides extended validity to the wastewater service area and sewer service area designations within wastewater management plans (WMPs) and water quality management plans (WQMPs). The bill also extends and revises various procedures and timeframes for review by the New Jersey Department of Environmental Protection (NJDEP) of specified WMPs and WQMPs revisions. The bill was referred the Environment and Solid Waste Committee.

AB 4538 DEVELOPMENT OF OFFSHORE WIND ENERGY PROJECTS AB 4538 establishes an approval process for proposed offshore wind energy projects and provides for certain benefits to facilitate development of offshore wind energy. The bill was referred to the Telecommunications and Utilities Committee.

AB 4550 USE OF ONLY NATIVE VEGETATION BY STATE ENTITIES AB 4550 requires that whenever any state entity plants vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, they are required to plant only native vegetation. In addition, when purchasing vegetation for such purposes, the state entity would be required, to the maximum extent possible, to purchase only from businesses located in New Jersey. NJDEP would be required to adopt rules and regulations necessary to implement the provisions of the bill, including rules and regulations that identify those particular species of vegetation that are native to each plant hardiness zone found within the state. The bill was referred to the Agriculture and Natural Resources Committee.

PROPOSED RULES

ROUTINE PROGRAM CHANGES FOR THE COASTAL MANAGEMENT PROGRAM NJDEP is **seeking** approval from the National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management to amend the federally approved New Jersey Coastal Management Program (NJCMP) to reflect two NJDEP rulemakings. The proposed amendments incorporate regulatory revisions and repeals into the NJCMP, and new rules into the Coastal Permit Program and Coastal Zone Management rules. These amendments were previously adopted on an emergency basis and subsequently readopted to address the significant impacts associated with Hurricane Sandy. The amendments additionally implement legislative amendments to the Coastal Area Facility Review Act, concerning the construction of wind energy facilities on piers. The comment period closed on 6 Jan 14.



Legislature convened 8 JAN 14 and adjourns 7 JAN 15.

PROPOSED LEGISLATION

AB 58 DIESEL FUEL CONCENTRATION REQUIREMENTS AB 58 prohibits diesel fuel that contains a concentration of sulfur that is less than or equal to 15 parts per million from being sold or offered for sale unless it includes biodiesel as its lubrication additive. The bill was referred to the Environmental Conservation Committee. **NOTE: JP-8 would not be impacted by the bill since JP-8 is exempt, by USEPA, from fuel sulfur content limits. The bill would apply to diesel fuel used by DOD administrative vehicles and equipment only.**

PROPOSED RULES

PROPOSED REPEAL OF OBSOLETE QUARANTINE RULES The New York Department of Agriculture and Markets has **proposed** to repeal obsolete rules in Parts 128, 129, 131 and 137 of Title I NYCRR which govern the quarantine of the gypsy moth, pine shoot beetle, and pear root stock/seed. The rules have been deemed obsolete and are no longer required. Comments are due by 14 FEB 14.



Legislature convened 14 JAN 13 and adjourns 31 DEC 16.

PROPOSED LEGISLATION

PC 1587 AMENDMENTS TO EXPEDITE ISSUING OF LICENSES, CERTIFICATES, AND OTHER PERMITS PC 1587 amends the *Act of the Department of Health* by adding subsection (4) that requires the Puerto Rico Department of Health to adopt the necessary regulations to facilitate administrative transactions in the regional offices of the Assistant Secretary for Environmental Health. These new regulations will expedite the issuing of sanitary licenses, certifications, or any other permit and expedite the payment of said services. The bill was referred the Health Committee.

Region 3

For more information on any state issues in Region 3, contact [Patrick Timm](#), Army Regional Program Coordinator, Region 3, (410) 278-6139.



Legislature convened 14 JAN 14 and adjourns sine die 30 JUN 14.

FEDERAL ACTIVITY

APPROVED ATTAINMENT PLAN FOR THE PHILADELPHIA-WILMINGTON, PA-NJ-DE NONATTAINMENT AREA USEPA has issued a final rule approving a SIP revision, submitted by the state of Delaware, demonstrating Delaware's attainment of the 1997 annual PM_{2.5} NAAQS for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware (PA-NJ-DE) nonattainment area ([78 FR 76209](#)). The SIP revision, referred to as the attainment plan, includes Delaware's attainment demonstration for the Philadelphia Area. The attainment plan also includes an analysis of RACT and reasonably available control technology (RACT), a base year emissions inventory, and contingency measures. In a separate action, USEPA has issued a notice of adequacy for the SIP revision addressing the Motor Vehicle Emissions Budgets (MVEBs) in the attainment plan ([78 FR 76142](#)). Due to the finding, the state of Delaware must use the out-year 2012 MVEBs from the attainment plan for future conformity determinations for the 1997 PM_{2.5} NAAQS. The final rule will become effective on 16 JAN 14, while the notice of adequacy became effective on 31 DEC 13.

