



The Southern Region Review



May 2010, Region 4 Edition

The Deputy Assistant Secretary of the Army's (Environment, Safety and Occupational Health) Office of Regional Environmental and Government Affairs-Southern (OREGA-S) produces this publication to provide current information in regard to environmental actions and events throughout Federal EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). Events chosen may be relevant to U.S. Army and other Military Services' activities and operations. The Review is designed to alert environmental decision makers, planners, and program managers of developments potentially relevant to overall responsibilities.

The Southern Region Review is a monthly electronic publication. To receive this publication, please email the request to rebecca.shanks@us.army.mil. Please include a contact name and email address in the body of the message.

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Conferences and Training

VARIOUS DATES AND LOCATIONS: [USACE 2010 PROSPECT TRAINING](#). The PROSPECT Program provides job-related training through technical, professional, managerial and leadership courses to meet the needs of USACE and other government agencies. The catalog for the PROSPECT Program, the Purple Book, lists over 200 supporting the missions of USACE. Courses are available to federal, state or local government employees. Contact: Sandi Zebrowski, USACE, (402) 697-2562

VARIOUS DATES AND LOCATIONS THROUGHOUT NC: [CONTINUING EDUCATION ENVIRONMENTAL, SAFETY & HEALTH WORKSHOPS](#). NC State University offers various environmental courses, to include HAZWOPPER, Hazardous Waste Management, Hazardous Materials Transportation, and more.

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

VARIOUS DATES AND TIMES ONLINE: [INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#). ITRC is a state-led coalition working together with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division (TIFSD), ITRC delivers training courses via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

VARIOUS DATES AND TIMES: [EPA RCRA TRAINING](#). RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations and implementation.

ANYTIME ONLINE: [EPA WATERSHED ACADEMY](#). The 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.

ANYTIME ONLINE: [EPA RESOURCE CONSERVATION CHALLENGE ACADEMY](#). The academy series provides information to materials management stakeholders through webinars related to EPA's Resource Conservation Challenge. Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs.

ANYTIME ONLINE: [EPA REDUCES RUNOFF VIDEO](#). Online video highlights green building techniques (rain gardens, green roofs, etc.) to help manage stormwater runoff.

ANYTIME ONLINE: [DEFENSE ACQUISITION UNIVERSITY \(DAU\)](#). DAU developed on-line resources available for the DoD AT&L workforce, industry partners, and other federal, state, and local government organizations. The on-line resources provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other documents, link to related learning and knowledge content, ask a professor a question, contribute knowledge objects (such as lessons learned, best practices, templates, or samples), or collaborate with peers on work issues.

ANYTIME ONLINE: [DOI LEARN](#). DOI Learn houses natural resource courses and training offered by all organizations within the Department of Interior, to include the National Park System, Fish and Wildlife Service, Bureau of Land Management, etc.

ANYTIME ONLINE: [GO LEARN](#). GoLearn provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

ANYTIME ONLINE: [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.

JUNE 14-17, DENVER, CO: [ENVIRONMENT, ENERGY SECURITY, AND SUSTAINABILITY SYMPOSIUM AND EXHIBITION \(E2S2\)](#). E2S2 provides an opportunity to share ideas on how to improve energy, environmental and sustainability management throughout DoD, the Services and other federal agencies. This year, administration senior leaders from the White House, DoD, DoE, EPA and the Services are invited present their organizations' goals for the next three years in the plenary session. The Services will emphasize leadership initiatives and program and budget changes in order to provide attendees with policy updates and technical training.

JUNE 20-24, CHICAGO, IL: [AMERICAN WATER WORKS ASSOCIATION ANNUAL CONFERENCE AND EXPOSITION](#). ACE10 provides an unparalleled moment to address the many issues of sustainability that define our daily work. More than 100 professional sessions – each with multiple presentations within them—will explore water resource sustainability, system sustainability, workforce sustainability and economic sustainability.

JUNE 22-23, WASHINGTON, DC: [GLOBAL ADVANCED BIOFUELS SCALE UP SUMMIT 2010](#). The mission of the summit is to help create a global consensus on how to establish the regulatory and financial framework for commercializing advanced biofuels, and how to scale up technologies to meet the market once it has been created. The creation of such a market is a global challenge that will require a global solution: this summit will offer solutions from governments, investors and advanced biofuels producers and end users from both sides of the Atlantic.

JUNE 22-24, RICHMOND, VA: [ASSOCIATION OF THE US ARMY INSTITUTE OF LAND WARFARE \(ILW\) 2010 SUSTAINMENT SYMPOSIUM AND EXHIBITION](#). The AUSA ILW Army Sustainment Symposium and Exposition welcomes all AUSA members, employees or consultants of AUSA Member companies, military and civilian government personnel, invited guests, and non-members that are interested or have an identifiable relationship with AUSA or the United States Army.

JULY 16-20, RENO, NV: [NATIONAL ASSOCIATION OF COUNTIES ANNUAL CONFERENCE](#). See website for further information.

JULY 23, ONLINE: [DOD SUSTAINABILITY AWARENESS TRAINING](#). This course is an awareness-level overview of the concepts, principles and practices of sustainability, and how they can be applied within the Navy and DoD. Participants will learn from hands-on sustainability experts who have implemented sustainability projects at the Navy/DoD, as well as environmental and business leaders from industry. Participants will understand what sustainability is, how it impacts their job, how it is applied at the Navy, and its future impact on Naval operations.

JULY 25-25, LOUISVILLE, KY: [NATIONAL CONFERENCE OF STATE LEGISLATURES LEGISLATIVE SUMMIT](#). Join 5,000 legislators, legislative staffers, business representatives, government officials, union and foundation representatives, media and faculty for four days of Louisville hospitality, informative policy discussions and innovative solutions for the biggest problems facing the states today.

JULY 27-29, NORFOLK, VA: [ADVANCED HISTORIC PRESERVATION LAW & SECTION 106 COMPLIANCE](#). This course takes the next step after the "Introduction to Cultural Resource Management Laws and Regulations" emphasizing legal compliance (the National Historic Preservation Act Section 106 process). It addresses legislation and the process to meet the requirements of the law to help the student support DOD, Military Service and their installation's mission.

JULY 29-31, SARASOTA, FL: [FL LOCAL ENVIRONMENTAL RESOURCE AGENCIES 2010 ANNUAL CONFERENCE](#). Professionals in state, regional and local government and in the environmental, academic and consulting communities are encouraged to submit presentation proposals. Presentations for conference sessions can be on case studies, current policy questions, new practices, research projects, etc. The conference theme is "Leveraging the Green Revolution," focusing on how local governments can protect Florida's environment during times of shrinking budgets.

AUGUST 2-6, NORFOLK, VA: [ADVANCED ENVIRONMENTAL MANAGEMENT](#). This course prepares civilian and military environmental professionals to effectively manage environmental programs in support of Navy/Marine Corps activities/installations by providing specific information on legal, technical, managerial, and policy aspects of environmental management.

AUGUST 2-6, SHEPARDSTOWN, WV: [ENDANGERED SPECIES RECOVERY PLANNING AND IMPLEMENTATION](#). Offered through DOI LEARN, instruction covers technical, policy, and practical aspects of recovery planning and implementation for threatened and endangered species. This course will enhance your ability to plan for and effectively implement conservation actions for listed trust species and their habitats. Case studies and exercises are included to reinforce lecture sessions.

AUGUST 15-18, DALLAS, TX: [GovENERGY 2010](#). Join federal employees and energy industry professionals on the frontier of federal energy management. GovEnergy continues to foster education and encourage the best application of practices, products, and services as they relate to energy efficiency, renewable energy and water efficiency within the federal sector. Participants will attend training sessions, discover financial and technical resources, explore energy-saving technologies and meet energy experts.

AUGUST 22-26, CLEMSON UNIVERSITY, SC: [ENVIRONMENTAL EFFECTS OF NANOPARTICLES AND NANOMATERIALS 2010](#). Engineered nanoparticles and nanomaterials offer many potential socioeconomic, health and environmental benefits because of novel properties and behavior that materials can exhibit when manufactured at the nanoscale. While the production of nanomaterials is undergoing exponential growth, their biological effects and environmental fate and behavior are relatively unknown. Nano 2010 will provide a venue for presentation and discussion of current research on these issues. The interdisciplinary mix of environmental scientists, toxicologists, material scientists and engineers should provide for a robust discussion in a creative atmosphere.

AUGUST 24-26, BIRMINGHAM, AL: [GREEN BUILDING FOCUS CONFERENCE AND EXPO](#). The expo will bring thought leaders from global markets to join leading US experts on the topic of sustainable development in order to educate regional built environment professionals as well as government officials and interested investors on the latest international trends, techniques, technologies and materials in green building. Thirty-two practical, case-study based presentations and breakout sessions will be complemented by an exhibition of more than 200 green building products and services.

SEPTEMBER 12-15, NASHVILLE, TN: [2010 WATER SECURITY CONGRESS](#). The 2010 congress presents the most current information on water security and discusses how to address new and emerging challenges faced by the industry.

SEPTEMBER 22-24, BURNS, TN: [TENNESSEE POLLUTION PREVENTION CONFERENCE](#). TDEC is helping all citizens do their part for our shared environment through the Tennessee Pollution Prevention Partnership (TP3). This network of Tennessee households, schools, government agencies, organizations, businesses, and industries demonstrates that pollution prevention protects the environment, saves money, and improves communities.

OCTOBER 2-6, NEW ORLEANS, LA: [WATER ENVIRONMENT FEDERATION'S ANNUAL TECHNICAL EXHIBITION AND CONFERENCE](#). WEFTEC offers water quality professionals from around the world with the best water quality education and training available today. Also recognized as the largest annual water quality exhibition in the world, the expansive show floor provides unparalleled access to the most cutting-edge technologies in the field, serves as a forum for domestic and international business opportunities, and promotes invaluable peer-to-peer networking between its more than 20,000 attendees.

Announcements

AMERICA'S GREAT OUTDOORS INITIATIVE: (04/16/10) President Obama signed a [Presidential Memorandum](#) launching the America's Great Outdoors Initiative, which focuses on promoting community-level efforts to conserve outdoor spaces. As part of the initiative, members of the administration will host regional sessions with groups and individuals across the country to discuss ideas on how to protect America's natural landscape and form a 21st century strategy conservation agenda. The initiative will be lead by the Secretaries of the Interior and Agriculture, the Administrator of the EPA, and the Chair of the Council of Environmental Quality. They will work in coordination with the Departments of Defense, Commerce, Housing and Urban Development, Health and Human Services, Labor, Transportation, Education, and the Office of Management and Budget.

REGULATORY AGENDA: (04/26/10, [75 FR 21872](#)) The Semiannual Regulatory Agenda has been released for Spring 2010. The agenda identifies regulatory and deregulatory activities planned by all federal agencies. The [Regulatory Agenda](#) is updated twice yearly every spring and fall. The Regulatory Plan, published only once a year as part of the fall edition of the Agenda, identifies the most significant regulatory actions that agencies expect to take in the coming year. EPA also maintains a [website](#) providing monthly updates about planned EPA regulations. For further information: [Phil Schwartz](#), 202-564-6564; or [Caryn Muellerleile](#), 202-564-2855.

PRESIDENT'S COUNCIL OF ADVISORS ON SCIENCE AND TECHNOLOGY: (04/27/10, [75 FR 21973](#)) The administration issued EO 13539 establishing the President's Council Advisors on Science and Technology (PCAST) to advise the President on matters involving science, technology and innovation policy. Of the 21 council members, 20 will include individuals from sectors outside of the Federal government. This advice from the council will include policy that affects science, technology, and innovation, as well as scientific and technical information needed to inform public policy relating to the economy, energy, environment, public health, national and homeland security, and other topics. Among the functions of the

council will be to serve as the advisory panel identified in section 4 of the 21st Century Nanotechnology Research and Development Act (21st Century Act). In performing the functions of such advisory committee, the PCAST shall be known as the National Nanotechnology Advisory Panel.

Studies and Reports

DoD AND CLEAN ENERGY: (04/21/10, [Press Release](#)) Pew Charitable Trusts has issued a report entitled, "[Re-energizing America's Defense; How the Armed Forces Are Stepping Forward to Combat Climate Change and Improve the U.S. Energy Posture](#)." The report provides a brief overview of the rationale and direction of DoD efforts on advanced energy strategies and technologies. In February 2010, DoD issued "[Quadrennial Defense Review](#)" that addresses the national security challenges presented by climate change and current energy posture. Climate change may hasten instability and conflicts by threatening water and food supplies, placing burdens on militaries around the world and energy (especially liquid fuels). DoD accounts for nearly 80% of the US government's total energy consumption, 75% of which are liquid fuels that power aircraft, ships, combat vehicles and forward-deployed generators. Some of DoD's initiatives include: reducing facility energy intensity, the energy used per unit of activity, by three percent annually below 2003 levels by 2015; investing in the "Great Green Fleet," electric vehicles and other ways of cutting dependence on oil and coal; and producing additional shore-based energy requirements from alternative sources (wind, solar, and geothermal). For further information: The PEW Charitable Trusts, Washington, D.C., 202-552-2000, www.pewtrusts.org.

