



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 8



The U.S. Army Regional Environmental & Energy Office

August 2014

The **WESTERN REGION 8 REVIEW** provides current information on natural resource, energy, and environmental issues relevant to Department of Defense interests in the six states that comprise Federal Region 8. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Western Region 8 Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. To receive a copy of this electronic publication, send an email request to nancy.l.reese2.ctr@mail.mil.



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FINAL POLICY INTERPRETATION OF "SIGNIFICANT PORTION OF ITS RANGE"

The Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) collectively issued a final policy providing their interpretations of the phrase "significant portion of its range" in Endangered Species Act (ESA) definitions of endangered species and threatened species. The services concluded that:

- If a species is found to be endangered or threatened throughout a significant portion of its range, the entire species is listed as endangered or threatened, respectively, and ESA protections apply to all individuals of the species wherever found;
- A portion of the range of a species is "significant" if the species is not currently endangered or threatened throughout all of its range, but the portion's contribution to the viability of the species is so important that, without the members in that portion, the species would be in danger of extinction, or likely to become so in the foreseeable future, throughout all of its range;
- The range of a species is considered to be the general geographical area within which that species can be found at the time FWS or NMFS makes any particular status determination; and
- If a vertebrate species is endangered or threatened throughout a significant portion of its range, and the population in that significant portion is a valid distinct population segment (DPS), the services will list the DPS rather than the entire taxonomic species or subspecies.

The policy was effective 31 JUL 14. For more information, contact Gina Shultz (FWS) at (703) 358-2171 or Marta Nammack (NMFS) at (301) 427-8469.

Region 8

For more information on any state issues in Region 8, contact [Julia Miller](#), Region 8 Program Coordinator (303) 844-0952.



TOXICS

TRANSPORTATION OF RADIOACTIVE MATERIAL The Colorado Department of Public Health and Environment (CDPHE) [adopted final amendments](#) to state rules governing the transportation of radioactive material. The amendments update references and align definitions with those used in other federal rules. The amendments update [Title 6, Colorado Code of Regulation \(CCR\) 1007-1, Part 17](#) (Transportation of Radioactive Material). The final rule was effective 1 JUL 14. For more information, contact [James Jarvis](#) at (303) 692-3464.

WATER

STORAGE TANKS The Colorado Department of Labor and Employment, Division of Oil and Public Safety [is proposing](#) amendments to its rules for releases from storage tanks, Article 5 (Release Response), 5 CCR 1101-14. The division is proposing to rewrite and reorganize the section, and make conforming amendments to the Article 1.5 (Definitions). The revisions incorporate risk based clean-up standards for chemicals of concern. A [public hearing](#) is scheduled for 15 AUG 14. If adopted, the rules would be effective 15 OCT 14. For more information, contact Erik Gessert at (303) 318-8520.

LEGISLATIVE DEVELOPMENTS

The [Colorado 2014 legislative session](#) began 8 JAN 14 and adjourned 7 MAY 14. For information about legislation in 2014, refer to the [June 2014 edition](#) of the Review.



WATER

CENTRAL CLARK FORK: WATER QUALITY PLAN AND TMDL The Montana Department of Environmental Quality (MDEQ) [held a public meeting](#) to provide information and accept written comments on a water quality plan for 13 tributary streams to the Clark Fork River. The [Central Clark Fork Tributaries TMDLs and Water Quality Improvement Plan](#) describes water quality issues in several tributaries to the Clark Fork River, between the towns of Drummond and Superior. The streams subject to the TMDL are: Dry Creek, Flat Creek, Trout Creek, Nemote Creek, West Fork Petty Creek, Petty Creek, Stony Creek, Grant Creek, Cramer Creek, Tenmile Creek, Deep Creek, Mulkey Creek, and Rattler Gulch. The document provides a total maximum daily load (TMDL) for these waterbodies and outlines a strategy for

improving water quality in order to meet Montana's surface water quality standards. Comments were due 12 AUG 14. For more information, contact [Jordan Tollefson](#) at (406) 444-5341, or visit MDEQ's [website](#).

LOWER BEAVERHEAD AND UPPER JEFFERSON RIVER: TMDLS MDEQ [announced](#) two public meetings to provide information, answer questions, and accept written comments on the [Lower Beaverhead River and Upper Jefferson River Temperature TMDLs](#) document. The document describes a temperature study conducted on the lower portion of the Beaverhead River located in Beaverhead County and the upper portion of the Jefferson River located in Silver Bow, Jefferson, and Madison counties. The river segments do not need water quality standards for temperature. The public meetings were held 15 and 17 JUL 14. Comments were due 7 AUG 14. For more information, contact [Kristy Fortman](#) at (406) 444-7425 or visit MDEQ's [website](#).