FINAL RULES

UPDATE OF AMBIENT AIR QUALITY STANDARDS The Delaware Department of Natural Resources and Environmental Control has [adopted](#) revisions to the ambient air quality standards at 7 DE Admin. Code 1103. The revisions bring the regulatory standards up to date with current federal requirements regarding test methods and emission standards. The revisions became effective on 11 JAN 14 and will be submitted to USEPA as a SIP revision.



Legislature convened 8 JAN 14 and adjourns sine die 7 APR 14.

FEDERAL ACTIVITY

APPROVAL OF SIP REVISION REGARDING MARYLAND STATE BOARD ETHICS REQUIREMENTS USEPA has issued a direct final rule approving a SIP revision submitted by the state of Maryland intended to meet the state board ethics requirements under CAA section 128 ([78 FR 73442](#)). The revision demonstrates how state boards, bodies or heads of executive agencies that approve CAA permits or enforcement orders disclose any potential conflicts of interest. Barring adverse comment the direct final rule will become effective on 4 FEB 14.

FINAL RULES

HABITAT PROTECTION AREAS IN THE CRITICAL AREA The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays has [adopted](#) amendments to Regulation .01 under COMAR 27.01.09, "Habitat Protection Areas in the Critical Area." The amendments require a shore erosion control project applicant to submit a buffer management plan to the Maryland Department of the Environment (MDE) when a lot is in a mapped modified buffer area (MBA). Recently updated MDE regulations require a buffer management plan to be submitted to MDE for non-MBA lots. The amendments add MBA lots to that requirement. The amendments also clarify that expansion of a 200-foot buffer is required when it is adjacent to contiguous sensitive areas such as steep slopes and highly erodible soils. A notice of the

proposed amendments was published in the July 2013 edition of the *Northern Review*. The amendments became effective on 6 JAN 14.

PROPOSED RULES

PROPOSED UPDATES TO THE WATER QUALITY STANDARDS MDE has **proposed** a rule to amend the water quality standards as a result of the triennial review process. The review revealed several necessary amendments to the water quality standards, including: (1) correcting an error in the description of Water Quality Standards; (2) updating numeric toxics criteria; (3) updating the list of "Tier II" waters; (4) updating designated uses to reflect existing uses; and (5) standardizing the coordinate system for describing locations of water bodies. The comment period closed on 13 JAN 14.



Legislature convened 7 JAN 14 and adjourns 30 NOV 14.

FINAL RULES

AIR QUALITY TITLE V FEE AMENDMENT The Pennsylvania Department of Environmental Protection (PDEP) has **adopted** amendments to Chapter 127, Subchapter I, relating to plan approval and operating permit fees. The amendments satisfy federal and state obligations to establish a Title V annual emission fee sufficient to cover the reasonable direct and indirect costs of administering the operating permit program and other related requirements. A notice of the proposed amendments was published in the March 2013 edition of the *Northern Review*. The amendments became effective on 14 DEC 13.

TRANSFER OF THE EASTERN SPADEFOOT TOAD TO THE THREATENED SPECIES LIST The Pennsylvania Fish and Boat Commission has **adopted** amendments to the endangered and threatened species regulations at 58 PA Code Ch. 75.1, 75.2. The amendments remove the Eastern Spadefoot from the Commonwealth's list of endangered species and adds the species to the list of threatened species. The amendments became effective on 7 DEC 13.

PROPOSED RULES

REMOVAL OF THE REPEALED PFC REGULATION FROM THE SIP PDEP has **proposed** a revision to remove the previously repealed portable fuel container (PFC) regulation from Pennsylvania's SIP. The PFC regulation controlled volatile organic compound (VOC) emissions from gasoline containers; the rescission of the regulation became effective in July 2012. The rescission was necessary because the commonwealth's PFC regulation had become less stringent than federal standards. Comments are due by 14 JAN 14.

