



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 9



The U.S. Army Regional Environmental & Energy Office

August 2014

The **WESTERN REGION 9 REVIEW** provides current information on natural resource, energy, and environmental issues relevant to Department of Defense interests in the 4 states and territories that comprise Federal Region 9. 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 9 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"

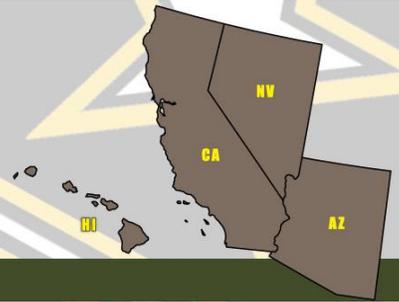
The Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) collectively issued a final policy providing their interpretations of the phrase "significant portion of its range" in Endangered Species Act (ESA) definitions of endangered species and threatened species. The services concluded 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 9

For more information on any state issues in Region 9, contact [Tim Kilgannon](#), Region 9 Environmental Coordinator (303) 844-0953.



AIR

INCORPORATION BY REFERENCE The Arizona Department of Environmental Quality (ADEQ) [is proposing](#) to incorporate by reference federal air quality rules published in the Federal Register between 1 JUL 06 and 28 JUN 13. To maintain EPA delegation, the department is proposing to incorporate by reference new and updated federal New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Acid Rain, and other parts of Title 40 Code of Federal Regulations (CFR). The proposed rulemaking would amend state rule R18-2-210, R18-2-333, R18-2-901, R18-2-1101, and Appendix 2. Comments are due 19 AUG 14. For more information, contact [Danielle Hazeltine](#) at (602) 771-4210.

MARICOPA COUNTY: INCORPORATION BY REFERENCE The Maricopa County Air Quality Department [is proposing](#) to incorporate federal actions related to NSPS, NESHAP, Acid Rain and other parts of 40 CFR. This action is necessary to maintain delegation of authority to enforce federal rules documented in:

- Regulation III (Control of Air Contaminants);
- Rule 321 (Municipal Solid Waste Landfills);
- Rule 360 (New Source Performance Standards);
- Rule 270 (Federal Hazardous Air Pollutant Program); and
- Rule 371 (Acid Rain).

Comments are due 25 AUG 14. For more information, contact [Cheri Dale](#) at (602) 506-6010.

WATER

DELEGATION OF DRINKING WATER PROGRAM TO CASA GRANDE ADEQ [is proposing](#) to delegate to the city of Casa Grande the local authority to implement certain elements of the state's drinking water program. The department is proposing to delegate these program elements:

- General functions and duties pertaining to the administration of Type 1 and Type 4 General Aquifer Protection Permits;
- Review and approval of the 4.01 General Aquifer Protection Permit for Sewage Collection Systems;
- Compliance and enforcement responsibilities for the 4.01 General Aquifer Protection Permit for Sewage Collection Systems;
- Public Drinking Water Facilities (only for stand-alone water line replacement and/or extension projects);
- Approval to Construct and Approval of Construction;

- Application review, construction inspection, and certificate issuance or denial as appropriate; and
- Compliance and enforcement.

Comments were due 2 AUG 14. For more information, contact [John Calkins](#) at (602) 771-4617.

DRINKING WATER/WASTEWATER OPERATOR FEES ADEQ is [proposing](#) new fees for certification of drinking water and wastewater operators. Under the proposed rule, fees would be assessed for fiscal year 2016. Historically, ADEQ's Operator Certification Program was funded via the state general fund, federal grants, and federal set-asides. In recent years, funding sources have been eliminated or decreased and remaining sources are anticipated to decrease further. In response, ADEQ is seeking to implement a new fee to fund the drinking water operator and wastewater treatment operator certification programs. In advance of the notice of proposed rulemaking, ADEQ solicited input from a stakeholder group. The department believes it has incorporated stakeholder comment into the proposed rule. A public hearing was held 11 AUG 13. Comments are due 26 AUG 14. For more information, contact [Wendy LeStarge](#).

LEGISLATIVE DEVELOPMENTS

The [2014 Arizona legislative session](#) began 13 JAN 14 and adjourned 24 APR 14. For information about legislation in 2014, refer to the [May 2014](#) edition of the Review.