TOBACCO PLANNING AREA: WATER QUALITY PLAN AND TMDLS MDEQ [held a public meeting](#) to provide information about the [Tobacco Planning Area Nutrient and Temperature TMDLs and Water Quality Improvement Plan](#). The public meeting was held 23 JUL 14. Comments were due 12 AUG 14. For more information, contact [Christina Staten](#) at (406) 444-2836 or visit MDEQ's [website](#).

SEWAGE SYSTEM RULES MDEQ [is considering amendments](#) to state rules governing use and operation of sewage systems. The rulemaking would amend the Administrative Rules of Montana (ARM) [17.36.326](#) (Sewage Systems: Agreements and Easements) and [17.36.327](#) (Sewage Systems: Existing Systems). The department [canceled a public hearing](#) scheduled for 23 JUL 14 after it determined that it needed to formulate additional rules before proceeding with the proposed amendments. MDEQ intends to reschedule the hearing after it publishes the additional rules. For more information, contact [Elois Johnson](#) at (406) 444-2630.

LEGISLATIVE DEVELOPMENTS

Montana does not hold a regular legislative session in 2014.



WATER

WATER APPROPRIATIONS The North Dakota State Engineer and State Water Commission [adopted amendments](#) to water appropriations rules. The [rulemaking](#) amends North Dakota Administrative Code Articles 89-03 (Water Appropriations), 89-06 (Funding from the Resources Trust Fund), 89-07 (Atmospheric Resource Board), 89-10 (Sovereign Lands), and 89-11 (Drought Disaster Livestock Water Supply Project Assistance Program). The [final rules](#) were effective 1 JUL 14. For more information, contact the [commission](#).

LEGISLATIVE DEVELOPMENTS

North Dakota does not hold a regular legislative session in 2014.



LEGISLATIVE DEVELOPMENTS

The [South Dakota 2014 legislative session](#) began 14 JAN 14 and adjourned 31 MAR 14. For information about legislation in 2014, refer to the [April 2014](#) edition of the Review.



AIR

AUTOMOTIVE REFINISHING COATINGS The Utah Department of Environmental Quality (UDEQ) [is proposing](#) amendments to rule R307-354 (Automotive Refinishing Coatings). The department is taking this action in response to the Environmental Protection Agency's (EPA's) [decision](#) that it cannot approve R307-354 as a Reasonable Available Control Technology (RACT) rule as part of Utah's fine particulate (PM_{2.5}) State Implementation Plan (SIP) until clarifying amendments have been made. EPA requires clarification that the amount of control removal specified in each rule is based on the entire system and an expansion of inspection and recordkeeping requirements. Comments are due 2 SEP 14. For more information, contact [Mark Berger](#) at (801) 536-4000.

EMISSIONS FROM AEROSPACE MANUFACTURE AND REWORK FACILITIES UDEQ [is proposing](#) amendments to rule R307-355 (Control of Emissions from Aerospace Manufacture and Rework Facilities). The department is taking this action in response to [EPA's decision](#) that it cannot approve R307-355 as a RACT rule as part of Utah's PM_{2.5} SIP until clarifying amendments have been made. The amendments would require an overall control efficiency of the add-on emission control system of at least 81%, clarify methodology for determining capture efficiency, and include additional recordkeeping requirements for the add-on emission control system. Comments are due 2 SEP 14. For more information, contact [Mark Berger](#) at (801) 536-4000.

SOLVENT DEGREASING OPERATIONS UDEQ [is proposing](#) amendments to rule R307-335 (Degreasing and Solvent Cleaning Operations). The department is taking this action in response to [EPA's decision](#) that it cannot approve R307-335 as a RACT rule as part of Utah's PM_{2.5} SIP until clarifying amendments have been made. The amendments would clarify methodology for determining capture efficiency and include additional recordkeeping requirements for the add-on emission control system. Comments are due 2 SEP 14. For more information, contact [Mark Berger](#) at (801) 536-4000.

NATURAL RESOURCES

AQUATIC INVASIVE SPECIES The Utah Department of Natural Resources [adopted amendments](#) to its aquatic invasive species interdiction rules (R657-60). The amendments establish inspection stations to prevent the spread of Dreissena mussels. The [final rule](#) was effective 24 JUN 14. For more information, contact [Staci Coons](#) at (801) 538-4718.

WASTE

EXCLUSIONS: SOLVENT-CONTAMINATED WIPES UDEQ [is proposing](#) amendments intended to streamline management of solvent-contaminated wipes. The amendments to rule R315-2 (General Requirements – Identification and Listing of Hazardous Waste), Section 4 (Exclusions) would allow a generator of hazardous waste solvent-contaminated rags (and wipes) to dispose of the rags (and wipes) in certain lined nonhazardous solid waste landfills. The revisions specify the conditions under which the disposal of such rags (and wipes) can take place and allow for and set conditions under which they can be sent to a laundry for cleaning. Comments were due 31 JUL 14. For more information, contact [Ralph Bohn](#) at (801) 536-0212.