Federal Notices and Rulemaking

Clean Air Act (CAA)

DoD AND RENEWABLE ENERGY: (04/27/10, [GAO-10-681R](#)) GAO has released correspondence to Congress summarizing [DoD's investments in renewable energy initiatives](#). For further information: [Chuck Young](#), Managing Director, (202) 512-4800.

TOXIC AIR POLLUTANT LIMITS: (03/30/10, [75 FR 15655](#)) EPA has proposed amendments to its rule that requires states to establish case-by-case emission limits for toxic air pollutants when national standards are not in place. This rule is often referred to as the CAA section 112(j) rule (or the permit hammer rule). Amendments would clarify what states need to do when there is a complete vacatur that nullifies or voids a NESHAP. For major emitters within each HAP source category, the CAA requires EPA to develop national standards that restrict emissions of HAPs to levels reflecting the maximum achievable control technology (MACT). The current section 112(j) rule does not specifically address how states must permit facilities when a national standard has been vacated by the courts. Proposed amendments would clarify how and when a source would submit a title V permit application or revision for case-by-case MACT. Proposed amendments would immediately affect major sources previously subject to the now-vacated NESHAP for the Polyvinyl Chloride and Copolymers Production (PVC), Brick and Structural Clay Products Manufacturing (Brick), Clay Ceramics Manufacturing (Clay), and the Industrial, Commercial and Institutional Boilers and Process Heaters (Boilers) source categories. Sources in these categories would have to submit permit applications within 90 days after promulgation of these amendments. EPA estimates that about 15,500 boilers at major sources would be affected by this action. Comments were due April 29, 2010. For further information: [Rick Colyer](#); EPA, Office of Air Quality Planning and Standards; Research Triangle Park, NC; (919) 541-5262.

POLLUTANTS COVERED BY CAA PERMITTING PROGRAM: (04/02/10, [75 FR 17003](#)) EPA has revised its interpretation of when CO₂ should be regulated under the PSD program. CO₂ regulation under the PSD program will be triggered when the control requirement of the nationwide rule (in this case the rule limiting GHG emissions for cars and light trucks) "takes effect" rather than at the date the final rule is published. This effectively delays application of PSD to CO₂ by nine months. EPA has taken the following actions: Affirming its existing position that PSD permitting is not triggered for a pollutant such as GHG until final nationwide rule requires actual control of emissions of the pollutant. Interpreting that PSD permitting requirements are triggered when the control requirement of the nationwide rule "takes effect," rather than at signature, Federal Register publication, or effective date for the rule after publication in the Federal Register. Explaining that for GHGs, "takes effect" means when the first national rule regulating GHGs takes effect. If finalized as proposed, the rule limiting GHG emissions for cars and light trucks would trigger these requirements in January 2011, which is the earliest 2012 vehicles meeting the standards can be sold in the US. Explaining that this interpretation of "subject to regulation" applies for Title V permitting as well. Confirming that there is no "grandfathering" of pending permit applications. If a permit is issued after January 2, 2011 (the earliest possible "takes effect" date for the proposed GHG light duty vehicle rule), it will have to address GHG emissions, even if applications were filed (and determined complete) prior to that date. Reinforcing the fact that new and modified large stationary sources must already consider energy efficiency when selecting the best available control technology (BACT) for non-GHG pollutants. Greater energy effi-

ciency results in lower GHG emissions. [Additional information](#) is available. This final ruling became effective March 29, 2010. For further information: [David Svendsgaard](#); EPA Air Quality Policy Division; Research Triangle Park, NC; 919-541-2380.

GENERAL CONFORMITY REGULATIONS: (04/05/10, [75 FR 17253](#)) EPA has released a final rule revising the General Conformity regulations. To meet General Conformity requirements, federal entities must demonstrate that emissions from their actions will not exceed emission budgets established in a SIP to attain or maintain NAAQS. The final rule establishes requirements that will allow federal facilities expecting future expansion or modifications to negotiate a facility-wide emission budget with applicable state air quality agencies. Actions taken that do not exceed these budgets conform to the SIP and do not need a conformity determination. The rule incorporates an early emission reduction credit program for all agencies; allows emissions of one precursor pollutant to be offset by the reduction of emissions of another precursor pollutant; and lists categories of actions that federal agencies can presume to conform. It also removes requirements for federal agencies to conduct conformity determinations for "regionally significant" actions. Such actions have emissions greater than 10% of the emissions inventory for a nonattainment area. These analyses have been conducted for 16 years and have never shown an action to interfere with attainment or maintenance of a NAAQS. This final rule is effective July 6, 2010. For further information: [Thomas Coda](#); EPA, Office of Air Quality Planning and Standards; Research Triangle Park, NC; 919-541-3037.

NSR AGGREGATION AMENDMENTS: (04/15/10, [75 FR 19567](#)) EPA has proposed to reconsider revoking NSR Aggregation Amendments promulgated on January 15, 2009. Amendments established a new interpretation of existing NSR rules governing modification of major sources by requiring sources and permitting authorities to combine emissions from nominally-separate activities at major stationary sources only when the activities are substantially related. This proposed reconsideration is in response to a petition from the Natural Resources Defense Council (NRDC) received on January 30, 2009. EPA requested public comment on all issues included in NRDC's petition. EPA is also proposing to extend the effective date of the stay by an additional 6 months, and soliciting comment on a longer extension of the stay. Comments were due May 17, 2010. For further information: [David Svendsgaard](#); EPA, Air Quality Policy Division; Research Triangle Park, NC; 919-541-2380.

NO_x AND SO_x SECONDARY NAAQS: (04/20/10, [75 FR 20595](#)) EPA is extending the comment period for a draft assessment document titled [Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First External Review Draft](#) (75 FR 11877; March 12, 2010). EPA is still committed to issuing a proposal addressing NO_x and SO_x secondary NAAQS by July 12, 2011. Comments were due May 13, 2010. For further information: [Dr Bryan Hubbell](#), EPA (919) 541-0621.

Climate Change and Energy

TIRE FUEL EFFICIENCY: (03/30/10, [75 FR 15893](#)) The National Highway Traffic Safety Administration (NHTSA) has established test procedures to be used by tire manufacturers in a new consumer information program addressing fuel efficiency, safety and durability. These test procedures address three aspects of tire performance: rolling resistance, wet traction and treadwear life. Ultimately, this information will be provided to consumers at the point of sale and online. EO 13423 encourages agencies to employ efficiency strategies such as low rolling resistant tires, synthetic oil and other technologies to help achieve the two percent annual petroleum reduction goal. This rule is effective June 1, 2010. For further information: Mary Versailles; NHTSA, Washington, DC; 202-366-0846.

GHG REPORTING: (04/12/10, [75 FR 18651](#)) EPA is revising and supplementing its initial proposed actions to require reporting of fluorinated GHG emissions from certain source categories, such as electronics manufacturing, production of fluorinated gases, and use of electrical transmission and distribution equipment. EPA is also proposing to require such reporting from manufacture or refurbishment of electrical equipment and import and export of pre-charged equipment and closed cell foams. This proposed rule would not require control of GHGs, rather it would require only that sources above certain threshold levels monitor and report emissions. Under this proposed rule, facilities not already reporting, but required to report would begin data collection in 2011, following the methods outlined in the proposed rule. Facilities would submit data to EPA by March 31, 2012. The term "facility" means any physical property, plant, building, structure, source, or stationary equipment located on one or more contiguous or adjacent properties in actual physical contact or separated solely by a public roadway or other public right-of-way and under common ownership or common control, that emits or may emit any GHG. Operators of military installations may classify such installations as more than a single facility based on distinct and independent functional groupings within contiguous military properties. Comments are due June 11, 2010. For further information: Carole Cook; EPA, Climate Change Division; Washington, DC, 202-343-9263, GHGReportingRule@epa.gov.

MANDATORY GHG REPORTING: (04/12/10, [75 FR 18455](#)) EPA has proposed amending the Mandatory GHG Reporting Rule (74 FR 56260, 10/30/2009), to require reporters subject to the rule to provide: the name, address, and ownership status of their US parent company; their primary and all other applicable North American Industry Classification System (NAICS) code(s); and an indication of whether or not any of their reported emissions are from a cogeneration unit. The Mandatory GHG Reporting Rule requires GHG emitting facilities and suppliers of fuels and industrial gases from all sectors of the economy to report GHG emissions and to provide certain additional supporting data in annual reports submitted to EPA. Included regulated facilities by categories are: General Stationary Fuel Combustion Sources - facilities operating boilers, process heaters, incinerators, turbines and internal combustion engines; extractors of crude petroleum and natural gas, petroleum refineries and manufacturers of coal products; electric, gas, and sanitary services; Electricity Generation - fossil-fuel fired electric generating units, including units owned by federal and municipal governments; Municipal Solid Waste Landfills - solid waste landfills and sewage treatment facilities; Suppliers of Coal Based Liquid Fuels - coal liquefaction at mine sites; Suppliers of Natural Gas and Natural Gas Liquids - natural gas distribution facilities; and natural gas liquid extraction facilities. Comments are due June 11, 2010. For further information: Carole Cook; EPA, Climate Change Division; Washington, DC; 202-343-9263, GHGMRR@epa.gov.

SMART GRID CYBER SECURITY: (04/13/10, [75 FR 18819](#)) The National Institute of Standards and Technology (NIST) issued the second draft of its Interagency Report ([NISTIR](#)) 7628, Smart Grid Cyber Security Strategy and Requirements. Concerns such as privacy, vulnerability categories, bottom-up analysis, individual logical interface diagrams, and the cyber security strategy sections have all been updated and expanded. The requirements section has been revised to include requirements for the entire Smart Grid. Finally, there are new sections on research and development, standards assessment, and an overall logical functional architecture. The final version is scheduled to be posted in the spring of 2010. Comments are due June 2, 2010. For further information: Annabelle Lee, National Institute of Standards and Technology, Gaithersburg, MD, (301) 975-8897.

FEDERAL FLEET MANAGEMENT: (04/14/10, [DOE](#)) DOE's Federal Energy Management Program has issued the document entitled, "[Guidance for Federal Agencies on E.O. 13514 Section 12 – Federal Fleet Management](#)." This is the first comprehensive guidance to address the environmental impact of the Federal fleet, and will help agencies develop petroleum and GHG emissions reduction strategies. EO 13514 requires Federal agencies to reduce petroleum fuel use by two percent each year from 2005 through 2020, for a total 30% reduction. The fleet guidance highlights a number of ways Federal agencies can reduce petroleum consumption by reducing vehicle miles traveled, increasing fleet fuel efficiency and switching to lower GHG-emitting and alternative fuels. Agencies will be accountable for meeting these goals, and are required to annually report on progress and make adjustments as necessary. Each vehicle purchase must demonstrate how it helps support the agency's mission and sustainability targets. The guidance calls for innovative approaches to Federal fleet management by optimizing fleet and vehicle size, and encouraging active transit options such as bicycling and purchasing alternative fuel vehicles. The guidance also provides Federal agencies with methods to track petroleum reductions and alternative fuel use. Military Tactical Vehicle Fleets are exempted from the requirements. For further information: Amanda Sahl, Federal Energy Management Program (FEMP), DOE, 202-586-1662, federal_fleets@ee.doe.gov.

ENERGY CONSERVATION: (04/16/10, [75 FR 20111](#)) DOE amended existing energy conservation standards for residential water heaters (other than tabletop and electric instantaneous models), gas-fired direct heating equipment and gas-fired pool heaters. DOE determined that the amended energy conservation standards for these products would result in significant conservation of energy, and are technologically feasible and economically justified. The new standards for heating products whether manufactured domestically or imported will apply for water heaters on or after April 16, 2015; direct heating equipment and pool heaters on or after April 15, 2013. [Additional information](#) on this final ruling and supporting documentation is available. For further information: [Mohammed Khan](#); DOE, Energy Efficiency and Renewable Energy; Washington, DC; (202) 586-7892.

Hazardous Materials Transportation

COMBUSTIBLE LIQUIDS: (04/05/10, [75 FR 17111](#)) PHMSA is considering whether to harmonize domestic regulations applicable to transportation of combustible liquids with international transportation standards. In addition, PHMSA is examining ways to revise, clarify or relax certain regulatory requirements to facilitate the transportation of these materials, while maintaining an adequate level of safety. Comments are due 07/06/10. For further information: Helen L. Engrum, PHMSA, (202)366-8553.