AIR

AREA DESIGNATIONS The California Air Resources Board (CARB) [adopted amendments](#) to regulations designating areas of California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with state ambient air quality standards. The final regulation was effective 1 JUL 14. For more information, contact Webster Tasat at (916) 323-4950.

AIR TOXICS HOT SPOTS PROGRAM The California Office of Environmental Health Hazard Assessment (COEHHA) [released](#) the draft document, *Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments* for public comment. The draft document was developed for use in implementing the Air Toxic Hot Spots program. Comments are due 18 AUG 14. For more information, contact [David Siegel](#) at (916) 322-5624 or visit the COEHHA [hot spots website](#).

DISAPPROVED: VAPOR RECOVERY FOR CARGO TANKS AND GASOLINE DISPENSING FACILITIES The California Office of Administrative Law (COAL) [disapproved](#) CARB's [amendments to rules](#) for certification of vapor recovery systems for cargo tanks and vapor recovery systems at gasoline dispensing facilities using above ground storage tanks. The amendments were intended to resolve technical issues and reconcile existing procedures with current industry practices. COAL disapproved the regulation changes due to a failure to comply with the clarity standard of government code and because the final statement of reasons failed to include a summary and response to all public comments.

FEATHER RIVER: ARCHITECTURAL COATINGS The Feather River Air Quality Management District [is proposing](#) amendments to District Rule 3.15 (Architectural Coatings). The amendments are intended to limit the quantity of volatile organic compounds (VOCs) in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the district. A workshop was held 16 JUL 14 and a [public hearing](#) was held 4 AUG 14. Comments were due 21 JUL 14. For more information, contact Galen Ribellia at (530) 634-7659 ext. 308 or view the [staff report](#).

SOUTH COAST: FEES The South Coast Air Quality Management District [adopted](#) fee increases. The final rule includes an automatic consumer price index (CPI) increase of 1.6% applicable to most fee rates, an additional 3% increase in

permit processing and annual operating permit renewal fees for FY 2014/2015, and an additional 3% (cumulative 6%) for FY 2015/2016. The final rule was effective 6 JUN 14. For more information, contact [Tuyet-le Pham](#) at (909) 396-3299.

CLIMATE CHANGE

GREENHOUSE GAS EMISSIONS CARB [adopted](#) amendments to the California Cap on Greenhouse Gas (GHG) Emissions and Market-Based Compliance Mechanisms (GHG Cap-and-Trade) regulation. The amendments to the California GHG Cap-and-Trade regulation are intended to clarify implementation, address stakeholder concerns identified since initial implementation, and enhance the board's ability to oversee and implement the program. In addition to the new and amended regulatory provisions, CARB adopted and incorporated by reference the [Offset Protocol Mine Methane Capture Projects](#) (adopted 25 APR 14) and [Appendix A to the to Mine Methane Capture Projects](#) (released 4 SEP 13). The final rule was effective 1 JUL 14. For more information, contact Rajinder Sahota at (916) 323-8503 or visit the [rulemaking website](#).

GHG EMISSIONS AND MARKET-BASED COMPLIANCE MECHANISMS CARB [is proposing](#) amendments to the California GHG Cap-and-Trade regulation. The amendments are intended to provide additional transition assistance for covered entities. They address carbon dioxide (CO₂) imports, add three updated offset protocols, and modify provisions regarding implementation and oversight of the regulation. Comments are due 15 SEP 14. A public hearing is scheduled for 19 SEP 14. For more information, contact Rajinder Sahota at (916) 323-8503, or visit the [rulemaking website](#).

GHG FEE REGULATION CARB [is proposing](#) amendments to the Cost of Implementation Fee regulation. The amendments are intended to align the fee regulation with the mandatory reporting regulation and cap-and-trade provisions, clarify fee regulation provisions, and ensure fee payer equity. Comments are due 15 SEP 14. A public hearing is scheduled for 18 SEP 14. For more information, contact David Mallory at (916) 445-8316, or visit the [rulemaking website](#).