DEFINITIONS: SOLVENT-CONTAMINATED WIPE AND NO FREE LIQUIDS UDEQ [is proposing](#) to add definitions for the terms solvent-contaminated wipe and no free liquids to rule R315-1-1 (Utah Hazardous Waste Definitions and References). The amendments are intended to align R315-1-1 with proposed concurrent amendments to R315-2-4. Comments were due 31 JUL 14. For more information, contact [Ralph Bohn](#) at (801) 536-0212.

USED OIL MANAGEMENT UDEQ [is proposing](#) amendments to its rules for the management of used oil, rule [R315-15](#). The amendments are intended to clarify requirements and align state rule with federal regulation. The amendments would update polychlorinated biphenyl (PCB) standards, containment requirements, and filter regulations. Other

amendments clarify the standards applicable to burners of on-specification and off-specification used oil. Provisions regarding used oil handler certificates are also clarified. Comments were due 31 JUL 14. For more information, contact [Ralph Bohn](#) at (801) 536-0212.

WATER

WATER QUALITY: BLUE CREEK RESERVOIR AND BLUE CREEK UDEQ [adopted](#) a site specific total dissolved solids standard for Blue Creek Reservoir and Blue Creek. State rules (R317-2-7) allow for site-specific standards where natural or unalterable conditions prevent attainment of statewide water quality standards. The final rule was effective 2 JUL 14. For more information, contact [Judy Etherington](#) at (801) 536-4344.

TMDL: ROCKPORT AND ECHO RESERVOIRS UDEQ [adopted](#) amendments that incorporate by reference the completed TMDL studies for Rockport Reservoir and Echo Reservoir for dissolved oxygen. The final rule was effective 1 AUG 14. For more information, contact [Judy Etherington](#) at (801) 536-4344.

WASTE DISPOSAL BY LIQUID SCAVENGER OPERATIONS UDEQ [adopted updates](#) to its rules for waste disposal by liquid scavenger operations (collection, transportation, storage, or disposal of black water by a collection vehicle), [R317-550](#). The amendments align the rule with recent changes made to R317-4 (Onsite Wastewater Systems). The amendments update definitions, require liquid waste operators to obtain a permit from the local health department, and specify removal requirements. The final rule was effective 30 JUL 14. For more information, contact [Judy Etherington](#) at (801) 536-4344.

LEGISLATIVE DEVELOPMENTS

The [Utah 2014 legislative session](#) began 27 JAN 14 and adjourned 13 MAR 14. For information about legislation in 2014, refer to the [April 2014](#) edition of the Review.



LEGISLATIVE DEVELOPMENTS

The [Wyoming 2014 legislative session](#) began 10 FEB 14 and adjourned 6 MAR 14. For information about legislation in 2014, refer to the [April 2014](#) edition of the Review.

Department of Defense Activity

NATURAL RESOURCES

2014 REPI AWARDS Fort Huachuca, Arizona, and Naval Air Station (NAS) Patuxent River, Maryland, [were named](#) as winners of the 2014 Readiness and Environmental Protection Integration (REPI) Challenge, an initiative designed to promote innovative land conservation efforts that benefit military readiness, neighboring communities, and the environment. A REPI Challenge award of \$4 million for Fort Huachuca will leverage more than \$9 million in partner contributions to permanently restrict development on 5,900 acres of rangeland. "This buffer protects more than 160,000 annual air operations and reduces proliferation of electromagnetic interference for 800 square miles of air space," said REPI Program Director Kristin Thomasgard-Spence. "Protecting these lands will prevent the development of up to 1,400 new wells, ensuring availability of scarce groundwater resources for the installation, the surrounding community, and the local native grassland habitat." A REPI Challenge award of \$1 million for NAS Patuxent River will

be leveraged by more than 5:1 with contributions from partners to protect 2,259 acres of forests, wetlands, and farmland, as part of a broader 8,500-acre wildlife corridor area, Thomasgard-Spence said. "The project helps reduce noise and safety concerns, and prevents costly restrictions and delays to training and testing."

SUSTAINABILITY

DoD GUIDANCE: SUSTAINABILITY IN ACQUISITIONS In May 2014, DoD released [draft version 2.0 guidance](#) for integrating sustainability into DoD acquisitions. The document provides guidance on how to complete a sustainability analysis and how to use the results to inform decisions. For more information, visit the [DENIX website](#).

Federal Activity

AIR

LANDFILL EMISSIONS REDUCTIONS EPA is seeking input from the public on methods to reduce emissions from existing municipal solid waste (MSW) landfills ([79 FR 41771](#)). MSW landfill emissions are commonly referred to as landfill gas. Landfill gases typically contain carbon dioxide (CO₂), methane, and nonmethane organic compounds. Some existing landfills are currently subject to control requirements under the landfill new source performance standards (NSPS) or federal or state plans implementing landfill emission guidelines. EPA believes that these guidelines merit review to determine the potential for additional reductions in emissions of landfill gas. Comments are due 15 SEP 14. For more information, contact [Hillary Ward](#) at (919) 541-3154.