Natural Resources

5-YEAR STATUS REVIEWS: (04/09/10, [75 FR 18233](#)) USFWS initiated 5-year status reviews of 10 Southeastern Species to ensure that classification as threatened or endangered on the Lists of Endangered and Threatened Wildlife and Plants is accurate. A 5-year review is an assessment of the best scientific and commercial data available at the time of the review. Under review are seven of the 10 species currently listed as endangered: Mississippi sandhill crane (*Grus canadensis pulla*), Alabama cavefish (*Speoplatyrhinus poulsoni*), Alabama lampmussel (*Lampsilis virescens*), pale lilliput (*Toxolasma cylindrellus*), pondberry (*Lindera melissifolia*), green pitcher-plant (*Sarracenia oreophila*), and Louisiana quillwort (*Isoetes louisianensis*). The three remaining species are currently listed as threatened: Gopher tortoise (*Gopherus polyphemus*), yellow-blotched map turtle (*Graptemys flavimaculata*), and Mohr's Barbara button (*Marshalli mohrii*). [Additional information](#) on the Endangered Species Program and listing of species is available. For further information: Jeff Powell; FWS, Daphne Field Office; Daphne, AL; 251-441-5181 (AL Lampmussel & Pale lilliput) for the remaining 8 species, Jackson Field Office, Daniel Drennen 601-321-1127, Shauna Ginger 601-321-1130.

Occupational Safety and Health

RADIATION SOURCES ON ARMY LAND: (04/14/10, [75 FR 19302](#)) The Army proposed to revise its regulations concerning radiation sources on Army land. The Army requires non-Army agencies (including their civilian contractors) to obtain an Army Radiation Permit (ARP) from the garrison commander to use, store or possess ionizing radiation sources on an Army Installation. The purpose of the ARP is to protect the public, civilian employees and military personnel on an installation from potential exposure to radioactive sources. The US Army Safety Office, which is the proponent for the Army Radiation Safety Program, is revising the regulation to reflect the Nuclear Regulatory Commission (NRC) changes to licensing of Naturally-Occurring and Accelerator-Produced Radioactive Material (NARM). An ionizing radiation source means any source that, if held or owned by an Army organization, would require a specific NRC license or Army Radiation Authorization (ARA). Executive Order 12866 Regulatory Planning and Review and Executive Order 13422 Further Amendment to Executive Order 12866 on Regulatory Planning and Review were followed to rewrite this rule. Comments are due June 14, 2010. For further information: Tim Mikulski; 703-601-2408.

Resource Conservation and Recovery Act (RCRA)

SACCHARIN: (04/22/10, [75 FR 20942](#)) EPA is proposing to remove Saccharin and saccharin salts from the RCRA hazardous constituent list as well as the CERCLA hazardous substance list. Comments are due 06/21/10. For further information: Mr. [Narendra Chaudhari](#), EPA (703) 308-0454.

Safe Drinking Water Act (SDWA)

NPDWRs: (03/29/10, [75 FR 15499](#)) EPA conducted a detailed review of 71 National Primary Drinking Water Regulations (NPDWRs) to consider for regulatory revision. EPA determined the following four NPDWRs are candidates for regulatory revision: acrylamide, epichlorohydrin, tetrachloroethylene and trichloroethylene. EPA requests comment to assist with regulatory action to revise these four NPDWRs. In addition to the 71 NPDWRs, this review also includes 14 other NPDWRs that need no detailed review because of recent or ongoing actions to revise the drinking water standards. Comments are due May 28, 2010. For further information: Rajiv Khera; EPA, Office of Ground Water and Drinking Water; 202-564-4881.

Toxics

HEXAVALENT CHROMIUM: (04/08/10, [75 FR 18041](#)) DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to address requirements for minimizing the use of hexavalent chromium in defense weapon systems, subsystems, components and other items. Hexavalent chromium is a significant chemical in numerous DoD weapon systems and platforms due to its corrosion protection properties. On April 8, 2009, the Under Secretary of Defense (Acquisition, Technology and Logistics) issued a [memorandum](#) establishing policy for the minimization of hexavalent chromium use throughout DoD. The proposed rule prohibits delivery of items containing hexavalent chromium under DoD contracts unless an exception applies. Comments are due by June 7, 2010. For further information: Ms. Cassandra Freeman, 703-602-8383.

Toxic Substances Control Act (TSCA)

PCBs: (04/07/10, [75 FR 17645](#)) EPA is issuing an advanced notice for proposed rulemaking for the use and distribution in commerce of certain classes of PCBs and PCB items and certain other areas of the PCB regulations under TSCA. EPA is

reassessing its TSCA PCB use and distribution in commerce regulations to address: The use, distribution in commerce, marking, and storage for reuse of liquid PCBs in electric and non-electric equipment; use of the 50ppm level for excluded PCB products; use of non-liquid PCBs; use and distribution in commerce of PCBs in porous surfaces; and the marking of PCB articles in use. EPA is also reassessing the definitions of "excluded manufacturing process," "quantifiable level/level of detection," and "recycled PCBs." EPA is soliciting comments on these and other areas of the PCB use regulations. EPA is not soliciting comments on the PCB disposal regulations in this document. This has the potential to significantly impact PCBs in use by Army. The notice lists options for phasing out PCB authorizations. Approaches include increasing testing, marking, registration and inspection requirements. It also includes potential timeframes for phasing out all PCB electrical equipment uses. Comments are due 07/06/10. For further information: Colby Lintner, EPA, (202) 554-1404 or TSCA-Hotline@epa.gov.

State Laws and Rulemaking

Alabama

Legislative Session Convened 01/12/10; Adjourned 04/22/10



Final Rules

SCRAP TIRE ENVIRONMENTAL QUALITY ACT: (335-4-1-.01, -.04; -2-.02 -.04; -3-.01; -4-.03; -5-.01, .03, .04; -6-.03, -.04; -7-.03, -.04) ADEM has proposed an amendment that would address the Scrap Tire Program, pursuant to the 2009 amendments to the Alabama Scrap Tire Environmental Quality Act. A public hearing was held, and comments were due 01/06/10. The EMC approved the rules 02/19/10, and they became effective 03/30/10.

[Proposed Rule](#)

[Public Notice](#)

[Final Rules](#)

Proposed Rules

SOLID WASTE PROGRAM: (Ala. Admin. Code 335-13) ADEM adopted and proposed amendments to the solid waste program rules to implement the Solid Waste and Recyclable Materials Management Act. Major provisions of the act authorize fees to fund the solid waste management program; establish a trust fund for the investigation, clean-up and closure of unauthorized dumps; establish a trust fund for a grant program to encourage local government waste reduction and recycling efforts; and require ADEM to adopt rules to establish a statewide waste reduction goal and reporting requirements to allow ADEM to evaluate statewide efforts to reach the goal. Other provisions authorize ADEM to adopt rules to require operator certification within two years; require post-closure permitting for closed landfills; and regulate composting and recycling facilities. The act requires ADEM to publish a biennial report on the implementation of the Act. ADEM is conducting a rulemaking to clarify existing requirements regarding the closure of unauthorized solid waste dumps and establish the registration, recordkeeping, reporting, and facility design and operation requirements necessary for facilities engaged in the receipt, storage, and processing of recyclable materials at the point where these materials are initially diverted from the solid waste stream. Amendments to Chapter 335-13-1 would reflect changes and additions to the definitions included in the act, and clarify existing requirements regarding closure of unauthorized solid waste dumps. ADEM has proposed new Chapter 335-13-3 to establish registration, recordkeeping, reporting, and facility design and operation requirements necessary for facilities engaged in receipt, storage and processing of recyclable materials at the point where these materials are initially diverted from the solid waste stream. ADEM will revise the rules (335-13-1 and 335-13-3) if necessary, and present them to the EMC for adoption. If they adopt the rules, the rules will be filed with the LRS. The rules will become effective 35 days after filing unless the JCARR disapproves or proposes revisions to the rules. ADEM held a public hearing 04/02/10, and accepted comments through 04/02/10.

[Solid Waste and Recyclable Materials Management Act \(HB 395\)](#)

[Solid Waste Program Rules](#)

[Proposed Rules \(335-13-1, 13-3\)](#)

Contact: Phillip Davis (334) 271-7755

2010 SECTION 303(D) LIST: ADEM has prepared the draft 2010 Section 303(d) List. Section 303(d) of the CWA requires states to identify water bodies that do not meet applicable water quality standards. These water bodies are scheduled for the development of total maximum daily loads (TMDLs). A TMDL is a calculation of the maximum amount of a pollutant a water body can receive and still meet applicable water quality standards. ADEM will revise the list if necessary, and then submit it the EPA for review. ADEM accepted public comments until 03/01/10.

[Draft List](#)

[Public Notice](#)

Contact: Joseph Roy (334) 270-5635

LICENSURE: (Rule 628-X-3-.03) The Alabama Onsite Water Board has proposed amendments to Rule 628-X-3-.03 to clarify and update the rule. Amendments would remove provisions concerning licensure of individuals who possess a license in the major classification of municipal and utility from the Alabama Licensing Board for General Contractors. The Board accepted comments until 05/05/10.

[Notice of Proposed Rule](#)

[Proposed Rule](#)

Contact: Melissa Hines (334) 269-6800

NPDES: (Ala. Admin. Code r. 335-6-6-.23) ADEM has proposed amendments to a rule concerning general permits under the NPDES Program. Amendments would revise the notice of intent provisions to make them consistent with 40 CFR 122.28. ADEM will hold a public hearing 06/04/10, and accept comments until 06/04/10.

[Proposed Rule](#)

[Public Notice](#)

Contact: Lynn Broadway (334) 271-7714

ONSITE SEWAGE SYSTEMS (OSS): (Ala. Admin. Code r. 420-3-1-.08) ADEM adopted amendments to a rule concerning permits required for an OSS. Amendments update and clarify the rule. ADEM filed the final rule with the LRS 03/15/10. The rule will become effective 35 days after filing unless the JCARR disapproves or proposes revisions to the rule. ADEM held a public hearing 02/24/10, and accepted comments through 03/05/10.

[Certified Adopted Rule](#)

[Proposed Rule](#)

Contact: Jimmy Coles (334) 206-5373

Florida

Legislative Session Convened 03/02/10; Adjourned 05/01/10



Legislation

LAND USE

HB 7129, MILITARY SUPPORT: This bill provides applicability of provisions governing compatibility of land development with military installations under the Local Government Comprehensive Planning and Land Development Regulation Act to specified local governments and associated military installations. It authorizes the Florida Council on Military Base and Mission Support to recommend changes to such military installations and local governments based on a base's potential for impacts from encroachment and incompatible land uses and development. It requires affected local governments to transmit to the commanding officer of a military installation information relating to certain proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations. It also requires local governments to transmit, at the request of a commanding officer, copies of applications for development orders requesting specified variances or waivers within a zone of influence of a military installation and requires a local government, military installation, the state land planning agency, and other parties to enter into mediation if a local government does not adopt criteria and address compatibility issues relating to lands adjacent to or closely proximate to existing military installations in its future land use plan element of a comprehensive plan by a specified date.

Status: passed both Houses and sent to Governor

WATER

SB 550: This bill creates specified provisions relating to water supply policy, planning, production and funding. It provides for the general powers and duties of water management district governing boards; directs FLDEP, along with the water management districts, to create a statewide uniform stormwater management rule; and revises legislative intent relating to the designation of the Florida Keys as an area of critical state concern.

Status: reported favorably 4/20/10

OREGA-S Note: This bill deals with a multitude of water-related issues, many of which are seen in other bill moves through the legislature, but also tackles other significant matters such as uniform statewide stormwater management.

WASTE

HB 1385: This bill revises provisions relating to petroleum contamination site selection and cleanup criteria; deletes obso-

lete provisions relating to funding for limited interim soil-source removals; requires FLDEP to utilize natural attenuation monitoring strategies to transition sites into long-term natural attenuation monitoring under specified conditions; and provides that certain sites are eligible for payment of preapproved costs.

Status: passed both Houses and sent to Governor

OREGA-S Note: This measure would mandate monitored natural attenuation in certain circumstances, and would repeal certain groundwater remediation requirements.

Final Rules

COASTAL CONSTRUCTION PERMITS: (FAC 62B-34.010, .060, .070, .150, .160, .170, .180, .190, .200, .210, .220, .230, .240, .250, .260, .270) These rules create a streamlined permit process in additional coastal counties for activities seaward of the Coastal Construction Control Line. The rules include revisions to general definitions, prohibitions and limitations, turtle protections requirements and native vegetations protection requirements. It establishes General Permit Lines in Lee, Collier, Sarasota, Manatee, Charlotte, Bay, Escambia, Franklin, Gulf, Brevard, Indian River, Martin and Palm Beach Counties. The purpose of the rules is to streamline the permitting process to not cause measureable interference with the beach and dune system or with marine turtles and their nesting habitats, in accordance with current statutes. The rules became effective 04/07/10.