MANDATORY GHG REPORTING CARB is proposing amendments to California's existing Regulation for the Mandatory Reporting of Greenhouse Gas Emissions. The amendments are intended to support allocation of allowances and the calculation of compliance obligations under the GHG Cap-and-Trade regulation and ensure that reported GHG emissions data are accurate and complete. Comments are due 15 SEP 14. A public hearing is scheduled for 19 SEP 14. For more information, contact Brienne Aguila at (916) 324-0919 or visit the [rulemaking website](#).

ENDANGERED SPECIES

FLAT-TAILED HORNED LIZARD The California Fish and Game Commission [gave notice](#) that it received a petition to list the [flat-tailed horned lizard](#) (*Phrynosoma mcallii*) as endangered under the California Endangered Species Act. Flat-tailed horned lizards inhabit the Colorado and Sonoran Deserts in southeastern California, the extreme southwestern portion of Arizona, and Baja California and Sonora, Mexico. The species is restricted to hot, arid desert habitats typically below 1,000 feet in elevation. For more information, contact Laura Patterson at (916) 341-6981.

TOXICS

RODENTICIDES The California Department of Pesticide Regulation [designated](#) the active ingredients brodifacoum, bromadiolone, difenacoum, and difethialone as California-restricted materials, making all second-generation anticoagulant rodenticide (SGAR) products restricted materials. The rulemaking also includes additional use restrictions for SGARs and aligns the definition of private applicator with that found in 40 CFR 171.2(5). The final rule was effective 1 JUL 14. For more information, contact Linda Irokawa-Otani (916) 445-3991.

WATER

STATEWIDE DROUGHT: PROTECTION OF SENIOR WATER RIGHTS The California State Water Resources Control Board [adopted emergency regulations](#) addressing curtailment of water diversions based on insufficient flow to meet all needs. The regulations establish drought emergency curtailment method and reporting requirements to protect senior water rights. The regulations also clarify what information the board will rely on in issuing initial curtailments, make the curtailment a system of enforceable orders, and clarify the procedures for contesting and making exceptions to curtailment orders. The emergency regulations were effective 16 JUL 14. For more information, contact David Rose at (916) 341-5196.

NPDES PERMIT: DRAFT UTILITY VAULTS The California State Water Resources Control Board [is inviting public comment](#) on a [draft General National Pollutant Discharge Elimination System \(NPDES\) Permit for Discharges from Utility Vaults and Underground Structures to Surface Waters](#). The draft permit would replace [Water Quality Order 2006-0008-DWQ](#), which has expired. The permit covers short-term intermittent discharges from utility vaults and underground structures. Dischargers eligible to obtain coverage under this permit include, but are not limited to, suppliers of cable television, electricity, Internet, natural gas, and telephone services. Water, sewer, and storm drainage utilities are not eligible for coverage under this permit. Comments were due 1 AUG 14. A public hearing is scheduled for 23 SEP 14. For more information, contact [Victor Lopez](#) at (916) 323-5511 or visit the [rulemaking website](#).

OCEAN PLAN: DESALINATION FACILITY INTAKES AND BRINE DISCHARGES The California State Water Resources Control Board [is inviting public comment](#) on proposed amendments to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) addressing desalination facility intakes and brine discharges (referred to as the desalination amendments). The board is also accepting comment on a draft staff report and draft substitute environmental documentation. The proposed desalination amendments would:

- Clarify the State Water Board’s authority over desalination facility intakes and discharges;
- Provide direction to the regional water boards;
- Include implementation provisions for a statewide narrative receiving water limitation for salinity and an option for dischargers to apply for a facility-specific receiving water limitation; and
- Include monitoring and reporting requirements.

The amendments also include provisions that promote interagency collaboration for siting, design, and permitting of desalination facilities and that help define the roles of the state water board and regional water boards in regulating desalination facilities. A public hearing is scheduled for 19 AUG 14. Comments are due the same day. For more information, contact [Claire Waggoner](#) at (916) 341-5582.

LEGISLATIVE DEVELOPMENTS

The [2014 California legislative session](#) began 5 JAN 14 and adjourns 30 NOV 14. ** indicates the topic of the bill has changed significantly.