STANDARDS OF PERFORMANCE FOR MSW LANDFILLS EPA is proposing to update the standards of performance for MSW landfills by adding new subpart XXX to Title 40 Code of Federal Regulation (CFR) Part 60 ([79 FR 41795](#)). The standard applies to landfills that commence construction, reconstruction, or modification after 17 JUL 14. The proposed standards reflect changes to the population of landfills and an analysis of the timing and methods for reducing emissions. The proposed standards also address other regulatory issues including the definition of landfill gas treatment systems, among other topics. The new subpart is intended to reduce emissions of landfill gas. Comments are due 15 SEP 14. For more information, contact [Hillary Ward](#) at (919) 541-3154.

NESHAP FOR OFF-SITE WASTE AND RECOVERY OPERATIONS EPA is proposing amendments to national emission standards for hazardous air pollutants (NESHAP) for off-site waste and recovery operations (OSWRO) ([79 FR 37849](#)). The agency is proposing to amend leak detection and repair requirements for certain tanks; revise regulatory provisions pertaining to emissions during startup, shutdown, and malfunction; add electronic reporting requirements; revise routine maintenance provisions; make clarifications; and add monitoring requirements. The OSWRO source category was initially titled the Solid Waste Treatment, Storage, and Disposal Facilities (TSDF) source category, which included commercial facilities that treat, store or dispose of any solid waste received from off-site, as well as commercial facilities that recycle, recover, and re-refine wastes received from off-site. It was renamed to better distinguish this source category from other source categories and to emphasize that this source category addresses only activities that manage wastes received from off-site sources. Comments are due 18 AUG 14. For more information, contact [Paula Hirtz](#) at (919) 541-2618.

OZONE-DEPLETING SUBSTANCES: ACCEPTABLE SUBSTITUTES EPA is proposing to list a number of flammable refrigerants as acceptable substitutes (subject to use conditions) for ozone-depleting substances in several end uses ([79 FR 38811](#)). The end uses are household refrigerators and freezers, stand-alone commercial refrigerators and freezers, very low temperature refrigeration, non-mechanical heat transfer, vending machines, and room air conditioning units. In addition, the agency is proposing to exempt the substitutes subject to this rulemaking from the prohibition on

venting, release, or disposal. Comments are due 8 SEP 14. For more information, contact [Margaret Sheppard](#) at (202) 343-9163.

CLIMATE CHANGE

CLIMATE CHANGE ADAPTATION EPA issued a [policy statement on climate change adaptation](#) that directs staff to implement seven actions:

- Modernize EPA financial assistance programs to encourage climate-resilient investments;
- Provide information, tools, training, and technical support for climate-change preparedness;
- Implement priority actions identified in the EPA's Climate Change Adaptation Plan and the Implementation Plans;
- Focus on the most vulnerable people and places;
- Measure and evaluate performance;
- Continue agency planning for climate change related risk; and
- Coordinate with other federal agencies.

GHG REPORTING PROGRAM: ADDITION OF GLOBAL WARMING POTENTIALS EPA is proposing to add chemical-specific and default global warming potentials (GWPs) for a number of fluorinated greenhouse gases (GHGs) and fluorinated heat transfer fluids to the general provisions of the GHG reporting rule ([79 FR 44332](#)). Currently, these fluorinated GHGs and fluorinated heat transfer fluids are not assigned GWPs under the rule. The proposed changes would increase the completeness and accuracy of the CO₂-equivalent (CO₂e) emissions calculated and reported by suppliers and emitters of fluorinated GHGs and fluorinated heat transfer fluids. In addition, the EPA is proposing conforming changes to the provisions for the Electronics Manufacturing and Fluorinated Gas Production source categories. Comments are due 2 SEP 14. For more information, contact [Carole Cook](#) at (202) 343-9263.

OPPORTUNITIES TO REDUCE FISCAL EXPOSURE FROM CLIMATE CHANGE AND EXTREME WEATHER The Government Accountability Office (GAO) released testimony to the Senate Committee on the Budget regarding opportunities to reduce federal fiscal exposures through greater resilience to climate change and extreme weather ([GAO-14-504T](#)). GAO's primary finding was that climate change and related extreme weather impacts on infrastructure and federal lands increase fiscal exposures that the federal budget does not fully reflect. According to GAO testimony, implementing resilience measures creates additional up-front costs but may also results in reduced future damages.

SUSTAINABILITY

GREEN INFRASTRUCTURE COLLABORATIVE EPA announced a [Green Infrastructure Collaborative](#) with the support of six other government agencies, including DoD. EPA joined with the Departments of Transportation, Housing and Urban Development, Agriculture, Interior, Energy, and Defense to release a [Federal Letter of Support](#) for green infrastructure. The letter specifies agency commitments. DoD commitments include:

- Removing site building pads for all demolition projects that are not for replacement structures (to further increase pervious surfaces);
- Updating the Unified Facilities Criteria on Landscape Architecture (3-201-02), to clarify guidance on green infrastructure;
- Developing guidance on operation and maintenance of green infrastructure on military bases; and
- Providing training and awareness on green infrastructure tools and implementation.