[Notice of Development of Rulemaking](#)

[Proposed Rule](#)

[Changes Proposed](#)

[Final Rule](#)

Contact: Stephanie.Gudeman@dep.state.fl.us; 850-488-7816

ONSITE SEWAGE PROGRAM FORMS: (FAC 64E-6.001, .003, .004, .010, .0101, .012, .013, .015, .019, .023, .026, .027, .028) This rule updates references to forms incorporated in Chapter 64E-6, Florida Administrative Code. The Forms are use to apply permitting, inspection, operation, maintenance and repair of onsite sewage treatment and disposal systems and to register and authorize septic tank contractors and contracting companies. The rule became effective 04/01/10.

[Notice of Development of Rulemaking](#)

[Proposed Rule](#)

[Notice of Change](#)

[Final Rule](#)

Contact: [Gerald Briggs](#)

Proposed Rules

FUTURE LAND USE: (FAC 9J-5.005 and 006) The Department of Community Affairs has proposed to amend this rule to provide detail and explanation in relation to statutory requirements that the future land use element be based upon the amount of land required to accommodate anticipated growth and the projected population of the area. A rule development workshop was held 04/23/10.

[Notice of Development of Rulemaking](#)

Contact: [Robert Pennock](#), 850-922-1735

NORTHERN TAMPA BAY WATER USE AREA: (FAC 40D-80.073, FAC 40D-2.091, .301, .801) The SFWMD has proposed amendments to 40D-80.873 to establish the Minimum Flows and Levels Recovery Strategy and Environmental Resources Recovery Plan (the "Comprehensive Plan") for the Northern Tampa Bay Water Use Caution Area. The proposed plan would govern, through 2020, recovery and mitigation actions to be undertaken by water use permit applicants and permittees when withdrawals adversely affect lakes, wetlands, streams, springs and aquifers within the Northern Tampa Bay Water Use Caution Area. Amendments to Chapter 40D-2, and Part B of the Basis of Review of the Water Use Permit Information Manual concern water use permitting criteria for water use permit applicants and permittees who would be governed by Comprehensive Plan, pursuant to related amendments to Chapter 40D-80.

[Notice of Development of Rulemaking](#)

[Notice of Development of Rulemaking](#)

[Notice of Correction](#)

Contact: [Annette Zielinski](#)

ISSUANCE OF 20-YEAR PERMITS: (FAC 40D-2.091, .301, .321, .322) Small General permits will be issued with a 20-year duration. General or individual permit applicants may elect to request a permit with up to a 20-year duration if the applicant elects to demonstrate or commit to: development of alternative water supplies; or a per capita water use rate of 110 gallons or less; or exceptional implementation of reclaimed water; or an approved FARMS system and other conditions. In addition, if pre-existing adverse impacts resulting from the permittee's existing permit are being addressed

through a mitigation plan that includes a minimum flow and level recovery strategy, the impacts must be eliminated by the 10th year of the permit. Proposed rules describe when permit compliance reports are required, and what information is to be reported for 20-year permits. Proposed rules eliminate six-year duration permits so that longer 10 or 20-year durations are issued, versus subjected to environmental or other considerations. Finally, the rulemaking would set environmental resource permitting requirements for issuance of a water use permit for multi-phase projects that require a water use permit and an environmental resource permit. The Board has approved the rule. However, a recent request for a Board hearing may delay the effective date. The rule should move forward over the next few months. A public hearing was held 03/30/10.

[Notice of Development of Rulemaking and Proposed Rule](#)

[Notice of Change](#)

[Second Notice of Change](#)

Contact: Ken Weber, (352) 796-7211, ext. 4303

ENDANGERED SPECIES: (FAC 68A-27.0001, .001, .0011 .0012, .002, .0021, .003-.007) The Florida Fish and Wildlife Commission (FL FWC) has proposed rules that would establish or revise rule provisions associated with species classified as Candidate, Endangered, Threatened and Species of Special Concern. Additional rules consider endangered and threatened species as part of an ongoing effort to develop a new Imperiled Species listing process.

[Notice of Development of Rulemaking](#)

Contact: Michael Yaun, (850) 487-1764

PRETREATMENT PROGRAM-INDUSTRIAL DISCHARGES: (FAC 62-625.100, .110, .200, .400, .410, .420, .500, .510, .540, .600, .700, .820, .880) In 1995, EPA authorized FLDEP to implement the National Pretreatment program to control pollutants from industrial dischargers that could pass-through or interfere with the operation of domestic wastewater treatment facilities. To implement the program, FLDEP adopted Chapter 62-625 in November 1994; portions were amended 01/08/97. Since the last amendment, EPA has revised 40 CFR parts 122, 146 and 40. FLDEP has proposed amendments to incorporate said revisions associated with pretreatment program requirements, to include October 2005 revisions. Amendments would also clarify and update existing rule language. FLDEP is addressing comments received on the draft rule and making revisions. FLDEP will then issue a Notice of Proposed Rulemaking and submit the draft rule to the Joint Administrative Procedures Committee (JAPC) for review and comment. A public hearing was held on 01/14/10. The JAPC provided comments, and the rule may need revision. After revision, a certification package will be filed with the Department of State.

[Notice of Development of Rulemaking and Proposed Rule](#)

Contact: [Dawn Templin](#), (850) 245-8601

TRANSMISSION LINE SITING: (FAC 62-17.510, -.520, -.540, -.543, -.545, -.570, -.580, -.590, -.600, -.625, -.660, -.665, -.680, -.695, -.700, -.710, -.750, -.760) FLDEP has proposed a rule amendment to implement revisions to the Florida Electric Transmission Line Siting Act. Revisions would include: applications for corridor certification, insufficiency of application and resolution procedures, information on alternate or multiple corridors, fees, disbursement of funds, conditions of certification, delegated modifications, criteria for rejection of an alternate corridor, post-certification monitoring and reporting, dredging and filling, water quality, post-certification review, emergency replacement, modification, revocation, suspension or termination of certification and notice. FLDEP is working on corrections recommended by the JAPC. Comments were received, and revisions were incorporated as necessary. A revised rule was sent to JAPC for review on 02/25/10. FLDEP believes that JAPC will approve the revisions and a Notice of Correction was published in the FAW by March 12, 2010. The final rule was to be adopted by the end of March 2010.

[Proposed Rule](#)

[Notice of Change/Withdrawal](#)

Contact: [Jill Stoyshich](#), (850) 245-2001

COMPREHENSIVE PLANNING: (FAC 9J-5.003, .006, .010, .013, .019) The Florida Department of Community Affairs has proposed to amend Rule 9J-5 to establish minimum criteria to be used in reviewing comprehensive plans to determine whether they comply with new requirements of Chapters 2008-191 & 2009-96, Laws of Florida. These chapters concern energy efficient land use patterns accounting for existing and future electric power generation and transmission systems; GHG reduction strategies; GHG reduction strategies from the transportation sector; factors that affect energy conservation; depiction of energy conservation on the future land use map series; energy efficiency in design and construction of new housing; use of renewable energy resources; discouragement of urban sprawl; achievement of healthy, vibrant urban centers; and strategies to support and fund mobility within certain transportation concurrency exception areas.

[Notice of Development of Rulemaking](#)

Contact: Robert Pennock, (850) 922-1735

FLORIDA FOREVER LAND ACQUISITION: (FAC 18-24.001-.008) FLDEP has proposed amendments in order to comply with new statutory requirements; rules applying to criteria; goals and measures for the Florida Forever land acquisition management and restoration program; and the Council's evaluation, selection and ranking of Florida Forever projects to be developed for consideration of the Board of Trustees. If the Board of Trustees or the JPAC requires no substantive changes, the [timeline](#) posted on the FLDEP website will remain applicable. If substantive changes are required, FLDEP will publish a notice of substantive change, which will open another 21-day window for further public comment and potential rule challenges. The draft rule was submitted to the Legislature for consideration on 02/01/10. If no action is taken, ARC will implement the rules, beginning with the June 10-11, 2010, Florida Forever ranking meeting.

[Notice of Development of Rulemaking](#)

[Proposed Rule](#)

[Notice of Change](#)

Contact: [Greg Brock](#), (850) 245-2784

BIOSOLIDS ACCOUNTABILITY: (FAC 62-640.100, .200, .210, .300, .400, .500, .600, .650, .700) FLDEP is revising the code to improve biosolids land application site accountability and management, address growing nutrient concerns and support public confidence in the beneficial use of biosolids.

[Proposed Rule](#)

[Notice of Public Meeting](#)

PEST CONTROL OPERATOR'S CERTIFICATE APPLICATION: (FAC 5E-14.117) The FL Department of Agriculture and Consumer Services is proposing rule changes to define requirements for individuals seeking the Limited Commercial Fertilizer Certificate who apply fertilizers commercially in Florida. Changes would correct the application fee for category examination to reflect the increase to \$300.00.

[Notice of Development of Rulemaking](#)

[Proposed Rule](#)

[Notice of Change](#)

WATER QUALITY CREDIT TRADING: (FAC 62-306) FLDEP has proposed rules to establish a water quality credit-trading program for the Lower St. Johns River Basin. The rules will include provisions for the following items: the process to determine how credits are generated, quantified and validated; limitations on the use of credits, including eligible pollutants, minimum water quality requirements and any adjustments for uncertainty or location; the timing, duration, and transfer of credits; the information needed to track credits, trades, and prices paid; and the mechanisms for determining compliance with trade provisions. Comments were due 04/30/10. The deadline for FLDEP to file the rules for adoption is 07/08/10, unless an exception to the deadline applies. The rules will become effective 20 days after being filed for adoption.

[Notice of Proposed Rules](#)

[Notice of Public Workshop](#)

[Notice of Rule Development](#)

[Rulemaking Information](#)

Contact: Eric Shaw (850) 245-8429

SECONDARY CONTAINMENT STANDARDS FOR PESTICIDES: (FAC, Rule 5E-2.042) The Department of Agriculture and Consumer Services (DACS) has proposed a rule to adopt by reference federal containment regulations stipulated in 40 CFR 165, relevant to secondary containment of containers of dry pesticides and to containment pads of liquid and dry pesticides for pesticide dispensing activities. The rule would address areas of non-equivalency identified by EPA during the evaluation of Chapter 62-762, AST Systems. The deadline for DACS to file the rule for adoption is 07/15/10, unless an exception to the deadline applies. The rule will become effective 20 days after being filed it for adoption.

[Notice of Proposed Rule](#)

[Notice of Rule Development](#)

Contact: Bruce Nicely (850) 487-8731

2010 REGIONAL WATER SUPPLY PLAN: The Southwest Florida Water Management District prepared a draft [2010 Regional Water Supply Plan](#). The plan includes an assessment of water supply demand and potential sources of water to meet demand over a 20-year planning period. The plan includes four volumes that correspond to four water supply regions. The District will hold public meetings 05/06/10, 05/11/10, 05/19/10, and 05/24/10 to accept public comments. Comments will be accepted additional comments until further notice.

Georgia

Legislative Session Convened 01/12/10; Adjourned 04/03/10



Legislation

WASTE/CLEANUP

HB 1059: HB 1059 permits disposal of yard waste at landfills that have landfill gas collection equipment. It provides that permit modification for existing municipal solid waste disposal facilities for the addition of a processing operation for materials consisting of concrete, asphalt, yard trimmings or similar wood wastes diverted from the waste stream for the recycling or other beneficial reuse of such materials, shall be classified as minor permit modifications.

Status: passed both Houses and sent to Governor

OREGA-S Note: This bill merely authorizes, and does not mandate, disposal of yard waste in a municipal landfill to enhance methane production in appropriated circumstances.

WATER

SB 370: This bill requires Georgia agencies to examine practices, programs, policies, rules and regulations in order to develop programs and incentives for voluntary water conservation. SB 370 identifies opportunities to enhance the state's water supply. It prioritizes funding, when available, for interconnections of systems, ground water, expanded reservoirs, and new reservoirs. It also conducts feasibility studies on reservoir dredging and water management measures that could enhance water supply, and requires phased-in annual water loss audits, water loss detection, and substantive new building code requirements.

Status: passed both Houses and sent to Governor

OREGA-S Note: This bill comes with many new requirements, some of which may apply to federal facilities. A close examination of these bills and understanding of the various requirements may be warranted. Please contact OREGA-S with questions or concerns. It is likely that this bill will garner a lot of attention, and OREGA-S will continue to monitor its development. SB 370 sponsor chairs the committee of referral.