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR / CLIMATE CHANGE				
AB 278 <i>Assemblyman Mike Gatto (D)</i> Proposes to change how the California Air Resources Board scores low carbon fuels. Requires the board to consider specific issues including deforestation, environmental law in place for the fuel’s origin, and disruptions in food supply or costs.	✓	✓		

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AB 1639 <i>Assemblywoman Shannon Grove (R)</i> Proposes to specify how monies collected for the Greenhouse Gas Reduction Fund may be spent. Specifies that monies should be expended to achieve the maximum technologically feasible and cost-effective reduction in greenhouse gas emissions.	✓			Failed
AB 1970 <i>Assemblyman Richard S. Gordon (D)</i> Proposes to create the Community Investment and Innovation Program, supported by the Greenhouse Gas Reduction Fund.	✓			
AB 2050 <i>Assemblyman Bill Quirk (D)</i> Proposes to amend requirements for the scoping plan developed per the Global Warming Solutions Act of 2006. Requires specific elements be included in the scoping plan.	✓	✓		
AB 2083 <i>Assemblywoman Beth Gaines (R)</i> Proposes to make changes to rules relating to state mandated greenhouse gas emission reductions. If the state allows use of market-based compliance mechanisms, this bill would allow a regulated entity to use offsets to meet its compliance obligation regardless of the geographic location of the offset.	✓			
AB 2348 <i>Assemblyman Mark Stone (D)</i> Proposes to establish the Natural Resources Climate Improvement Program to assist in the development and implementation of integrated natural resources projects that maximize greenhouse gas emissions reductions or sequestration. Authorizes expenditures from the Greenhouse Gas Reduction Fund.	✓			
SB 605 <i>Senator Ricardo Lara (D)</i> Proposes to require the California Air Resources Board, when updating the greenhouse gas scoping plan, to include specified criteria. Requires all greenhouse gas emissions reductions be achieved within the state in areas that are most impacted by greenhouse gases and other pollutants.	✓	✓		
SB 1122 <i>Senator Fran Pavley (D)</i> Proposes to appropriate monies from the Greenhouse Gas Reduction Fund for programs to support the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans within a developed area.	✓			
SB 1125 <i>Senator Fran Pavley (D)</i> Proposes to require the Air Resources Board to develop reduction targets for greenhouse gas emissions for 2030 to inform future legislative action.	✓			
SB 1156 <i>Senator Darrell Steinberg (D)</i> Proposes to impose a carbon tax of an unspecified amount per ton of carbon dioxide equivalent emissions on suppliers of fossil fuels.	✓			
ENERGY				
AB 407 <i>Assemblyman V. Manuel Perez (D)</i> Proposes to address renewable energy sources in the Salton Sea. Requires the State Energy Resources Conservation and Development Commission to develop renewable energy resources in and around the Salton Sea Known Geothermal Resource Area and the Geysers Geothermal Field.	✓	✓		

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AB 1624 <i>Assemblyman Richard S. Gordon (D)</i> Proposes to authorize the Public Utilities Commission to collect funds for the self generation program. Requires electrical corporations to administer the program for distributed energy resources.	✓	✓		
AB 1763 <i>Assemblyman Henry T. Perea (D)</i> Proposes to make changes to existing requirements related to California State Energy Resources Conservation and Development Commission forecasts. Requires development of a state energy plan for 2030 and 2050. Specifies plan elements.	✓	✓		
AB 1935 <i>Assemblywoman Nora Campos (D)</i> Proposes to require Public Utilities Commission to study and submit a report to the Legislature and the Governor on the impacts of clean distributed energy resources on the state's distribution and transmission grid.	✓	✓		
AB 2229 <i>Assemblyman Steven Bradford (D)</i> Proposes to require the Public Utilities Commission and the DoD to identify all achievable cost-effective electricity and natural gas efficiency savings at military bases/facilities. Establishes targets.	✓	✓		
AB 2334 <i>Assemblyman Adam Gray (D)</i> Proposes to require the Public Utilities Commission to develop an economic pilot program to encourage new business activity at 3 former military bases. Requires the pilot program to run for 7 years and provide discounted rates to new and existing eligible businesses.	✓			
AB 2363 <i>Assemblyman Bill Quirk (D)</i> Proposes to specify methods for calculating costs for renewable energy.	✓	✓		
AB 2390 <i>Assemblyman Al Muratsuchi (D)</i> Proposes to establish a Low Carbon and Renewable Fuels Credit Reserve to facilitate the development of renewable and low carbon transportation fuel projects in California.	✓			
AB 2649 <i>Assemblyman Kevin Mullin (D)</i> Proposes to define an independent generation facility as a military installation and to address interconnection by an independent generation facility to the utility electric grid.	✓	✓		
SB 1078 <i>Senator Hannah-Beth Jackson (D)</i> Proposes to require the Energy Commission and the Public Utilities Commission to jointly address actions needed to achieve post-2020 greenhouse gas emissions limit beyond the 1990 level, if such reductions are adopted.	✓			
SB 1139 <i>Senator Ben Hueso (D)</i> Proposes to amend rules for grants and loans to facilitate development of geothermal energy.	✓	✓		
SB 1195 <i>Senator Alex Padilla (D)</i> Proposes to repeal requirements related to electrical restructuring. Repeals provisions related to reporting, calculation of energy credits, cost recovery plans, peak load, determination of rates, and recovery of certain employee costs.	✓	✓		