EPA also launched a new [green infrastructure website](#) to demonstrate how green infrastructure can be used as an important tool for building community resilience to climate change impacts such as increased heavy rainfall and heat island effect, including an infographic and fact sheet.

3D ELEVATION PROGRAM PARTNERSHIP The U.S. Geological Survey (USGS) and other federal agencies launched a 3-dimensional elevation program ([3DEP](#)) partnership designed to bring federal agencies, academia, states, tribes, and communities together to develop advanced 3-dimensional mapping data of the United States. These data and related tools will be used in the areas of flood risk management, water resource planning, mitigation of coastal erosion and storm surge impacts, and identification of landslide hazards as an essential component of supporting action on climate resilience. This effort is an advancement of existing USGS elevation data products and services via the [National Elevation Dataset](#) (NED). NED activities will continue until a full transition to 3DEP is completed. In addition, USGS issued an announcement on how to partner with USGS and other federal agencies to acquire high quality 3D data. For more information, including fact sheets, announcements, and examples of 3DEP applications, visit the [3DEP website](#).

THREATENED AND ENDANGERED SPECIES

DRAFT POLICY: CREDITING CONSERVATION MEASURES TAKEN PRIOR TO LISTING FWS is seeking public comment on its draft policy of crediting voluntary conservation actions taken for species prior to their listing under ESA ([79 FR 42525](#)). The proposed policy seeks to give landowners, government agencies, and others incentives to carry out voluntary conservation actions for species before they are listed to mitigate (or to serve as a compensatory measure) for the detrimental effects of another action undertaken after listing. Under the proposal, the credit earned by undertaking a prelisting conservation action can be transferred to another party, under certain conditions. Comments are due 22 SEP 14. For more information, contact Jim Serfis at (703) 358-2171 or visit the [rulemaking docket](#) (R9-ES-2011-0099).

THREATENED AND ENDANGERED SPECIES LIST UPDATE FWS updated the list of threatened and endangered species published at [50 CFR 17.11\(h\)](#) ([79 FR 42687](#)). The amendments are based on previously published determinations by NMFS, which has jurisdiction for these species. FWS, which has responsibility for maintaining the list, added several marine taxa, removed one species, and revised the entries of many more, based on NMFS final determinations. The final rule was effective 23 JUL 14. For more information, contact Michael Franz at (703) 358-2171.

NEW MEXICO MEADOW JUMPING MOUSE FWS is proposing to designate critical habitat for the New Mexico meadow jumping mouse (*Zapus hudsonius luteus*) ([79 FR 37327](#)). The agency is proposing to designate approximately 14,560 acres of critical habitat within Bernalillo, Colfax, Mora, Otero, Rio Arriba, Sandoval, and Socorro counties in New Mexico; Las Animas, Archuleta, and La Plata counties in Colorado; and Greenlee and Apache counties in Arizona. Comments are due 19 AUG 14. For more information, contact Wally Murphy at (505) 346-2525.

FIVE-YEAR STATUS REVIEWS FOR 11 SPECIES FWS is conducting five-year status reviews for nine animal and two plant species ([79 FR 38560](#)). Of the 11 species, the Northern Great Plains population of [piping plover](#) is found in Colorado, Montana, North Dakota, and South Dakota. Comments are due 8 SEP 14. For more information, contact [Carol Aron](#) at (701) 250-4481.

SAGE GROUSE CONSERVATION MEASURES TO BE INCORPORATED INTO BLM LAND USE PLANS The Bureau of Land Management (BLM) announced it intends to incorporate [Gunnison sage-grouse conservation measures](#) into resource management plans (RMPs) within the range of the species and prepare an associated environmental impact statement (EIS) ([79 FR 42033](#)). BLM also announced the beginning of the scoping process to solicit public comment and identify issues. Comments are due 18 AUG 14. For more information, contact [Leigh Espy](#) at (303) 239-3801.

TOXICS

LEAD BASED PAINT HAZARDS EPA submitted an information collection request to the Office of Management and Budget (OMB) for a "Survey of the Public and Commercial Building Industry" to evaluate whether and what type of regulatory action might be appropriate to control exposures to lead dust resulting from renovation, repair, and painting (RRP) activities ([79 FR 44168](#)). Information from the survey will be used to determine the need for and scope of potential regulatory or other actions to reduce exposures to lead dust from RRP activities in public and commercial buildings. For more information, contact [Judith Brown](#) at (202) 564-3218.