HB 1206: This bill changes certain provisions relating to the requirement for a water well contractor's license and drilling under the direction of a professional geologist or engineer. It also changes certain provisions relating to standards for wells and geothermal boreholes, and repeals conflicting laws.

Status: passed both Houses and sent to Governor

LAND USE

HB 867: This bill creates the Commission on Regional Planning; provides for the membership and duties for such Commission; provides for related matters; and repeals conflicting laws.

Status: passed both Houses and sent to Governor

OREGA-S Note: This measure would create primarily an executive level commission with members including the Governor and several state commissioners. It could provide a forum of engagement to emphasize DoD positions or mission concerns. This group would be very politically oriented.

Proposed Rules

PERMIT FEES: (GAC 391-3-1-.03(9), -.15) This rule specifies the fee rate, references a new fee manual for Calendar Year 2009 fees and adds provisions for administrative fees and transfer of ownership. It also incorporates the transportation conformity requirements of the CAA. The rule was proposed 03/09/10. The comment deadline was 04/20/10. A public hearing is scheduled for 06/04/10.

SIP REVISION FOR THE ATLANTA PM2.5 NONATTAINMENT AREA: GAEPD prepared a SIP revision for the Atlanta PM2.5 nonattainment area. The revision demonstrates attainment with the 1997 annual PM2.5 NAAQS by 04/05/13, and includes the following items: identification and description of the nonattainment area, including major PM2.5 emissions sources; identification of PM2.5 control measures needed to reach attainment; and the description of modeling that demonstrates attainment of the annual standard. GAEPD will hold a public hearing and accept comments until 05/11/10.

[Proposed SIP Revision](#)

[Public Notice](#)

Contact: James (Jac) Capp (404) 363-7000

Kentucky

Legislative Session Convened 01/05/10; Adjourned 04/01/10



Legislation

AIR/GHG

HR 211: This resolution urges EPA to consider increased emissions in relation to increased electricity generation when determining whether to apply NSR to a modification of an electricity generation plant.

Status: adopted by House 03/17/10

HB 124: This bill concerns the Petroleum Storage Tank Environmental Assurance Fund. It requires reserves. It also extends the deadline to register petroleum storage tanks and submit affidavits; extends the performance date for reimbursement; and extends the Small Operator Assistance Account and Small Operator Tank Removal account. HB 124 establishes a financial responsibility account and a petroleum environmental assurance fee to be paid by dealers of gasoline and special fuels.

Status: Governor signed 03/30/10

OREGA-S Note: There are not substantive changes. This bill would merely extend current deadlines by three years.

Proposed Rules

SOLID WASTE PERMITS: (401 KAR 47:090) KEEC has proposed amendments that would establish a schedule of fees for solid waste permit applications. The rule would apply to a person required to apply for a solid waste site or facility permit, permit renewal, or modification, except for those applying for publicly owned facilities. Proposed amendments were filed 05/11/09. A public hearing was held 06/29/09, and written comments were accepted through 06/30/09. The Division of Waste Management filed for an extension for the SOC in response to all comments received. The SOC and an amended version of the regulation were filed with the LRC 08/14/09. The ARRS reviewed the rule 04/14/10.

[Proposed Rule](#)

[ARRS 04/14/10 agenda](#)

[Current 401 KAR 47:090, "Solid waste permit fees"](#)

Contact: George Gilbert, (502) 564-6716

WATER: (401 KAR 5:045, 5:070, 5:075) The Kentucky Division of Water has proposed amendments to 401 KAR 5:045, 5:070 and 5:075. KAR 5:045 would require a facility that receives biochemically degradable influent and discharges into waters of the Commonwealth to provide a minimum of secondary treatment to that influent prior to its discharge. KAR 5:070 contains the basis for provisions, terms and effect of a KPDES permit, including permit duration, schedule of compliance and basis for permit modification or revocation and reissuance. KAR 5:075 would establish procedures for receiving permit applications, preparing draft permits, issuing public notice, inviting public comment and holding public hearings on draft permits. The Division of Water filed these proposed administrative regulations with the LRC on 02/11/2010. A public hearing was held 3/23/2010, with submission of written comments through 03/31/2010. DOW received comments and requested an extension for filing the SOC until 05/15/10. That puts the regulations at ARRS on 06/08/10, and Interim Joint Committee on Natural Resources and the Environment on 07/23/10.

[Proposed Rules 401 KAR 5:045](#)

[401 KAR 5:070](#)

[401 KAR 5:075](#)

Contact: Abby Powell, (502) 564-3410, ext 4808

WATER: (401 KAR 8:020, 8:070, 8:150, 8:200, 8:250, 8:300, 8:510, 8:550) The Kentucky Division of Water filed eight amended regulations with the LRC on 03/12/2010. KAR 8:020 establishes general provisions for regulating public and semipublic water supplies; 8:070 establishes requirements for notification of the public if a public water system violates a provision of 401 KAR Chapter 8; 8:150 establishes requirements for disinfection, filtration, recycling and testing of drinking water in a public or semipublic water system using surface- or groundwater not under the direct influence of surface water; 8:200 establishes a schedule and method for sampling drinking water to test for bacteriological contaminants, establishes maximum contaminant levels (MCL) for bacteria and specifies requirements if tests show maximum contaminant levels have been exceeded; 8:250 establishes sampling and analytical requirements for certain inorganic and organic chemicals and sets MCL for those chemicals which, if exceeded, may affect public health; 8:300 bans lead in drinking water facilities and provides standards for lead and copper in drinking water; 8:510 establishes the MCL for total trihalomethanes and haloacetic acid five to limit the levels of known and unknown disinfection byproducts; 8:550 es-

establishes the requirements for sampling and testing procedures for radionuclides and establishes MCL for safe drinking water. The public hearing was scheduled for 04/26/10. Individuals were able to submit written comments to identify anticipated effects through 04/30/10.

Proposed Rules:

[401 KAR 8:020](#)

[401 KAR 8:070](#)

[401 KAR 8:150](#)

[401 KAR 8:200](#)

[401 KAR 8:250](#)

[401 KAR 8:300](#)

[401 KAR 8:510](#)

[401 KAR 8:550](#)

Contact: Abby Powell, (502) 564-3410, ext 4808

AIR: The KEEC has adopted a SIP revision to demonstrate attainment for the Kentucky portions of the Louisville KY-IN, Cincinnati-Middletown OH-KY-IN, and Huntington-Ashland WV-KY-OH PM2.5 Nonattainment Areas. Under the attainment demonstration, each area will meet the PM2.5 standards by 04/05/10. The attainment demonstration was based on modeling performed by the Visibility Improvement State and Tribal Association of the Southeast and the Association of Southeastern Integrated Planning. As of 04/21/10, the SIP was still pending EPA approval. The attainment demonstration for these areas for PM2.5 was submitted to the EPA in June 2008.

[Draft SIP](#)

Contact: John Gowins (502) 573-3382

Mississippi

Legislative Session Convened 01/05/10; Adjourned 04/04/10



Legislation

WATER

SB 2743: SB 2743 relates to public water systems; deletes repealer on the requirement to maintain optimum corrosion inhibitor levels.

Status: 03/03/10, Governor signed into law

OREGA-S Note: This bill makes the corrosion inhibitor requirement permanent.

HB 231: HB 231 sets forth that public notice shall be provided to the state department of health for publication. It also states that the public water system shall provide notice that drinking water quality reports are available on state department health web sites.

Status: 03/15/10, Governor signed into law

OREGA-S Note: Notices would be maintained on the state Department of Health [Website](#).

SCR 677: This resolution urges Congress and Departments of the Executive Branch of Mississippi government to adopt a Clean and Sustainable Energy Standard (CSES) to meet the goals of reliable, affordable, abundant and clean energy.

Status: adopted 03/29/10

OREGA-S Note: Focus appears to be is on facilitating development of nuclear energy.

Final Rules

DRINKING WATER: (Title 15 Part III Subpart 72 Chapter 01) The MS Department of health has adopted a rule that updates regulations concerning the Long Term 2 Enhanced Surface Water Treatment Rule, the State 2 Disinfection Byproducts Rule and the Short Term Revisions to the Lead and Copper Rule, as required by the EPA. Comments were due 04/14/10. Amendments became effective 05/20/10.

[Proposed Rule](#)

[Final Regulation](#)

Contact: [Tim Darnell](#), (601) 576-7690

Proposed Rules

IMPAIRED WATERS: Mississippi's [2010 Section 303\(d\) List of Impaired Water Bodies](#) fulfills the state's obligation to de-

velop a listing of the state's impaired waters, with respect to CWA. Section 303(d) of the CWA requires states to identify water bodies that are impaired by one or more pollutants. These water bodies are scheduled for total maximum daily load (TMDL) development. A TMDL is a calculation of the maximum amount of a pollutant a water body can receive and still meet water quality standards. MSDEQ held a public hearing, and comments were due 05/11/10.

INVASIVE SPECIES: (The Mississippi Aquatic Invasive Species Task Force prepared the [draft Mississippi State Management Plan for Aquatic Invasive Species \(AIS\)](#)). The goal of this management plan is to provide a framework to help prevent and control the introduction of new nonindigenous species into Mississippi; control the spread and impact of existing invasive species; and eradicate locally established invasive species wherever possible. Five objectives were adopted to help achieve this goal: coordinate all AIS management activities or programs within Mississippi and collaborate with regional, national and international AIS programs; prevent and control the introduction/reintroduction of nonindigenous invasive species through education about species and pathways, targeting the general public (including schools), industries, user groups, government agencies and nongovernmental organizations; eliminate locally established invasive species through monitoring, early detection, rapid response and early eradication; control the spread of established invasive species through cooperative management activities designed to minimize impacts when eradication is impossible; and prevent the introduction of non-native species, or the spread of existing ones, through legislation, regulation and enforcement. The federal Aquatic Nuisance Species Task Force will review the management plan for final approval. MSDEQ accepted comments until 01/31/10. Contact: Mike Beiser (601) 961-5701

North Carolina

Legislative Short Session Convenes 05/10/10; Adjourns 07/26/10



The North Carolina General Assembly meets in regular session (or the "long session") beginning in January of each odd-numbered year, and adjourns to reconvene the following even-numbered year for what is called the "Short Session." Though there is no limit on the length of any session, the "long session" typically lasts for 6 months and the "short session" typically lasts for 6 weeks. The main purpose of the Short Session is to make any necessary adjustments to the two-year State budget passed in the previous "Long Session." In addition to budgetary matters, bills that passed either the House or the Senate remain eligible for consideration in the Short Session. Also eligible for consideration are legislative proposals from study committees and commissions that have been meeting during the interim.

Legislation

CLIMATE CHANGE/GHG

SB 835: SB 835 extends the [Legislative Commission on Global Climate Change](#) from 10/01/09 to 10/01/10.

Status: passed Senate 04/07/09, referred to House committee 04/09/09

OREGA-S Note: Activities of the Commission are being followed, and the website has a lot of good information for understanding potential approaches in North Carolina. Documents for the 01/13/10 meeting are available. The last meeting was scheduled for 02/10/10; visit hyperlink above for more information.

LAND USE

SB 600: SB 600 requires a demonstration of lack of prudent and feasible alternatives in order for public condemnors to condemn property encumbered by a conservation easement and to require additional compensation to holders of condemned conservation easements. Any public entity authorized to exercise the power of eminent domain under the General Statutes shall not exercise the power of eminent domain on property encumbered by a conservation easement unless the entity first demonstrates that there is no prudent and feasible alternative to the action.

Status: reported favorably 05/5/09; referred to House Committee 05/07/09

OREGA-S note: This measure would support DoD buffering efforts.

SB 998: SB 998 imposes a moratorium on certain actions of the Coastal Resources Commission related to temporary erosion control structures. The bill also establishes the Legislative Study Commission on Beach Management Issues.

Status: passed Senate 05/05/09; referred to House committee 05/07/09

OREGA-S Note: This bill is not expected to impact DoD operations in the near-term. The Study commission's efforts should be monitored.

Final Rules

COASTAL SHORELINES: (15A NCAC 07H .0209) This rule establishes use standards regarding estuarine shorelines and public trust shorelines. The rule became effective 03/01/10.

EROSION AND SEDIMENTATION SELF-INSPECTIONS: (15A NCAC 04B .0131) NCDENR has adopted rule 15A NCAC 04B .0131, "Self Inspections." For erosion and sedimentation control inspection purposes, the rule specifies the form of the records required by G.S. 113A-54.1 as being an annotated copy of the approved plan that is initialed and dated by the inspector as erosion and sedimentation control measures are installed, or a self-monitoring form that is completed, signed and dated. The rule specifies documentation required in records concerning installation and maintenance of erosion and sedimentation control measures, including temporary or permanent ground cover. The SPCA requires self-inspections at the completion of each phase of the plan. The "phases of the plan" referenced in G.S. 113A-54.1 are listed to clarify when the inspections shall take place. The RRC approved the rule 04/15/10, and it became effective 05/01/10. The final rule will be published in an upcoming North Carolina Register.