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LAND USE				
<p>AB 1799 <i>Assemblyman Richard S. Gordon (D)</i> Proposes to amend financial requirements associated with conservation easements. Eliminates certain financial requirements for credit worthy governmental and nonprofit organizations.</p>	✓			
<p>AB 1961 <i>Assemblywoman Susan Eggman (D)</i> Proposes to require each county with significant agricultural land resources to develop a sustainable farmland strategy.</p>	✓			
<p>SB 1289 <i>Senator Jean Fuller (R)</i> Proposes to transfer additional state lands near the Johnson Valley Off-Highway Vehicle Recreation Area for off-highway vehicle recreation.</p>	✓			
NATURAL RESOURCES				
<p>AB 1514 <i>Assemblywoman Lorena Gonzalez (D)</i> Proposes to authorize the Department of Fish and Wildlife to enter into an agreement to prepare a natural community conservation plan. Provides for management and conservation of wildlife species, including those not listed as endangered or threatened. Authorizes a person or local, state, or federal agency to undertake natural community conservation planning.</p>	✓			
<p>AB 2193 <i>Assemblyman Richard S. Gordon (D)</i> Proposes to enact the Habitat Restoration and Enhancement Act. Creates a fund to be used for habitat restoration. Establishes fees.</p>	✓	✓		
<p>AB 2409 <i>Assemblyman Ken Cooley (D)</i> Proposes to allow the Department of Fish and Wildlife to enter into land use contracts with public agencies to conserve waterfowl habitat.</p>	✓			
<p>AB 2417 <i>Assemblyman Adrin Nazarian (D)</i> Proposes to exempt recycled water distribution systems from California Environmental Quality Act requirements.</p>	✓	✓		
<p>AB 2629 <i>Assemblyman Richard Bloom (D)</i> Proposes to specify reporting requirements for certain conservation or mitigation banks.</p>	✓			
<p>SB 1184 <i>Senator Fran Pavley (D)</i> Proposes to require the San Francisco Bay Conservation and Development Commission to protect San Francisco Bay area residents from potential inundation and flooding from sea level rise by preparing a regional resilience strategy for adapting to rising sea levels.</p>	✓			
<p>SB 1194 <i>Senator Ben Hueso (D)</i> Proposes to state the intent of the Legislature to reduce plastic debris in the marine environment, reduce financial burdens for reducing plastic pollution, and provide resources for local pollution prevention and infrastructure projects.</p>	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
OTHER				
**AB 2117 <i>Assemblyman K.H. Katcho Achadjian (R)</i> The topic of this bill changed from noise and land use planning to county health authorities. The topic of the bill no longer falls within the scope of the Review. It will not appear again.	✓	✓		
AB 2341 <i>Assemblywoman Sharon Quirk-Silva (D)</i> Proposes to add a reporting process requiring local educational agencies to report the enrollment of pupils of military families, with the intent of removing barriers to educational success due to frequent moves.	✓	✓		
AB 2545 <i>Assemblywoman Bonnie Lowenthal (D)</i> Proposes to make changes to laws governing allegations of sexual assault by members of the military. Addresses access to the victims' compensation fund.	✓	✓		
AB 2657 <i>Assemblyman Richard Bloom (D)</i> Proposes to limit the application of specified anticoagulant pesticides in "environmentally sensitive" areas.	✓	✓		
SB 1117 <i>Senator Bill Monning (D)</i> Proposes to revise information that the Department of Pesticide Regulation is required to post on its website. Addresses department responsibilities regarding pesticides that have migrated to groundwater.	✓	✓		
SB 1421 <i>Senator Jean Fuller (R)</i> Proposes to amend funding for construction at public elementary and secondary schools. Provides matching funding to schools that are located on U.S. military bases and eligible for federal construction funding assistance.	✓	✓		
WASTE				
AB 467 <i>Assemblyman Mark Stone (D)</i> Proposes to require the California State Board of Pharmacy to license a surplus medication collection and distribution intermediary to facilitate the connection of participating entities under the unused medication repository and distribution program. Prohibits the intermediary from taking possession, custody, or control of dangerous drugs and devices, and authorizes him or her to charge specified fees for the costs of services.	✓	✓	✓	Signed by Governor
AB 1594 <i>Assemblyman Das Williams (D)</i> Proposes to amend requirements for city, county, and regional agency integrated waste management plans. Amends requirements pertaining to source reduction and recycling elements in these plans. Authorizes rules governing the use of green material as alternative daily cover under certain conditions.	✓	✓		
AB 1826 <i>Assemblyman Wesley Chesbro (D)</i> Proposes to require local jurisdictions to implement an organic waste recycling program. Authorizes fees for generators of organic wastes.	✓	✓		
AB 1966 <i>Assemblyman Jim Patterson (R)</i> Proposes to require the Department of Toxic Substances Control to periodically update its references to the EPA document SW 846 <i>Test Methods for Evaluating Solid Waste, Physical/Chemical Methods</i> in state hazardous waste regulations.	✓			