HAZMAT TRANSPORT: RADIOACTIVE MATERIALS The Pipeline and Hazardous Materials Safety Administration (PHMSA), in coordination with the Nuclear Regulatory Commission (NRC), is making harmonizing amendments to its regulations for the transport of Class 7 (radioactive) materials ([79 FR 40598](#)). The amendments align definitions with those found in the International Atomic Energy Agency (IAEA) publication [TS-R-1](#). PHMSA is also including more detailed language describing information required to be included as part of the Type A package documentation. The final rules are effective 1 OCT 14. For more information, contact Steven Webb at (202) 366-8553.

HAZMAT TRANSPORT: BULK EXPLOSIVES PHMSA is proposing to amend the Hazardous Materials Regulations by establishing standards for the safe transportation of bulk explosives ([79 FR 41185](#)). The proposed rule would authorize the transportation of certain explosives, ammonium nitrates, ammonium nitrate emulsions, and other specific hazardous materials in bulk packaging that are not otherwise authorized under the regulations. Comments are due 15 SEP 14. For more information, contact Matthew Nickels at (202) 366-8553.

WATER

GROUNDWATER DEPLETION IN THE COLORADO RIVER BASIN A [study](#) by the National Aeronautics and Space Administration (NASA) and University of California, Irvine, found more than 75% of the water loss in the drought-stricken Colorado River Basin since late 2004 came from underground resources. The study is the first to quantify the amount that groundwater contributes to the water needs of western states. The NASA study reported that monthly measurements taken from December 2004 to November 2013 revealed the basin lost nearly 53 million acre feet (65 cubic kilometers) of freshwater. More than three-quarters of the total loss (approximately 41 million acre feet, or 50 cubic kilometers) was from groundwater.

HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND CONTROL AMENDMENTS ACT OF 2014 The [Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014](#), Public Law No: 113-124, has been enacted. The act strengthens the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, codified at [Title 16, United States Code \(USC\), Section 1451](#). The National Oceanic and Atmospheric Administration (NOAA) has primary responsibility for administering the program. The amendments require NOAA to develop a comprehensive research plan and action strategy to address marine and freshwater harmful algal blooms and hypoxia. Two years after publication of the action strategy, NOAA will prepare a report to Congress on activities and progress.

GAO REPORT ON EPA UIC PROGRAM AND DISPOSAL OF HYDRAULIC FRACTURING FLUIDS The Government Accountability Office (GAO) was asked to review EPA's oversight of the class II underground injection control (UIC) program ([GAO 14-555](#)). As part of this effort, GAO reviewed eight state programs (39 states have EPA-approved class II injection well programs). GAO estimates that daily, at least two billion gallons of fluid are injected into 172,000 wells to enhance oil recovery and to dispose of fluids brought to the surface. Because much of the population of the U.S. relies on underground sources for drinking water, these wells have raised concerns about the safety of the nation's drinking water. GAO recommends that, among other things, EPA review emerging risks related to class II UIC program safeguards and ensure that it can effectively oversee and efficiently enforce class II UIC requirements. For more information, contact [Jose Gómez](#) at (202) 512-3841.

COLORADO ELECTRONIC REPORTING RULE EPA approved revisions to the Colorado National Primary Drinking Water Regulations Implementation to allow electronic reporting ([79 FR 40754](#)). The final rule was effective 13 AUG 14. For more information, contact Karen Seeh at (202) 566-1175.

Professional Development

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER - [FedCenter.gov](#) is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- P2 opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);
- Access to free, FedCenter-sponsored courses:
 - [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
 - [Environmental Management Systems](#) (FedCenter membership required);
 - [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental [conferences](#), meetings, [training](#), and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

- Collaboration tools for workgroups,
- Environmental reporting tools, and
- Daily newsletter and subscription services.

USACE PROSPECT TRAINING USACE announces course availability for the FY15 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to all federal, state, county and city employees and contractors. There are different registration processes for each entity. Please refer to the [Course Catalog](#) and [List of Classes and schedule](#) for details.

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

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charges. Travel costs are borne by the student.

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS The U.S. Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the [US Army Environmental Command \(AEC\) website](#), which has links to training provided by DoD organizations.

Online Training

FEMP eTRAINING COURSES The Federal Energy Management Program (FEMP) offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy water-management and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide (WBDG) to host these comprehensive, FEMP-developed eTraining courses. [Promotional materials](#) are available to help federal agencies encourage the completion of FEMP's eTraining courses. For more information about FEMP eTraining courses, contact [Beverly Dyer](#) at (202) 586-7753. The following courses are available:

- [Advanced Electric Metering in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Building Automation Systems for Existing Federal Facilities](#) (3.5 hours, .40 CEUs)