REMOVAL OF THE BALD EAGLE FROM THE ENDANGERED AND THREATENED SPECIES LIST The Pennsylvania Game Commission (PGC) has **proposed** amendments to the regulations governing the classification of birds (58 PA Code Section 133.21). The amendments remove the bald eagle from the endangered and threatened species list. The bald eagle is currently listed as a threatened species within the commonwealth, but PGC has recently determined that due to the species recover the bald eagle no longer meets the definition of a threatened species. Upon delisting, bald eagles will continue to be a protected species under applicable commonwealth statutes, the federal *Bald and Golden Eagle Protection Act*, and the *Migratory Bird Treaty Act*. Comments are due by 24 JAN 14.



Legislature convened 8 JAN 14 and adjourns 8 MAR 14.

FINAL RULES

AMENDMENTS TO THE ENFORCEMENT OF THE ENDANGERED PLANT AND INSECT SPECIES ACT REGULATIONS The Virginia Department of Agriculture and Consumer Services has **adopted** amendments to its *Rules and Regulations for the Enforcement of the Endangered Plant and Insect Species Act* (2VAC5-320-10). The amendments: (1) remove one plant species that is no longer considered globally rare, and (2) add three plant species and one insect species to the

threatened and endangered lists. A notice of the proposed amendments was published in the August 2012 edition of the *Northern Review*. The amendments became effective on 18 DEC 13.

AMENDMENTS TO THE WATER RECLAMATION AND REUSE REGULATIONS The Virginia Department of Environmental Quality, State Water Control Board (SWCB) has **adopted** amendments to the water reclamation and reuse regulations at 9VAC25-740-10. The amendments primarily address issues that would improve SWCB's ability to effectively promote and encourage the reclamation and reuse of wastewater. The amendments allow: (1) design or operational deviations for facilities still capable of producing or distributing reclaimed water in a manner protective of the environment and public health, and (2) temporary authorization of water reclamation and reuse without a permit during periods of significant drought. The amendments will become effective on 29 JAN 14.

PROPOSED RULES

PROPOSED AMENDMENTS TO THE ONSITE SEWAGE SYSTEMS PROFESSIONALS REGULATIONS The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals has **proposed** amendments to the qualifications for licensure requirements (18VAC160-20), in regard to onsite sewage system installers. The current regulations require an applicant for a conventional onsite sewage system installer license who is applying for waiver of the examination to provide documentation of experience from a list of specific professionals. The proposed amendment eliminates the need to provide documentation by specific professionals, thereby allowing more latitude to consider applicants that have the required experience but have not worked with one of the specified professionals. Comments are due by 14 MAR 14.



Legislature convened 8 JAN 14 and adjourns sine die 8 MAR 14.

FEDERAL ACTIVITY

NOTICE OF ADEQUACY FOR THE CHARLESTON, WV 1997 AND 2006 PM2.5 NAAQS NONATTAINMENT AREA USEPA has issued a notice of adequacy informing the public of insignificance findings, through the transportation conformity adequacy process, for PM2.5 and NO_x for the Charleston, WV 1997 and 2006 PM2.5 NAAQS nonattainment area (**78 FR 72879**). The state of West Virginia submitted the insignificance findings with redesignation requests and maintenance plans in December 2012. As a result of USEPA's findings, the nonattainment area is no longer required to perform a regional emissions analysis for directly emitted PM2.5, or NO_x, as part of future PM2.5 conformity determinations for the 1997 and 2006 PM2.5 NAAQS. The notice of adequacy became effective on 19 DEC 13.

Region 5

For more information on state issues in Region 5, contact [Dr. Jim Hartman](#), DOD Regional Environmental Coordinator, Region 5, (410) 278-6991.



FEDERAL ACTIVITY

APPROVAL OF HMIWI NEGATIVE DECLARATIONS FOR MICHIGAN AND WISCONSIN USEPA has issued a direct final rule notifying the public that the agency has received negative declarations from Michigan and Wisconsin regarding Hospital/Medical/Infectious Waste Incinerator (HMIWI) units within those states (**78 FR 72581**). Michigan and Wisconsin submitted their negative declarations in July and August 2013, respectively. Each state notified USEPA in its negative declaration letter that there are no HMIWI units subject to the requirements of CAA sections 111(d) and 129 currently operating in its state. Barring adverse comment the direct final rule will become effective on 3 FEB 14.



Legislature convenes 29 JAN 14 and adjourns 31 MAY 14.