[Notice of Intended Action](#) (see pages 23-25 of pdf)

Contact: Gray Hauser (919) 733-3833

Proposed Rules

UST LEAK DETECTION MONITORING: (23:21 NCR 2056) The NCDENR has proposed rules that would incorporate standards for operation, maintenance and testing of USTs if electronic liquid detecting sensors are used for leak detection monitoring. On 12/03/07, a petition to amend secondary containment rules for UST systems was submitted to the EMC. The petition proposed adding electronic liquid detecting sensor monitoring as an allowable method of monitoring the interstitial space of a double-walled tank for releases. NCDENR recommended that the EMC deny the petition because the proposed method does not continuously check the inner and outer walls of a double-walled tank for breaches of integrity as methods already allowed by the rules do. NCDENR contended that the proposed method is not as effective as those already allowed in detecting tank wall failures are. However, on 03/13/08, the EMC approved the petition, but requested that NCDENR prepare additional rule language to incorporate standards for operation, maintenance and testing of USTs if electronic liquid detecting sensors are used for leak detection monitoring. On 05/08/08, the EMC approved the language prepared by NCDENR, and directed NCDENR to hold public hearings on the amendments. The adopted rule was filed 01/21/10.

[Proposed Rule: State Register \(begins on page 5026\)](#)

Contact: [Ruth Strauss](#), (919) 733-8486

RECLAIMED WATER: (15A NCAC 02T .0113, .0506, .0901-.0915; 02U .0101- .0117, .0120, .0201-.0202, .0301, .0401-.0403, .0501, .0601, .0701, .0801-.0802, .0901, .1101, .1401) This regulation would adopt a new subchapter to clarify existing reclaimed water rule language in order to remove unintended restrictions and facilitate the use of reclaimed water. It would provide two separate categories for reclaimed water based upon the level of treatment and intended use, and replace Fecal Coliform with E. Coli as the pathogen indicator for effluent sampling. The rule would allow for additional uses of reclaimed water through wetlands augmentation and crop irrigation, and define new application requirements, design criteria and effluent standards for the new uses. Lastly, the rule would repeal existing reclaimed water rules. The rule was proposed 02/15/10, and public hearings were held on March 23, 25 and 30, 2010. The comment deadline was 04/27/10.

[Proposed Rule](#)

EMISSION CONTROL STANDARDS: (15A NCAC 02D .0530-.0531, .0902, .0909, .0917, .0920- .0923, .0934-0936, .0951-.0952, .0961-0968; 02Q .0306) NCDENR has proposed a rule that would clarify that installation of Best Available Control Technology (BACT) applies to all new natural gas-fired electrical utility generating units for which cost recovery is sought under the Clean Smokestacks Act. It would remove pollutant specific references that require sources to continue measures after an area's redesignation to attainment, and would replace the description of nonattainment areas. Further, this rule would incorporate EPA Control Techniques Guidelines concerning what types of controls may constitute Reasonably Available Control Technology (RACT) for 11 source categories. The rule was proposed 03/10/10. Public hearings were scheduled for 04/27/10 and 04/29/10.

ENVIRONMENTAL STANDARDS/EMISSIONS: (19A NCAC 03D .0517-.0519) NC DOT is proposing a rule that clarifies rules regarding motor vehicle inspection and inspection stations to comply with the EMC specifications, including use of an emissions analyzer and requirements for a Safety Equipment Emissions Inspection Station. A public hearing was scheduled for 01/04/10.

[Proposed Rule](#)

ESTUARINE AND OCEANS SYSTEMS; OCEAN HAZARD AREAS: (15A NCAC 07H .0208, .0309, .1704, .1705) This rule removes outdated provisions and corrects vague or ambiguous language in 15A NCAC 07H .0208; makes changes to Spe-

cific Use Standards regulating use of sandbags as temporary erosion control structures under Emergency General Permit 15A NCAC 07H .1704-.1705; and adds exception language for wind facility transmission lines to 15A NCAC 07H .0309. 15A NCAC 07H .0208, General Use Standards, contain guidelines for water dependent development, Primary Nursery Areas and Submerged Aquatic Vegetation. Broader amendments to the Docks and Piers and Shorelines Stabilization rules have afforded the Commission an opportunity to clarify other specifics of 07H .0208, and to remove outdated provisions as well as correct vague or ambiguous language in accordance with APE guidelines. With regard to 15A NCAC 07H .1704-.1705, the Coastal Resources Commission is proceeding with rulemaking in order to make changes to Specific Use Standards regulating the use of sandbags as temporary erosion control structures under its Emergency General Permit 15A NCAC 07H .1704-.1705. Additional changes have also been made to provide consistency with other rules and correct ambiguous language. Concerning 15A NCAC 07H .0309, based upon recommendations made by the NC EMC, the North Carolina General Assembly is considering legislation that would set up a permitting process for wind energy facilities in North Carolina. In addition to giving the CRC permitting authority for wind energy facilities in CAME counties, this legislation would define wind energy facilities as water dependent structures, potentially allowing these structures to be constructed in North Carolina's Sounds and ocean waters following an environmental review. In an effort to complement the efforts of the EMC and the General Assembly, the CRC proposes the addition of exception language for wind facility transmission lines to 15A NCAC 07H .0309.

[Proposed Rule](#)

Contact: [Jim Gregson](#) 252-808-2808

South Carolina

Legislative Session Convened 01/12/10; Adjourns 06/03/10



Legislation

WATER

[HB 4285/SB 452](#): This measure relates to the State Surface Water Withdrawal and Reporting Act. It provides that subject to certain exceptions, surface water withdrawals must be made pursuant to a permit; provides for complete exemptions from the permitting requirement; provides that registered surface water withdrawers may withdraw surface water without a permit, but are subject to certain restrictions; and provides for nonconsumptive surface water withdrawal permits.

Status: SB 452 passed Senate 03/16/10, House reported favorably 04/29/10

[HB 4536](#): HB 4536 establishes effluent limitations on phosphorus and nitrogen: 0.5 mg/L total phosphorous, and 3.0 mg/L total nitrogen as a monthly average on reissuance of the permit.

Status: in committee

OREGA-S Note: Compliance would be mandated within three years of the permit issue/reissue and could be extended by the state for an additional two years (five years total).

[SB 1170](#): This bill relates to the Pollution Control Act. It provides that all sewage systems and treatment works that treat domestic sewage, and have had three or more spills in any 12-month period must complete a comprehensive review of their operations. SB 1170 provides for the comprehensive review, and provides for the development and implementation of an action plan to address issues raised in the comprehensive review.

Status: referred to committee

WASTE

[HB 4093](#): This bill enacts the State Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act. It provides certain findings by the General Assembly related to the act; provides certain definitions related to the act; and requires a manufacturer of certain computing, display or printing equipment to offer a recovery program for collection of equipment from a consumer in a manner that is convenient to the consumer.

Status: passed both houses and sent to Governor

OREGA-S Note: This bill targets consumer electronics (personal or home business use). It has potential to target AAFES operations by requiring covered electronics to bear required labeling that retailers be inspected for compliance.

[HB 3270](#): This bill relates to the registration of underground storage tanks; establishes new annual renewal fees; requires that the additional revenue generated from the tank fee increases be deposited into the superb account.

Status: passed both Houses and sent to Governor

OREGA-S Note: This bill increases annual renewal fees from \$100 to \$200 beginning 2012; increasing to \$500 by 2015.

This will represent a five-fold increase in UST fees and could have significant funding implications.

HB 4918: This bill would adopt infectious waste management regulations.

Status: passed House 5/13/10

AIR/GHG

HB 4606/HR 4610: These bills urge Congress to adopt legislation that would postpone EPA's effort to regulate GHG emissions from stationary sources using existing CAA authority until Congress adopts a balanced approach to address climate and energy supply issues without crippling the economy.

Status: HR 4610 was adopted 03/10/10; HCR 4606 was adopted by the House 04/21/10

SR 1278: This resolution expresses support for US [Senate Joint Resolution 26](#) that takes issue with EPA's endangerment finding.

Status: referred to committee

HJR 4888: This bill adopts the EPA "Proposed Tailoring Rule" that raises the threshold level of emissions that trigger increased regulation of emitters of GHGs, such rule or provision is hereby immediately adopted in South Carolina, notwithstanding any other provision of law, and shall be immediately effective in the state and implemented by the SCDHEC.

Status: passed House 05/13/10

Final Rules

HAZARDOUS WASTE MANAGEMENT: (R.61-79, Document No. 4080) SCDHEC has adopted amendments to hazardous waste management regulations to reflect amendments to federal requirements and adopt a state-specific requirement. The federal requirements were published by the EPA in the Federal Register (FR) 01/02/08 at 73 FR 57, 04/08/08 at 73 FR 18970, and 06/04/08 at 73 FR 31756. The amendments affect three rules. The first rule provides for an exclusion to the definition of solid waste for oil-bearing hazardous secondary materials generated at a petroleum refinery when these materials are recycled by inserting them back into the petroleum refining process. The second rule amends NESHAPS to clarify compliance monitoring provisions and correct typographical errors and omissions. The third rule is the F019 Exemption for Wastewater Treatment Sludges from Auto Manufacturing Zinc Phosphating Processes. These wastewater treatment sludges will be exempted from the F019 listing at their point of generation, and will not be subject to any RCRA Subtitle C management requirements for generation, storage, transport, treatment or disposal. Generators will be required to maintain records on-site to show that the waste meets the conditions of the listing. SCDHEC has adopted amendments to R.61-79 to reinsert a state requirement under 61-79.270 Subpart B Permit Application, at 270.10, General Application Requirements. This state requirement calls for a site-specific inspection checklist for use in compliance inspections. This requirement was overwritten in the process of adopting a federal initiative on Final Standards for Hazardous Waste Combustors, replacing 270.10(l) with a different federal requirement. The checklist requirement will be reinserted at 270.10(m). SCDHEC has adopted amendments to R.61-79 to replace the reference to the federal Manifest Rule with the language of the Manifest Rule. SCDHEC adopted the Manifest Rule effective 02/23/07. The rule requires a national manifest for shipping of hazardous waste. At the time of adoption, SCDHEC chose to adopt the requirements by incorporating them by reference in R.61-79 instead of including the actual language of the rule. The Legislature approved the amendments. They became effective 05/28/10.

[Final Amendments \(search for Document No. 4080\)](#)

Contact: Richard Haynes (803) 896-4070

Proposed Rules

AIR POLLUTION CONTROL: (R. 61-62.96, 61-62.1; 61-62.5; 61-62.60; 61-62.61; 61-62.63; 61.62.72) SCDHEC is proposing to amend South Carolina Air Pollution Control Regulation 61-62, Air Pollution Control Regulations and Standards, and the SIP. Specifically, SCDHEC proposes to amend R.61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program General Provisions. Proposed amendments will be necessary to meet EPA standards. SCDHEC cancelled the hearing scheduled 03/11/10, and rescheduled the hearing for 05/13/10. Written comments were due 05/13/10. SCDHEC has also proposed amendments to Regulation 61-62.1 "Definitions and General Requirements" to incorporate amendments to the definition of Volatile Organic Compounds promulgated by the EPA on 01/12/09. SCDHEC has proposed amendments to Regulations 61-62.60, "South Carolina Designated Facility Plan and New Source Performance Standards;" 61-62.61, "National Emission Standards for Hazardous Air Pollutants;" 61-62.63, "National Emission Standards for Hazardous Air Pollutants for Source Categories;" and 61.62.72, "Acid Rain" to incorporate by reference recent federal amendments promulgated during the period from 01/01/09 through 12/31/09. SCDHEC published notice of these proposed amendments 02/26/10. SCDHEC accepted comments through 03/29/10. SCDHEC is reviewing comments received and working internally on these rules. SCDHEC has proposed amendments to R. 61-62.5, Standard 1 "Emissions

From Fuel Burning Operations" to exclude the requirement for natural gas fired units to maintain a log of periods of startup and shutdown; R. 61-62.5, Standard 2 "Ambient Air Quality Standards" to remove the standard for Total Suspended Particle and update exceedance limitation for the CO standard; and clarify the definition for major source threshold throughout 61-62. SCDHEC also proposes to delete R. 61-62.5, Standard 6 "Alternative Emission Limitation Options ("Bubble")". SCDHEC has also proposed amendments to Regulation 61-86.1 "Standards of Performance for Asbestos Projects" to revise Section XX.A.4 and add Section XX.J.3 to change the required frequency of building inspections for industrial manufacturing and electrical generating facilities from three to five years. SCDHEC published notice of these proposed amendments 02/26/10, and accepted comments through 03/29/10. SCDHEC is reviewing comments received and working internally on these rules.