- [Commissioning for Existing Federal Buildings](#) (4.5 hours, .50 CEUs)
- [Energy-Efficient Federal Purchasing](#) (4.5 hours, .50 CEUs)
- [Energy Savings Performance Contracting](#) (8.5 hours, .90 CEUs)
- [Federal On-Site Renewable Power Purchase Agreements](#) (2.5 hours, .30 CEUs)
- [Launching a Utility Energy Services Contract \(UESC\): Getting to Yes!](#) (3 hours, .40 CEUs)
- [Managing Water Assessment in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Measurement and Verification in ESPCs](#) (3 hours, .40 CEUs)
- [Planning an Energy Assessment for Federal Facilities](#) (4 hours, .50 CEUs)
- [Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Sustainable Institutional Change for Federal Facility Managers](#) (3 hours, .40 CEUs)
- [Utility Service Contracts and Energy Project Incentive Funds](#) (90 minutes)

ENERGY STAR WEBCASTS. Among the offerings:

- [Federal Guiding Principles Checklist](#) – This webcast will teach federal energy and sustainability professionals how to use the ENERGY STAR® measurement and tracking tool, Portfolio Manager, to help ensure compliance with the Guiding Principles for High Performance Sustainable Buildings required by Executive Orders 13423 and 13514. The focus is on the Guiding Principles for Sustainable Existing Buildings.
- [Portfolio Manager 101](#) – This webcast demonstrates the core functionality of EPA’s new Energy Star Portfolio Manager tool. Attendees will learn to navigate the new Portfolio Manager, add a property and enter details, enter energy and water consumption data, share properties, generate performance reports to assess progress, and respond to data requests.
- [Portfolio Manager 201](#) – This webcast will explore advanced functionalities of EPA’s Energy Star Portfolio Manager tool, including managing and tracking changes to property uses over time; using spreadsheet templates to update property data; setting goals and targets to plan energy improvements for properties; generating and using custom reports; and using the Sustainable Buildings Checklist.

CLIMATE READY WATER UTILITIES EPA’s Climate Ready Water Utilities initiative assists the water sector (drinking water, wastewater, and stormwater utilities) in addressing impacts from climate change. This information helps utility owners and operators better prepare their systems for the impacts of climate change. The website has links to [tools and resources](#), new and recorded [training webinars](#), and more.

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES This [webinar series](#) was developed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

WATER’S IMPACT ON THE ENERGY SECTOR This on-demand webinar features Stacy Tellinghuisen, senior energy/water policy analyst at Western Resource Advocates, who shares new research on the national impacts of water scarcity on the energy sector, including how the expanded use of renewable energy and energy efficiency can help reduce the potential impacts that prolonged droughts will have on the energy sector.

READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM – Webinar Series The REPI Webinar Series is presented by DoD in partnership with the [Land Trust Alliance](#). This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted.

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

sewer overflows, energy management, green infrastructure, pesticides, pretreatment, sanitary sewer overflows, and stormwater.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of live and archived webinars. Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management (SMM) is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

ITRC INTERNET BASED TRAINING The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers training courses 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. Visit the site often to view upcoming internet-based training events.

EPA RCRA TRAINING RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout EPA'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. Topics include general RCRA, RCRA corrective action, Environmental Management Systems (EMS), e-waste, groundwater characterization and cleanup, land revitalization, land disposal restrictions, sustainable materials management web academy, and environmental justice and RCRA permitting.

AMPHIBIAN AND REPTILE WEB-BASED LECTURE SERIES DoD's [Partners in Amphibian and Reptile Conservation \(PARC\)](#) hosts a monthly lecture series conducted by DoD biologists and professional herpetologists. The lecture series is conducted using Defense Connect Online. The goal of the lecture series is to help members stay connected and keep up with scientific studies and news. Copies of previous lectures are available on the PARC group and photo site.

AREA SOURCE BOILER RULE VIDEO SERIES This [EPA video series](#) explaining the Area Source Boiler Rule consists of modules regarding:

- An overview of rule applicability, including specific rule requirements and compliance dates;
- How to conduct an energy assessment;
- How to conduct a boiler tune-up; and
- Recordkeeping and reporting requirements of the rule.

Area sources are commercial (e.g., laundries, apartments, hotels), institutional (e.g., schools, churches, medical centers, municipal buildings) or industrial (e.g., manufacturing, refining, processing, mining) facilities that emit or have the potential to emit less than 10 tons per year (tpy) of a single hazardous air pollutant, or less than 25 tpy combined hazardous air pollutants. The Area Source Boiler Rule affects boilers at these facilities that burn coal (including coal refuse, petroleum coke, or synthetic fuels derived from coal), oil or other liquid fuel, biomass, and non-waste materials.

FOG PREVENTION TRAINING FOR RURAL COMMUNITIES IN THE PACIFIC NORTHWEST. The Pacific Northwest Pollution Prevention Resource Center (PPRC) is providing one day workshops for rural communities in Idaho, Oregon, and Washington to reduce the harmful impacts of fats, oils, and grease (FOG) in sewers. For information about remaining workshop locations, dates, and times, contact the [Pacific Northwest Pollution Prevention Resource Center](#).