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AB 2251 <i>Assemblywoman Mariko Yamada (D)</i> Proposes address beverage container deposit/redemption requirements. Specifies penalties for violations or noncompliance.	✓	✓		
AB 2666 <i>Assemblyman Tom Daly (D)</i> Proposes to amend the term "person" as used in the Electronic Waste Recycling Act of 2003, to exclude the United States and its agencies and instrumentalities.	✓			
SB 712 <i>Senator Ricardo Lara (D)</i> Proposes to require the California Department of Toxic Substances Control to issue a final decision on an application for a hazardous waste facilities permit submitted by a facility operating under interim status on or before 1 JAN 86, by either issuing a final permit or a final denial. Requires the department to issue a final decision by 31 DEC 15.	✓	✓		
SB 812 <i>Senator Kevin De Leon (D)</i> Proposes to amend the permit application process for facilities that treat, store, or dispose of hazardous waste. Addresses interim hazardous waste permits.	✓	✓		
SB 1261 <i>Senator Hannah-Beth Jackson (D)</i> Proposes to increase fees from hazardous material and hazardous waste activities to fund emergency response costs. Makes changes to hazardous material business plan requirements. Revises information that must be included in business plans. Makes changes to certain exemptions from the business plan requirement for remote unstaffed locations. Shortens the review/re-submittal period for business plans from once every three years to every year. Requires business plans be publicly available.	✓	✓		
WATER				
AB 155 <i>Assemblyman Luis Alejo (D)</i> Proposes to construct a tunnel to connect Lake San Antonio and Lake Nacimiento, with the intent to maximize water storage, supply, and groundwater recharge.	✓	✓		
AB 282 <i>Assemblyman Bob Wieckowski (D)</i> Proposes to increase the fee to store petroleum in an underground storage tank by \$0.006 per gallon until 2016.	✓	✓		
AB 371 <i>Assemblyman Rudy Salas (D)</i> Proposes address the application of sewage sludge in Kern County. Authorizes monitoring/testing activities at/near sludge application sites.	✓	✓		
AB 467 <i>Assemblyman Mark Stone (D)</i> Proposes to require the state board, in expending moneys from the Freshwater Protection Fund, to prioritize programs that provide drinking water solutions for disadvantaged and severely disadvantaged communities.	✓	✓	✓	Signed by Governor
AB 687 <i>Assemblyman Roger Hernandez (D)</i> Proposes to amend regulations related to the Department of Water and direct transactions between electricity suppliers and end users. Adds requirements related to cleanup of contaminated groundwater.	✓	✓		