[Notice of Drafting](#) (61-62.96)

[Proposed Rule](#) (61-62.96)

Contact: [Alan Hancock](#) (803) 898-3432

SOLID WASTE MANAGEMENT: (R.61-107.4) SCDHEC is drafting amendments to its solid waste management rules to update, clarify and amend application, design, operation, monitoring, analytical testing, reporting and closure requirements for composting and grinding of yard trash and land-clearing debris. Distinctions between composting and grinding operations will be clarified, and requirements for temporary short-term grinding sites will be defined. Possible amendments may expand the scope of the regulation and address the composting and grinding of other waste streams and mixed waste streams. Application, design, permitting, operation, monitoring, analytical testing, reporting and closure requirements will be added for these waste streams as appropriate. Storm water and leachate control requirements and procedures for prevention of fires will also be addressed for facilities. The name of the regulation will be changed to reflect the change in scope of the regulation. Pilot/demonstration projects will be addressed, as well as, requirements for the quality of the finished compost product. SCDHEC published a Notice of Drafting 03/26/10, and accepted comments until 04/27/10. SCDHEC is reviewing comments received and working internally on the rules. Contact: Jana White (803) 896-4221

WATER QUALITY: (R. 61-68, 61-69) SCDHEC is drafting amendments to specific sections of Regulation 61-68 "Water Classifications and Standards," and Regulation 61-69 "Classified Waters." Section 303(c)(2)(B) of the Federal CWA requires that South Carolina's water quality standards be reviewed and revised, where necessary, at least once every three years for the purposes of considering the EPA's most recent numeric and narrative criteria, and to comply with recent Federal regulatory revisions and recommendations. SCDHEC published a Notice of Drafting 03/26/10. SCDHEC published a second Notice of Drafting 04/23/10, which extended the comment deadline to 05/28/10.

[Informational Website](#)

SHORELINE CHANGE INITIATIVE: In 2007, SCDHEC began the Shoreline Change Initiative to organize data collection and research, identify new research requirements, and develop policy options for managing non-beachfront and beachfront shorelines. To assist in these efforts, SCDHEC created the Shoreline Change Advisory Committee, which considered the following topics: research and information priorities; beachfront retreat policy; beach renourishment; beachfront erosion control; shoreline planning; sheltered coastlines: erosion and erosion control; and sheltered coastlines: shoreline development. The Advisory Committee issued a [final report](#) in April 2010 that includes general policy options for managing shorelines.

[Shoreline Change Initiative Webpage](#)

Contact: Braxton Davis (843) 953-0246

Tennessee

Legislative Session Convened 01/12/10; Adjourns 05/25/10



Legislation

LAND USE

SB 3191: This measure permits owners of agricultural and forest land to preserve the existing condition of such land, and revises the method of appraisal and assessment for such land.

Status: passed both Houses and sent to Governor

OREGA-S Note: This measure would support buffering programs around installations by providing various tax treatments to encourage preservation of specific land uses.

WASTE

HB 3853/SB 3623: HB 3853/SB 3623 prescribes what measures to take in order to reduce soil erosion upon closure of a solid waste disposal site.

Status: HB 3853 reported favorably

OREGA-S Note: This would seem consistent with existing practices or requirements in other states. Please contact OREGA-S if you have questions or concerns with regard to proposed requirements.

HB 2828/SB 2799: HB 2828/SB 2799 adds various requirements for issuance of permits to dispose of coal combustion waste in landfills.

Status: in committee

HB 2911/SB 2801: This measure relates to Atomic Energy and Nuclear Material. It requires any permit issued by TDEC to specify the types of waste a facility is prohibited from receiving for disposal or processing, and prohibits any person from knowingly accepting for disposal or processing certain nuclear or radioactive materials in any landfill.

Status: introduced/referred to committee

OREGA-S Note: Bills would amend T.C.A. 68-211-106(k)(2)(A) by prohibiting acceptance, processing, storage or disposal of any by-product material, source material, or special nuclear material by certain entities in the state. Curiously, the bill specifically identifies such prohibitions as extending to material from the "Former United States Army Environmental Command" (AEC). OREGA-S has sought clarification. Does not apply to situations of acceptance, processing, storage or disposal on wholly owned and controlled federal sites.

HB 3402/SB 3221/SB 2735: These bills prohibit the acceptance, processing or disposal of radioactive waste material in any landfill located in the state.

Status: SB 2735 reported favorably 03/23/10

OREGA-S Note: These bills provide that prohibitions would not apply to federal entities on US property. Also, see HB 2911 above.

HB 2055/SB 687: This measure requires TDEC to provide planning models for relocating, hauling, composting, or other processing of yard waste and food waste, and to submit a report to the House Conservation and Environment Committee and the Senate Environment, Conservation, and Tourism Committee by 12/01/10.

Status: referred to committee

OREGA-S Note: If enacted, this may create new requirements for targeted waste streams; report would not be due until December 2010; subsequent legislation would need to be taken.

HB 3429/SB 3469: This measure enacts the "Tennessee Beverage Container Recycling Act," whereby certain procedures, processes, and fees are described for the recycling of such waste.

Status: in committee

OREGA-S Note: Very similar legislation was introduced during the past three legislative sessions and failed to pass. It would require any deposit beverage distributor manufacturing, in the state, to register with TDEC. The definition of "person" specifically includes federal agencies; "Deposit beverage distributor" specifically includes military distributors. OREGA-S is evaluating fee /tax and other implications for military services.

SB 2403: This bill would prohibit consumer products containing mercury from being added to the solid waste stream for disposal.

Status: signed by the Governor

OREGA-S Note: Definition of person specifically includes federal agencies. This legislation would influence disposal practices for mercury containing wastes.

HB 3553/SB 3176: This measure requires the GPS coordinates of a solid waste facility where waste was baled and the destination of baled waste to be included on a manifest required to be kept for at least 30 years.

Status: referred to committee

HB 3235/SB 3127: This bill requires the Tennessee Advisory Commission on Intergovernmental Relations to perform a study and provide recommendations to encourage the minimization of solid waste in landfills, and report to the Legislature by 02/15/11.

Status: referred to committee

HB 3245/SB 3126: As introduced, these measures require TDEC to provide planning models for relocating, hauling, composting, or other processing of yard waste and food waste, and to submit a report to the House Conservation and Environment Committee and the Senate Environment, Conservation, and Tourism committee by 12/01/11.
Status: referred to committee

HB 3364/SB 3112: This measure requires the Solid Waste Disposal Control Board and TDEC to demonstrate specific compliance with Public Chapter 462 of 2007 (i.e. waste reduction) before taking any action concerning solid waste regulation.
Status: HB 3364 passed House 03/25/10; in Senate

AIR/GHG

HB 3287/SB 3159: As introduced, this measure requires legislative approval prior to adoption of regulatory programs concerning GHG or motor vehicle fuel economy.
Status: HB 3287 reported favorably from committee 04/06/10

OREGA-S Note: In other words, state agencies would not be allowed to take the initiative on GHG regulation without the Assembly's OK.

WATER

HB 3374/SB 2987: This measure would require any public water system or waterworks system that discontinues the fluoridation of its water supply to give notice of such discontinuance to applicable state agencies and affected customers.
Status: SB 2987 passed Senate 03/04/10

HB 3822/SB 3832: This bill authorizes the Commissioner of TDEC to study alternatives for, and to develop regional water supply plans that consider cost and conservation of water resources.
Status: introduced/referred to committee

Proposed Rules

LIGHT-DUTY MOTOR VEHICLE INSPECTION AND MAINTENANCE. (TAC 1200-3-29-.2, -.4) TDEC has proposed to amend Rule .02 Definitions in Chapter 1200-03-29 Light-Duty Motor Vehicle Inspection and Maintenance by adding definitions for low and medium speed vehicles. Rule .04 Exemption from Motor Vehicle Inspection Requirements would be amended to exempt low and medium speed vehicles from vehicle testing requirements. These type vehicles are manufactured as non-road vehicles and therefore are not subject to an emissions test. The Air Board did not meet in November, so the rule was presented at the 12/09/09 meeting instead. The Air Board approved the rule, but it will not be state effective until the Secretary of State approves it. The rule has to sit for 75 days after their approval before it actually becomes a state effective rule.

[Rulemaking Notice](#)

Contact: [Vicki Lowe](#), (615) 532-6811

UST PROGRAM: (TAC 1200-1-15-.1, -.3, -.16) TDEC has proposed a rule amendment that addressed the scope, definitions, proprietary information, notification, reporting and record keeping of the UST Program. Amendment would add a new section addressing a certified operator program. Comments were due 04/30/10.
Contact: [Rhonda Key](#), (615) 532-0972

LEAD BASED PAINT ABATEMENT: (1200-1-18-.1-.6, 0400-13-1.1-.6) This rule promulgates new amendments pertaining to lead-based paint abatement. It would provide procedures and requirements for the accreditation of lead-based paint activities and renovation training programs; outline the procedures and requirements for the certification of individuals and firms engaged in lead-based paint activities; and work practice standards for performing such activities. It would repeal provisions that are no longer necessary, and stipulate that all lead-based paint activities shall be performed by certified individuals and firms. Staff completed the OGC review the week of March 29. If all agree, they will send the rule to the Attorney General to be reviewed; and to ensure legislative authorities exist and are cited properly. Hopefully, that should not take more than one week. After that, it will be logged in with the Secretary of State and it will be given an effective date that is 90 days from the day of log-in.

Region 4 Energy Legislation

OREGA-S Note: The following measures provide a potential opportunity to share information and collaborate on energy initiatives. OREGA-S is currently coordinating the development of model energy legislation that would address project collaboration and anti-encroachment.

Alabama

HB 128: This bill relates to the development of an integrated and comprehensive state policy on energy for Alabama; creates the Permanent Joint Legislative Committee on Energy Policy for developing an ongoing state energy study and energy plan; and provides for the membership of the committee and initial committee membership.
Status: enacted 2010-232

HB 80/SB 194: The House bill establishes the Alabama Public Interest Energy Research and Development Grants Program to provide funding for energy related public interest energy research and development. It also creates a new executive agency to be known as the Commission on Public Interest Energy Research and Development Grants that will have sole discretion to distribute appropriations by the Legislature and other funds allocated for public interest energy research and development grants.
Status: HB 80 sent to the Governor 04/13/10; SB 194 passed Senate 02/17/10

SB 87: This bill provides for the Energy Independence and Sustainable Construction Act of Alabama to promote effective energy and environmental standards for the construction and rehabilitation of state-owned buildings in Alabama.
Status: in committee

SB 252: This bill creates the Permanent Joint Legislative Committee on Energy Policy as currently constituted pursuant to Act 2007-150, HJR 152, 2007 Regular Session. The bill provides for the hiring of a staff and the creation of the Legislative Energy Policy Office to supervise and administer the duties of the committee pursuant to this bill.
Status: passed House 03/09/10

Florida

HB 563/SB 1726: These bills address energy security; urge Congress to support expiration and removal of moratoria prohibiting exploration and production of oil and natural gas in federal waters surrounding Florida; and include Florida in revenue sharing resulting from production of oil and natural gas in federal waters surrounding Florida.
Status: 01/04/10, prefiled

SB 2622: This bill relates to regulation of state lands and oil and gas resources; provides for the Board of Trustees of the Internal Improvement Trust Fund to accept and award bids for oil and gas leases on submerged lands underlying the territorial waters of the state; provides for easements over sovereign submerged lands for the construction, installation, and maintenance of structures relating to the production of oil, gas or other petroleum products.
OREGA-S Note: This legislation is being closely monitored as it could adversely impact Naval operations and training.

SB 2598: This bill relates to an alternative energy resources study; requires the Century Commission for a Sustainable Florida to contract with a professional organization to study an alternative energy policy for the state and develop a renewable energy and economic development investment plan; sets forth the subjects to be studied by the contracting organization; requires that such organization submit a final report to the Governor, the President of the Senate and the Speaker of the House of Representatives.
Status: referred to committee

SB 596: This bill requires that electric utilities meet or exceed specified standards for the production or purchase of clean energy. It authorizes the PSC to allow a utility to recover the costs of converting an existing fossil fuel plant to a biomass plant under certain conditions. The bill provides legislative findings with respect to the need to reduce GHG emissions through direct end-use of natural gas.
Status: referred to committee

HB 1535: This bill relates to the American Clean Energy and Security Act. It urges Congress to reject the Act and any other similar energy proposals.
Status: floor vote scheduled 04/21/10

OREGA-S Note: Some disagreement among members, see HB 1591 below.