BEST PRACTICES FOR COMPREHENSIVE WATER MANAGEMENT FOR FEDERAL FACILITIES This comprehensive water management training provides federal facility and energy managers with knowledge and skills to assist in meeting water-related legislative and executive order requirements. Learners will develop skills in increasing water efficiency and reducing water use through sound operations and maintenance practices and water-efficient technologies. Several

methods for meeting needs for non-potable water through alternate water sources, such as rainwater harvesting, reclaimed wastewater, and gray water are discussed. Water metering is covered, as well as life cycle costing and establishing the overall economics for strategic water management.

PRELIMINARY ASSESSMENT AND SITE INSPECTION (PA/SI) WEBINAR SERIES The CERCLA Education Center (CEC) is offering archived versions of its nine-part Preliminary Assessment and Site Inspection (PA/SI) [webinar series](#). PA/SI is an intermediate training course designed for personnel who are required to compile, draft, and review PA, SI and hazard ranking system (HRS) documentation records and packages submitted for sites proposed for the National Priorities List (NPL). More information is available at www.clu-in.org.

DISTRIBUTED-SCALE RENEWABLE ENERGY PROJECTS: FROM PLANNING TO PROJECT CLOSEOUT [This 2.5 hour webinar](#) focuses on the planning and implementation of distributed-scale renewable energy projects (i.e., those smaller than 10 megawatts). The on-demand course outlines a detailed 10-step process from technology screening to project closeout. It explores online tools and resources for renewable energy projects on federal sites.

***14 OCT 14. PREDICTING CLIMATE CHANGE IMPACTS ON RIVER ECOSYSTEMS AND SALMONIDS ACROSS THE PACIFIC NORTHWEST** Understanding how climate change will influence the abundance, distribution, genetic diversity, and value of native salmonid fish species is crucial for their management and recovery. This project will use modeling techniques to study how climate change might affect freshwater habitats of key trout and salmon species throughout the Pacific Northwest. The goal of the study is to develop and provide novel tools that will help managers predict and respond to potential climate change-induced impacts on habitats, populations, and economies.

* indicates the first time a professional development opportunity appears in the Review.

How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Western Region Review* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) a disproportionate effect on the Army or DoD, we coordinate with the potentially affected installations, commands, and/or other military Services to further assess the potential impact. If action is needed on a proposed measure we work with Army or Service regulatory experts to communicate DA/DoD position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD/Army package and formally submitted to the state.

Want to comment on a rule or bill in the Review?

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Acronyms

ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
AFFF	aqueous film forming foam
ARM	Administrative Rules of Montana
ATSDR	Agency for Toxic Substances and Disease Registry
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAIR	Clean Air Interstate Rule
CAMR	Clean Air Mercury Rule
CCR	Code of Colorado Regulations
CDNR	Colorado Department of Natural Resources
CDPHE	Colorado Department of Public Health and Environment
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH ₄	methane
CNOR	candidate notice of review
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
COE	Corps of Engineers
CrVI	hexavalent chromium
CSB	Chemical Safety Board
CWA	Clean Water Act
CWQCC	Colorado Water Quality Control Commission
CX	categorical exclusion
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	Department of Transportation
ECA	emission control area
DPS	distinct population segment
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EO	Executive Order
EPA	Environmental Protection Agency
EQC	Environmental Quality Council
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FS	Forest Service
FWS	Fish and Wildlife Service
FY	fiscal year
GAO	Government Accountability Office
GHG	greenhouse gas

GSA	General Service Administration
HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
INRMP	integrated natural resource management plan
ISEERB	Interservice Environmental Education Review Board
ITRC	Interstate Technology and Regulatory Council
JLUS	Joint Land Use Study
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
MACT	maximum achievable control technology
MBER	Montana Board of Environmental Review
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MDEQ	Montana Department of Environmental Quality
MDNRC	Montana Department of Natural Resources and Conservation
MERIT	Materials of Evolving Regulatory Interest Team
MGA	Midwestern Governors Association
MOU	memorandum of understanding
MMS	Minerals Management Service
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NDDOH	North Dakota Department of Health
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF ₃	nitrogen trifluoride
NHTSA	National Highway Transportation Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO ₂	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
NSPS	New Source Performance Standard
NSR	New Source Review
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
ORW	outstanding resource water
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PM	particulate matter
PM _{2.5}	particulate matter 2.5 microns in diameter or less
PM ₁₀	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
RGGI	Regional Greenhouse Gas Initiative

RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SDDENR	South Dakota Department of Environment and Natural Resources
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	State Implementation Plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
SO ₂	sulfur dioxide
SO _x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TiO ₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UDEQ	Utah Department of Environmental Quality
UDNR	Utah Department of Natural Resources
UFC	Unified Facilities Criteria
ug/m ³	micrograms per cubic meter
UPDES	Utah Pollutant Discharge Elimination System
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WCI	Western Climate Initiative
WDEQ	Wyoming Department of Environmental Quality
WGA	Western Governors' Association
WOSL	Wyoming Office of State Lands
WRAP	Western Regional Air Partnership