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AB 1445 <i>Assemblyman Dan Logue (R)</i> Proposes to create the California Water Infrastructure Act of 2014 to authorize the issuance of bonds to finance a safe drinking water and water supply reliability program.	✓			
AB 1632 <i>Assemblywoman Kristin Olsen (R)</i> Proposes to make changes to the water rights beneficial uses program.	✓			
AB 1671 <i>Assemblyman Jim Frazier (D)</i> Proposes to prohibit the state from constructing water facilities as part of a specified water conveyance system unless authorized by the legislature.	✓			
AB 1707 <i>Assemblyman Scott Wilk (R)</i> Proposes to make changes to state laws governing state and regional water quality control boards and implementation of the national pollutant discharge elimination system permitting program. Requires certain documentation regarding proposed rules be posted on the Water Board website.	✓	✓		
AB 1807 <i>Assemblyman Brian Dahle (R)</i> Proposes to make technical changes to laws governing state and regional water quality control board management of federal and state discharge permit programs.	✓			
AB 1808 <i>Assemblyman Brian Dahle (R)</i> Proposes to make technical changes to the California State Drinking Water Act.	✓			
AB 2049 <i>Assemblyman Brian Dahle (R)</i> Proposes to change requirements related to water treatment facilities. Limits the use of point-of-entry and point-of-use treatment (in lieu of centralized treatment) to water systems with less than 500 service connections.	✓	✓		
AB 2179 <i>Assemblyman Adam Gray (D)</i> Proposes to require the state board to establish standards and goals for achieving water use efficiency, in conjunction with the University of California, Merced.	✓			
AB 2189 <i>Assemblyman Adam Gray (D)</i> Proposes to make changes to groundwater replenishment districts and replenishment assessments. Addresses public notice and public hearing requirements.	✓			
AB 2269 <i>Assemblyman Frank Bigelow (R)</i> Proposes to make changes to requirements for integrated regional water management plans.	✓			
AB 2403 <i>Assemblyman Anthony Rendon (D)</i> Proposes to modify the definition of water to include recycled water and stormwater intended for water service. Makes legislative findings.	✓	✓	✓	Signed by Governor
AB 2432 <i>Assemblyman Rudy Salas (D)</i> Proposes to make technical changes to state rules governing drinking water and public water systems.	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>**AB 2446 <i>Assemblywoman Marie Waldron (R)</i> Proposes to prohibit the San Luis Rey Municipal Water District from charging a standby assessment or availability charge in excess of a specified amount. Specifies how proceeds from standby assessments/availability charges may be spent.</p>	✓	✓		
<p>AB 2619 <i>Assemblywoman Beth Gaines (R)</i> Proposes to prohibit provisions related to operation and/or maintenance of "fishways" associated with dams during critically dry years.</p>	✓			
<p>AB 2680 <i>Assemblyman Adrin Nazarian (D)</i> Proposes to make amendments to legislative findings and declarations in the Porter-Cologne Water Quality Control Act.</p>	✓			
<p>AB 2725 <i>Assemblywoman Cheryl Brown (D)</i> Proposes to promote urban waterway restoration. Adds a requirement for the Department of Water Resources to release information about urban waterway restoration with its releases of other California Water Plan data. Specifies urban waterway restoration as a beneficial use.</p>	✓			
<p>AB 2737 <i>Committee On Environmental Safety And Toxic Materials</i> Proposes to collect data on drinking water quality in schools and the areas known as Salinas Valley, Tulare Lake Basin, and Coachella Valley. Evaluates nitrite and arsenic levels in drinking water in disadvantaged communities.</p>	✓			
<p>SB 104 <i>Committee On Budget And Fiscal Review</i> Proposes to establish fees for violations of water use permits, unauthorized water use/transfer, and water trespass during drought/dry years.</p>	✓	✓	✓	Signed by Governor
<p>SB 985 <i>Senator Fran Pavley (D)</i> Proposes to require a county or district stormwater resource plan to identify opportunities to use existing publicly owned lands to capture and reuse stormwater.</p>	✓	✓		
<p>SB 1168 <i>Senator Fran Pavley (D)</i> Proposes to enact the Sustainable Groundwater Management Act. Authorizes the development of a sustainable groundwater management plan.</p>	✓	✓		
<p>SB 1259 <i>Senator Fran Pavley (D)</i> Proposes to amend requirements related to maintenance and operation of flood control facilities in the Central Valley. Addresses dam siltation.</p>	✓	✓		
<p>SB 1319 <i>Senator Fran Pavley (D)</i> Proposes to amend the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. Requires the California oil spill contingency plan to consider additional elements, including physical and chemical properties of transported oil.</p>	✓	✓		
<p>SB 1420 <i>Senator Lois Wolk (D)</i> Proposes to add a reporting element to water management plans developed by water suppliers. Requires reporting of water loss.</p>	✓	✓		