FINAL LEGISLATION

NOTE: A notice of the proposed **SB 1961**, "Transfer of Asbestos Regulation Authority," was published in the April 2013 edition of the *Northern Review*. The bill has been signed by the governor and is effective, but due to multiple amendments, the bill is no longer applicable to the military.

FINAL RULES

CERTIFICATION OF INDIVIDUALS TO PERFORM INDUSTRIAL RADIOGRAPHY The Illinois Emergency Management Agency (IEMA) has **adopted** a rule increasing the fee for the industrial radiography certification and exam. The increased fee is needed to cover the costs of providing the program and exam. In addition, the rule amends the regulations to allow IEMA to consider all evidence of enforcement prior to issuance of reciprocal certification to an individual. The rule became effective on 9 DEC 13.

AMENDMENTS TO THE WATER WELL CONSTRUCTION CODE The Illinois Department of Public Health (IDPH) has **adopted** amendments to the water well construction code regulations at 77 Ill. Adm. Code 920. The amendments clarify existing provisions and add new requirements to implement stipulations of Public Act 97-363, which became effective in August 2011. Public Act 97-363 amended the *Water Well and Pump Installation Contractor's License Act* and the *Illinois Water Well Construction Code* to: (1) add new provisions and amend existing provisions governing closed loop wells; and (2) add requirements for closed loop well contractor certification. The amendments became effective on 25 NOV 13.

UPDATE TO THE STATE DEFINITION OF VOM AND VOC The Illinois Pollution Control Board (IPCB) has **adopted** amendments to the air pollution control rules at 35 Ill. Adm. Code 211.7150, relating to the listings of compounds exempted from the state definition of "volatile organic material" (VOM) or VOC. The amendments update the state definition to correspond with amendments to the federal definition at 40 C.F.R. 51.100(s) that USEPA adopted during the period 1 JAN 13 through 30 JUN 13. A notice of the proposed amendments was published in the October 2013 edition of the *Northern Review*. The amendments became effective on 27 NOV 13.



Legislature convenes 13 JAN 14 and adjourns sine die 14 MAR 14.

FEDERAL ACTIVITY

APPROVAL OF SIP REVISIONS REGARDING INDIANA STATE BOARD ETHICS REQUIREMENTS USEPA has issued a final rule approving a SIP revision submitted by the state of Indiana intended to meet the state board ethics requirements under CAA section 128 (**78 FR 77599**). The revision demonstrates how state boards, bodies or heads of executive agencies that approve CAA permits or enforcement orders disclose any potential conflicts of interest. The final rule will become effective on 23 JAN 14.

FINAL RULES

AMENDMENTS TO THE GREAT LAKES BASIN OF INDIANA WATER MANAGEMENT REGULATIONS The Indiana Natural Resources Commission has **adopted** an emergency rule impacting the Great Lakes Basin (GLB) of Indiana under the Great Lakes-St. Lawrence River Basin Water Resources Compact. The emergency rule temporarily adds non-code provisions to amend the GLB Indiana water management regulations at 312 IAC 6.2. The rule also assists with the implementation of the Compact's Article 4 "Water Management and Regulation" (IC 14-25-15-1) pertaining to: (1) registration and permitting of water withdrawal facilities; (2) a voluntary conservation and efficiency program for water withdrawal facilities; and (3) mandatory conservation and efficiency programs for new and increased withdrawals, diversions, and consumptive uses. The emergency rule became effective on 1 DEC 13 and it will expire on 1 DEC 14.



Legislature convened 8 JAN 14 and adjourns 31 DEC 14.

FEDERAL ACTIVITY

APPROVAL OF SIP REVISIONS REGARDING NEW SOURCE REVIEW USEPA has issued a final rule approving revisions to the state of Michigan's CAA New Source Review (NSR) SIP, including the Part 1 general provisions rules and the Part 19 rules for major sources in nonattainment areas (**78 FR 76064**). The Michigan Department of Environmental Quality (MDEQ) submitted the revisions to address, among other things, the federal NSR reform rules. USEPA has also removed Michigan rule 336.1220 from the Michigan SIP. This rule is being replaced by applicable language found in Michigan's Part 19 NSR rules. The final rule will become effective on 15 JAN 14.