HB 1591: This bill relates to clean energy. It urges Congress to pass comprehensive clean energy legislation.

Status: referred to House Council

SB 1086: This bill relates to renewable energy; requires that a purchase contract offered to producers of renewable energy contain payment provisions for energy and capacity based upon a public utility's equivalent cost-recovery rate for certain clean energy projects rather than the utility's full-avoided costs.

Status: referred to committee

SB 1126/HB 773: This measure removes the authority of the Office of Tourism, Trade, and Economic Development to approve expedited permitting and comprehensive plan amendments and provides such authority to the Secretary of Environmental Protection. It revises the criteria for businesses submitting permit applications or local comprehensive plan amendments. It also provides that permit applications and local comprehensive plan amendments for specified biofuel and renewable energy projects are eligible for the expedited permitting process.

Status: HB 773 reported favorably 04/20/10

HB 1217: This bill relates to the sale of electricity. It revises the definition of 'public utility' to include specified separate legal entities created pursuant to the Florida Interlocal Cooperation Act of 1969; and provides that provisions regulating public utilities apply to the sale of electricity by such separate legal entities.

Status: referred to committee

SB 1186: This bill revises legislative intent regarding the state's renewable energy policy. It deletes provisions requiring that the PSC adopt rules for a renewable portfolio standard; requires that the PSC provide for full cost recovery for certain renewable energy projects; and redefines the term "electrical power plant" for purposes of the Florida Electrical Power Plant Siting Act to exclude solar electrical generating facilities.

Status: referred to committee

HB 1269/HB 1267/SB 2404/SB 2406: These measures require electric utilities to collect a monthly systems charge from residential, commercial and industrial customers; provide for the deposit of collected funds into the Sustainable and Renewable Energy Policy Trust Fund; create direct-support organization for the Florida Energy Office; require a contract between the Office and direct-support organization; provide for use of funds; and required an annual audit.

Status: referred to committee

SB 2346: This bill cites the Act as the Florida Farm to Energy Act. It requires investor-owned electric utilities, participating municipal electric utilities and rural electric cooperatives to collect renewable energy fees from retail electric customers; provides for the deposit and use of such fees; and provides procedures for municipal electric utilities and rural electric cooperatives to participate or terminate their participation.

Status: referred to committee

Georgia

HR 10: HR 10 creates a resolution establishing a Joint Study Committee for Clean Energy Technology to address climate change and reduce GHG emissions through the development of clean energy sources.

Status: second reading 01/26/09

OREGA-S Note: This resolution would require that a report and proposed legislation, if any, be provided by 12/31/10. Such committee activities would be monitored to understand developments and potential impacts. NR 10 provides a potential opportunity to share information and collaborate on clean energy projects.

SR 1094: This resolution urges government and industry efforts and cooperation to increase the availability and use of alternative fuels.

Status: second reading 03/16/10

HR 1823: This resolution urges DOE, Congress and the current administration to continue the development of Yucca Mountain as the site for permanent storage of defense nuclear waste and commercial spent nuclear fuel. It requests that the funding of \$150 million dollars for review of the Yucca Mountain license application and future activities of the nuclear waste disposal program remain intact.

Status: reported favorably from committee 04/20/10

HR 1785: This resolution requests that Congress adopt legislation that promotes jobs and innovative energy development, heightens national energy and economic security, positions the US to be an international leader in the field of clean energy, and addresses the consequences of climate change without preempting states' rights to control emissions and to promote renewable energy.

Status: referred to committee

HR 1767: This bill creates the House Study Committee on Renewable Energy.

Status: in committee

SR 1231: This resolution proposes an amendment to the Constitution so as to authorize obligations of the state for governmental energy efficiency or conservation improvement projects in which vendors guarantee realization of specified savings or revenue gains attributable solely to the improvements; provides for related matters; and provides for submission of this amendment for ratification or rejection.

Status: passed Senate 03/24/10; House Committee reported favorably 04/20/10

Kentucky

HB 552: This bill defines energy-efficient alternative fuels and energy-efficient alternative fuel facility, and expands incentives provided for production of alternative energy to include the production of energy-efficient alternative fuels.

Status: signed by Governor 04/06/10

Mississippi

SB 2821: This bill requires that state agencies submit annual energy management plans and meet energy consumption reduction standards.

Status: signed by Governor 04/14/10

SR 588: This resolution urges Congress to adopt legislation addressing clean energy development and climate change.

Status: pending action in Rules Committee

North Carolina

NORTH CAROLINA ADVISORY SUBCOMMITTEE ON OFFSHORE ENERGY EXPLORATION - SITING CRITERIA: The Subcommittee met for the first time on April 15 to discuss offshore oil drilling. The Subcommittee met for a second time on April 27 to discuss wind energy options; implications of coastal energy production for inshore/near shore ecosystems; managing inshore impacts of coastal energy production; and natural gas needs for North Carolina.

The Advisory Subcommittee will study issues dealing with oil and natural gas exploration, as well as the potential impacts of alternative offshore energy projects on the nation's energy supply, including wind energy, wave energy, ocean current energy, solar energy, and hydrogen production.

Advisory Subcommittee may submit an interim report on the results of this study, including any proposed legislation, to the LRC before the convening of the 2010 Regular Session of the General Assembly. The Advisory Subcommittee terminates upon the filing of its final report. The Subcommittee co-chairs are Dr. James Leutze of New Hanover County and Dr. Douglas N. Rader of Wake County.

OREGA-S Note: Activities of the Commission are being closely monitored. Of particular note, is how offshore exploration activities may affect military training and operations.

SB 1068/H809: This measure creates a permitting process for wind energy facilities to be managed by the Coastal Resources Commission (CRC). The bill modifies the definition of wind energy facility in GS 113A-103 to mean that turbines, accessory buildings, transmission facilities, and any other equipment necessary for operation of a facility that cumulatively, with any other wind energy facility whose turbines are located within one-half mile of one another, have a rated capacity of three megawatts or more (was, in excess of two megawatts) of energy.

Status: passed Senate; referred to House Committee

OREGA-S Note: This office has been involved with CRC on [related rulemaking](#).

South Carolina

HB 4241: This bill creates the "South Carolina Renewable Energy Plan" to authorize the PSC to approve renewable energy projects to demonstrate the feasibility and viability of clean energy systems; provides full cost recovery for certain costs incurred by a provider for a renewable energy project; and requires each municipal electric utility, each rural electric cooperative, and the public service authority to develop standards for promotion, encouragement, and expansion of renewable energy resources and to require reporting requirements for this information.

Status: in committee

SB 944: This bill is a concurrent resolution to request the South Carolina congressional delegation to oppose cap-and-trade legislation and support legislation that encourages states to establish and develop their own renewable energy portfolio standards.

Status: in committee

HB 4373: This bill relates to the state energy office.

Status: in committee

HB 4472: This bill requires a municipality develop an Energy Independence Act to help the municipality's residents make certain energy efficient improvements to real property.

Status: in committee

SB 1096: This bill relates to the authorization for electric cooperatives and municipal electric systems to implement financing systems for energy efficiency improvements. It provides that they will have the authority to finance the purchase price and installation cost of energy conservation measures, and provides for the recovery of such financing through charges paid for by the customers benefitting from the installation of the energy conservation measures.

Status: signed by Governor 03/31/10

HB 4416: This measure expands the authority of the renewable water resources of Greenville County, originally created as the Greater Greenville Sewer District, pursuant to the provisions of Act 362 of 1925, to use the by-products of waste treatment facilities for alternate energy production.

Status: signed by Governor 03/31/10

HB 4523: Sales tax exemption for the gross sales proceeds or sales price of solar panels used for the generation of electricity.

Status: in committee

SB 4683: The bill creates the State Renewable Energy and Energy Efficiency Financing District Act. It authorizes a municipality or a county to establish a district to promote, encourage and facilitate renewable energy and energy development within a municipality or county. It also authorizes the imposition of an assessment for the purpose of financing renewable energy technology and energy efficiency improvements.

Status: in committee

SB 1192: This bill memorializes Congress to enact legislation expanding the Outer Continental Shelf (OCS) Oil and Gas Leasing Program to allow exploration and production of domestic supplies of natural gas off the coast of South Carolina, and to allow SC to receive 37.5% of funds due to the US from OCS natural gas leases to be expended by SC for such purposes as SC may determine.

Status: committee reported favorably 03/25/10

Tennessee

HB 738/SB 819: This measure establishes the "Tennessee Energy Conservation Endorsement Act of 2009." It directs the Tennessee Regulatory Authority to propose, implement and monitor programs that encourage the use of renewable energy technologies or sources, including solar, wind power, geothermal, biomass conversion, or the energy available from municipal, industrial, or agricultural wastes.

Status: HB 738 passed the House 06/17/09, sent to Senate; SB 819 reported favorably 04/21/09

SB 2912: This bill would add CO₂ as a pipeline product that is regulated by the Tennessee Regulatory Authority.

Status: sent to Governor 04/20/10

HB 3215/SB 3192: These bills set ASHRAE Standard 90.1-2007 as the minimum requirement for energy use in new buildings, other than one- and two-family dwellings and townhouses.

Status: in committee

HB 3331/SB 3601: These bills set the incentive amount for biodiesel manufacturers paid from the Biodiesel Manufacturers' Incentive Fund for the fiscal year 2010-2011 at 40 cents per gallon.

Status: in committee

Frequently Used Acronyms

ADEM – Alabama Department of Environmental Management	KDEP – Kentucky Department of Environmental Protection
AEPI – Army Environmental Policy Institute	KEEC - Kentucky Energy and Environment Cabinet
AKO – Army Knowledge Online	LRC – Legislative Research Commission
AQC – Air Quality Committee	MSDEQ – Mississippi Department of Environmental Quality
ARRS – Administrative Regulation Review Subcommittee	NAAQS – National Ambient Air Quality Standards
ASHRAE - American Society of Heating, Refrigerating, and Air-Conditioning Engineers	NCDENR – North Carolina Department of Natural Resources
AST – Aboveground Storage Tank	NEPA – National Environmental Policy Act
ATDSR - Agency for Toxic Substances and Disease Registry	NESHAPs – National Emission Standards for Hazardous Air Pollutants
BHEC – Board of Health and Environmental Control	NMFS – National Marine Fisheries Service
BMP - Best Management Practices	NOAA – National Oceanic and Atmospheric Administration
BNR – Board of Natural Resources	NO ₂ – Nitrous Dioxide
CAA – Clean Air Act	NO _x – Nitrogen Oxide
CAIR – Clean Air Interstate Rule	NASA – National Aeronautic and Space Administration
CEQ – Council on Environmental Quality	NPDES – National Pollutant Discharge Elimination System
CO - Carbon Monoxide	OSD – Office of the Secretary of Defense
CO ₂ – Carbon Dioxide	OREGA-S– Office of Regional Environmental and Governmental Affairs—Southern
CWA – Clean Water Act	PM2.5 – Fine Particulate Matter
CZMA – Coastal Zone Management Act	PM10 — Coarse Particulate Matter
DLA – Defense Logistics Agency	PROSPECT - Proponent-Sponsored Engineer Corps Training
DOE – Department of Energy	PSD – Prevention of Significant Deterioration
DoD – Department of Defense	RRC – Rules Review Commission
DOI – Department of Interior	SCDHEC – South Carolina Department of Health and Control
EIS – Environmental Impact Statement	SDWA – Safe Drinking Water Act
EO – Executive Order	SIP – State Implementation Plan
EMC – Environmental Management Commission	SOC – Statement of Consideration
EPA – Environmental Protection Agency	SO ₂ - Sulfur Dioxide
EPCRA – Emergency Planning and Community Right-to-Know Act	TAC – Technical Advisory Committee
ERC – Environmental Regulation Commission	TDEC – Tennessee Department of Environment and Conservation
ESA – Endangered Species Act	UECA – Uniform Environmental Covenants Act
FAW – Florida Administrative Weekly	USACE – United States Army Corps of Engineers
FDA – Food and Drug Administration	USDA – United States Department of Agriculture
FLDEP – Florida Department of Environmental Protection	USFWS – United States Fish and Wildlife Service
GADNR – Georgia Department of Natural Resources	UST – Underground Storage Tank
GAEPD – Georgia Environmental Protection Division	VOC – Volatile Organic Compound
GAO – Government Accountability Office	µg/m ³ —Micrograms per Meter Cubed
GC – Groundwater Committee	
GHG – Greenhouse Gas	
HAP - Hazardous Air Pollutant	
INRMP - Integrated Natural Resources Management Plan	
JCARR – Joint Committee on Administrative Regulation Review	