FINAL LEGISLATION

HB 4242 REQUIREMENTS FOR REGULATORY AGENCY IMPACT STATEMENTS HB 4242 (Public Act:200'13) requires a state agency's regulatory impact statement to demonstrate that a proposed rule is necessary and suitable to achieve its purpose in proportion to the burden it imposes. The bill requires agencies, after a rule is proposed and before it is adopted, to prepare a report containing a synopsis of the comments contained in the public hearing record, a copy of the request for rulemaking, and a regulatory impact statement. The bill was signed by the governor on 17 DEC 13 and became effective upon signature.

OTHER REGULATORY ACTIVITY

DRAFT 2014 CLEAN WATER ACT INTEGRATED REPORT MDEQ **released** the draft *Water Quality and Pollution Control in Michigan, 2014 Sections 303(d), 305(b), and 314 Integrated Report*. Every two years MDEQ prepares and submits an integrated report to USEPA to satisfy the CWA requirements. The Integrated Report describes the status of water quality in Michigan and includes a list of water bodies that are not attaining Michigan water quality standards and require the establishment of pollutant TMDL. The comment period closed on 10 JAN 14.



Legislature convenes 25 FEB 14 and adjourns sine die 19 MAY 14.

PROPOSED RULES

PROPOSED AMENDMENTS TO THE COMPOST FACILITY REQUIREMENTS The Minnesota Pollution Control Agency (MPCA) has **proposed** amendments to the rules governing compost facilities. The amendments provide for different construction, design, location, and operation requirements for the composting of source-separated organic material than mixed-municipal solid waste composting facilities. Comments are due by 7 MAR 14.

PROPOSED AMENDMENTS TO THE PROHIBITED AND REGULATED INVASIVE SPECIES REGULATIONS The Minnesota Department of Natural Resources (MDNR) has **proposed** to adopt rules under the expedited rulemaking process to amend the prohibited and regulated invasive species regulations. The proposed expedited rules adjust, add, or remove species on the prohibited and regulated invasive species lists. Comments are due by 24 JAN 14.



Legislature convened 6 JAN 14 and adjourns 31 DEC 14.

PROPOSED LEGISLATION

HB 364 USE OF UNMANNED AERIAL VEHICLES HB 364 regulates the use of unmanned aerial vehicles (UAV) in the state of Ohio. The bill stipulates the conditions under which an UAV may and may not be operated and the mandatory reporting requirements. The bill was referred to the Transportation, Public Safety and Homeland Security Committee.

FINAL RULES

AMENDMENTS TO THE RADIATION-GENERATING EQUIPMENT RULES The Ohio Department of Health (ODOH) has adopted amendments to O.A.C. 3701:1-66, *Radiation-generating Equipment Rules*. The amendments modify: (1) [3701:1-66-04](#) to make the language less ambiguous and specifying that the Quality Assurance Committee will consist of members with specified professional certifications or expertise; (2) [3701:1-66-06](#) by reorganizing language for topic clarity, adding language to address Cone-Beam Computed Tomography equipment, and removing the requirement for ring badges for hand-held units; (3) [3701:1-66-08](#) by removing requirements already addressed by federal standards, and modifying language for clarity; and (4) [3701:1-66-11](#) by updating a Code of Federal Regulations reference. A notice of the proposed amendments was published in the November 2013 edition of the *Northern Review*. The amendments will become effective on 1 FEB 14.

PROPOSED RULES

AMENDMENTS TO RADIOACTIVE MATERIAL PACKAGING AND TRANSPORTATION REQUIREMENTS ODOH has **proposed** amendments to the packaging and transportation requirements for radioactive materials regulations at [OAC 3701:1-50-01](#) and [-23](#). The amendments keep the rules compatible with the corresponding federal regulations found in 10 CFR 71. The comment period closed on 3 JAN 14.

OTHER REGULATORY ACTIVITY

DRAFT AMENDMENTS TO THE LICENSE TO OPERATE RULES The Ohio Environmental Protection Agency (OEPA) has **drafted** amendments to the public water systems license to operate (LTO) rules found at OAC 3745-84. The amendments: (1) clarify definitions; (2) add a definition for "license to operate"; (3) clarify how the OEPA Director acts on LTO applications; (4) adjust terminology to match definition changes; (5) revise public notice requirements; and (6) clarify how fees are determined. The comment period closed on 10 JAN 14.

STATEWIDE (MS4s) GENERAL PERMIT RENEWAL OEPA has **invited comment** on the **draft general permit** (GP) renewal for the statewide regulation of Small Municipal Separate Storm Sewer Systems (MS4s) to discharge stormwater. The MS4s GP (Permit No. OHQ000003) is the third generation of this general permit. The GP affords coverage to all small MS4s required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage to discharge throughout the state of Ohio. The GP identifies who can be covered, how an entity obtains coverage, and how a permittee terminates coverage. The GP also contains requirements for permittees to develop and implement a Stormwater Management Program. Comments are due by 29 JAN 14.



Legislature convenes 14 JAN 14 and adjourns 4 JAN 15.

FINAL LEGISLATION

SB 189 USE OF ELECTRONIC METHODS TO REPORT VIOLATIONS SB 189 (2013 Wisconsin Act 69) provides that the Wisconsin Department of Natural Resources (WDNR) may establish electronic methods to receive reports of violations. Current law requires WDNR to maintain a toll-free telephone number for receiving reports of violations. The bill also allows WDNR to use the citation procedure to enforce laws that regulate the discharge of certain materials into wetlands. Under current law, WDNR may recover forfeitures imposed for the violation of certain natural resource and environmental laws using a citation procedure. A notice of the proposed bill was published in the June 2013 edition of the *Northern Review*. The bill was signed by the governor on 12 DEC 13 and became effective on 14 DEC 13.

FINAL RULES

ESTABLISHMENT OF PRE-TREATMENT WASTEWATER STANDARDS AND REQUIREMENTS The Wisconsin Department of Natural Resources (WDNR) has **adopted** amendments to the general pretreatment requirements regarding wastewater. The amendments affect wastewater pretreatment requirements within municipal pretreatment programs for publicly owned treatment works (POTWs) and for the industries that discharge to them. The amendments incorporate new federal pretreatment requirements, collectively known as *The Streamlining Rule*, into NR 211 and enable Wisconsin's

pretreatment requirements to more closely conform to federal regulations found in 40 CFR Part 403. A notice of the proposed amendments was published in the March 2013 edition of the *Northern Review*. The amendments will become effective on 1 FEB 14, and have been filed with the Legislative Reference Bureau.

STATE ENDANGERED/THREATENED SPECIES LIST WDNR has [adopted](#) revisions to ch. NR 27 relating to Wisconsin's endangered and threatened species list. The [revisions](#) add eight species and remove 16 species from the Wisconsin endangered and threatened species list. A notice of the proposed revisions was published in the March 2013 edition of the *Northern Review*. The revisions became effective on 1 JAN 14.

Department of Defense Activity

DOD ISSUES RULE FOR REVIEWING RENEWABLE ENERGY PROJECTS FOR MISSION COMPATIBILITY DOD has issued a final rule outlining the evaluation process for determining whether proposed energy projects, such as wind farms, could interfere with military testing or training activities ([78 FR 73085](#)). The final rule applies to applications referred to DOD from the U.S. Department of Transportation (DOT) for projects that could affect navigable airspace. Under the rule, the [DOD Siting Clearinghouse](#) will have 30 days to determine whether applications referred by DOT would have an adverse impact on military operations and readiness. For projects determined to potentially interfere with military operations, DOD and the applicant would have 90 days to reach an agreement on measures to mitigate the adverse impact. The final rule became effective on 6 JAN 14.

USDA, DOI, AND DOD SIGN MOU TO ADVANCE SENTINEL LANDSCAPES On 13 DEC 13, the Department of Agriculture (USDA), Department of the Interior (DOI), and DOD signed a Memorandum of Understanding (MOU) to advance Sentinel Landscapes across the country. The MOU establishes a Sentinel Landscapes Coordinating Committee to: (1) determine needs and identify opportunities for collaboration; (2) jointly designate Sentinel Landscapes for action; (3) promote successful tools and approaches; and (4) facilitate coordination among the partners. Sentinel Landscapes are places where preserving the working and rural character of private lands is important for both national defense and conservation priorities. The Sentinel Landscapes Partnership will focus on overlapping priority areas near military installations to help landowners make improvements to the land that benefit their operations, enhance wildlife habitat, and enable DOD's training missions to continue. DOD is administering the MOU through their [Readiness and Environmental Protection Integration \(REPI\) Program](#). The MOU will be in effect until 1 JAN 19.

REQUEST FOR 2014 SECRETARY OF DEFENSE ENVIRONMENTAL AWARDS NOMINATIONS REMAINS OPEN The Acting Deputy Under Secretary of Defense has issued a [memo](#) requesting nominations for the 2014 Secretary of Defense Environmental Awards. Each Military Service and Defense agency may submit one nomination for each of the five Installation and four Individual/Team award categories for accomplishments during the period 1 OCT 11 through 30 SEP 13. Nominations are due by 3 MAR 14. Additional information can be found on the [DOD awards website](#).

Federal Activity

AIR

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) FOR PM2.5 USEPA has issued a final rule in response to a January 2013 court ruling ([78 FR 73698](#)). The court ruling granted a request from USEPA to vacate and remand portions of the PSD regulations, regarding the PM2.5 Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC). The final rule amends USEPA regulations by removing the vacated PM2.5 SILs and SMC provisions from the PSD regulations in the Code of Federal Regulations (CFR). Additional information can be found on the [USEPA website](#). The final rule became effective 9 DEC 13.

CLIMATE CHANGE

2014 RENEWABLE FUEL STANDARD USEPA has issued a proposed rule to establish the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that would apply to all motor vehicle gasoline and diesel produced or imported in the year 2014 ([78 FR 71731](#)). USEPA is required by the CAA to set the renewable fuel percentage standards each November for the following year. Comments are due by 28 JAN 14.

ENERGY

FEDERAL LEADERSHIP ON ENERGY MANAGEMENT On 5 DEC 13, the White House issued a [Presidential Memorandum](#), "Federal Leadership on Energy Management," establishing new goals for renewable energy as well as new energy-management practices. The memorandum establishes a new target for federal use of renewable energy that challenges agencies to more than double their renewable electricity consumption. The memo also directs agencies to update their building-performance and energy-management practices, by encouraging the use of the consensus-based, industry-standard Green Button data access system and USEPA's Energy Star Portfolio Manager.

DOE 2014-2018 DRAFT STRATEGIC PLAN The U.S. Department of Energy (DOE) has released their draft [2014-2018 Strategic Plan](#) ([78 FR 72873](#)). DOE is responsible for advancing the energy, environmental, and nuclear security of the United States; promoting scientific and technological innovation in support of that mission; sponsoring basic research in the physical sciences; and ensuring the environmental cleanup of the nation's nuclear weapons complex. The plan generally provides upper level goals and strategies, but also contains specific performance goals including target prices for solar photovoltaic systems and electrical energy storage.

DOE REPORT ON GRID ENERGY STORAGE DOE has released a [report](#) reviewing the technical maturity and regulatory status of (electrical) energy storage. DOE defined four major challenges to the widespread adoption of energy storage: (1) the development of cost-effective energy storage technologies; (2) validated reliability and safety; (3) an equitable regulatory environment; and (4) industry acceptance. The report outlines uses for storage, beyond just saving power until it is needed later. Other ways in which storage provides value include spinning and non-spinning reserves, ramping support for renewables, distribution upgrade deferral and voltage support, and customer-side meter storage.

HAZARDOUS MATERIALS

PCB FLUORESCENT LIGHT BALLAST GUIDANCE USEPA has [released guidance](#) on PCB-containing fluorescent light ballasts. While directed at schools, the guidance applies to any other building owner or operator. Any building built before 1979 is likely to have PCB-containing fluorescent light ballasts (FLBs) if it has not undergone a complete lighting retrofit.

NATURAL RESOURCES

REVISIONS TO THE PERMITTING REGULATIONS GOVERNING EAGLE TAKES The U.S. Fish and Wildlife Service (FWS) has issued a final rule revising the permitting regulations for the taking of golden eagles and bald eagles associated with, but not the purpose of, an activity ([78 FR 73704](#)). FWS extended the maximum term for programmatic permits to 30 years, while maintaining discretion to issue permits of shorter duration. The permits must incorporate conditions specifying additional measures that may be necessary to ensure the preservation of eagles, and should monitor data indicating the need for the measures. The revisions will facilitate the responsible development of renewable energy and other projects. The final rule became effective on 8 JAN 14.

REMOVAL OF THE SUNSET PROVISION FOR VESSEL SPEED RESTRICTIONS TO PREVENT WHALE COLLISIONS NMFS has issued a final rule eliminating the expiration date (sunset clause) contained in regulations requiring vessel speed restrictions to reduce the likelihood of lethal vessel collisions with North Atlantic right whales ([78 FR 73726](#)). The regulations restrict vessel speeds to no more than 10 knots for vessels 65 feet or greater in overall length in certain locations and at certain times of the year along the east coast of the U.S. Atlantic seaboard. This final rule became effective 6 DEC 13.

REMEDICATION

STANDARDS AND PRACTICES FOR CERCLA ALL APPROPRIATE INQUIRIES USEPA has issued a final rule amended the standards and practices for conducting all appropriate inquiries under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) ([78 FR 79319](#)). This final rule amends the *All Appropriate Inquiries Rule* at 40 CFR Part 312 to reference [ASTM International's E1527-13](#) - Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The final rule became effective on 30 DEC 13.

WATER

USEPA VISION FOR CWA SECTION 303 IMPAIRED WATERS PROGRAM USEPA has **announced** a new collaborative "long-term vision" for implementing the CWA Section 303(d) (Impaired Waters) Program with states. The 11-page document is not a regulation, is not mandatory, and USEPA states it is not a policy. The vision includes urging states to perform more careful prioritization and assessment of waters, to integrate with other statutory environmental programs, and to develop alternative approaches to be used instead of TMDLs development. Alternatives to TMDLs would incorporate adaptive management, assessment of point source and non-point source control opportunities, and could be tailored to specific circumstances.

Professional Development

For a full listing of Professional Development opportunities please visit the REEO-N [website](#).

Please note: Listing of commercial sponsored training and conferences should not be interpreted as a government endorsement of the training or conferences.

TRAINING—ONLINE

DOD MASTER PLANNING INSTITUTE (DODMPI) 2014 COURSE SCHEDULE DODMPI offers master planning courses that teach the practice of installation planning. These courses present a planning curriculum that provides the DOD planning community with a breadth of understanding of the base planning process. DODMPI has an extensive 2014 course schedule.

UTILITY ENERGY PROJECT INCENTIVE FUNDS This Federal Energy Management Program (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. This training opportunity targets federal energy, environmental, and fleet professionals and is offered at no cost by leading experts. The training session is delivered live via satellite or through streaming media.

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; 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; USEPA 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.

MILITARY MUNITIONS SUPPORT SERVICES SERIES This new series of monthly webinars sponsored by EPA's Contaminated Sites Clean-Up Information (CLU-IN) program supports the Military Munitions Support Services (M2S2) community.

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS The U.S. Army offers numerous environmental training courses. Information on training providers and fiscal year class schedules is provided by the U.S. Army Environmental Command.

USACE PROSPECT Training USACE announces its FY14 Proponent-Sponsored Engineer Corps Training (PROSPECT) training program. Please see the **Course Catalog** and **List of Classes and schedule** for details. Courses are open to all federal employees, state, county and city employees and contractors. There are different registration processes for each entity.

ARMY PODCAST SERVICE The Army offers free podcasts on a wide variety of topics, including an environmental series, an Army Corps of Engineers series, and many more. The podcasts are available through a free subscription service. (It is not necessary to own an iPod in order to view or listen to a podcast.)

NAVY AND ISEERB ENVIRONMENTAL TRAINING FY14 The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY14 is available. Course topics include environmental overview and management; law planning and sustainability; pollution prevention; restoration; conservation; supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY14 The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government. Fees vary according to personnel status (i.e., active duty Air Force/civilian, other U.S. government employee, contractor).

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

READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION – WEBINAR SERIES The 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 the **REPI website**.

USEPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs. Hear from experts around the country on how to make your program more successful. The format is a formal presentation followed by a question and answer session.

USEPA WATERSHED ACADEMY WEBCAST SERIES USEPA's Watershed Academy is sponsoring free webcast seminars for local watershed organizations, municipal leaders, and others. To access a webcast, simultaneously log on to the web and/or participate by phone conference lines in live training conducted by expert instructors. Archived training sessions are also available by streaming audio.

How the Regional Offices Work for You

The U.S. Army Regional Environmental and Energy Office-Northern (REEO-N) monitors the following actions on your behalf. If a proposed state legislative or regulatory 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 visit the **Army's Regional Environmental and Energy Offices' website**.

Do you want to comment on a rule or bill in the Review? Please contact your Regional Environmental Coordinator listed in each respective regional section of the Northern Review.

Archived issues of the Review can be found on the REEO-N website
To be added to the distribution list call or email the REEO-N Regulatory Affairs Specialist
email: leanne.l.dickens.ctr@mail.mil Phone : 410-278-6143