CLIMATE CHANGE

GHG EMISSIONS FROM STATIONARY SOURCES The Hawaii Department of Health [adopted revisions](#) to Hawaii Administrative Rules (HAR), Chapter 11-60.1 (Air Pollution Control). The amendments regulate GHG emissions from Hawaii's stationary air pollution sources. The [final rules](#) were effective 30 JUN 14. For more information, visit the Hawaii Clean Air Branch [GHG program website](#).

LEGISLATIVE DEVELOPMENTS

The [2014 Hawaii legislative session](#) began 15 JAN 14 and adjourned 1 MAY 14. For information about legislation in 2014, refer to the [May 2014 Review](#).

In addition, the [Guam 32nd legislative session](#) began 14 JAN 13 and adjourns 31 DEC 14.

[BCOR 11-32](#) proposes to create the Guam Coral Reef Protection Act. The act includes notification provisions for any person who damages corals and provides for civil and other penalties. Introduced 10 JAN 13.

[BCOR 337-32](#) proposes to require petroleum underground storage tanks be removed within 120 days after submittal of a notice of intent for permanent closure. Increases fees. Introduced 9 MAY 14.

[BCOR 339-32](#) proposes to establish a commercial recycling program. Introduced 12 MAY 14.

[RCOR 186-32](#) proposes to request the United States permanently station a Terminal High Altitude Area Defense (THAAD) system and Patriot Missile Defense System on Guam. Introduced 15 JUL 13.

[RCOR 189-32](#) proposes to adopt Zero Waste as a guiding principle for sustainable materials management and to adopt a Zero Waste Plan for Guam to preserve the Lanyon Landfill. Introduced 17 JUL 13.

[BLS 279-32](#) proposes that Guam EPA conduct a one-year pilot project demonstrating the ability of Guam to develop a beneficial use for discarded glass bottles. Introduced 20 FEB 14, Passed 9 MAY 14, [Vetoed](#) 9 MAY 14.



WASTE

WASTE MANAGEMENT FEES The Nevada State Environmental Commission (NSEC) [is proposing](#) to establish landfill disposal fees. The commission is seeking to establish application fees for obtaining a permit or approval to operate a new solid waste disposal facility, annual permit fees for certain existing Class I and III disposal sites, and fees related to requests to modify an existing permit. The commission anticipates the fees will apply to a small number of landfill disposal facilities. A public hearing is scheduled for 8 OCT 14.

WATER

HYDRAULIC FRACTURING The Nevada Commission of Mineral Resources [released revisions](#) to its proposed rule regulating hydraulic fracturing in the drilling of exploration or production wells for oil and/or gas in Nevada. The proposed rules are being developed in response to [Senate Bill 390 \(2013\)](#). The bill requires the Nevada Division of Minerals and the Nevada Division of Environmental Protection (NDEP) to develop a hydraulic fracturing program that

assesses the impacts of hydraulic fracturing on state waters, requires disclosure of chemicals used, and provides for public notice. For more information, contact the Nevada Division of Minerals at (775) 684-7040.

DRINKING WATER STANDARDS: COLIFORM AND LEAD NSEC [is proposing](#) to update rules for public water systems. The amendments update the edition of the CFR adopted by reference from 1 JUL 09 to 1 JUL 14. The updates include [40 CFR 141.851-861](#) (also referred to as the Revised Total Coliform Rule) and address the use of lead-free pipes, fittings, and fixtures.

WATER QUALITY STANDARDS: UPPER HUMBOLDT RIVER BASIN NSEC [is proposing](#) amendments to water quality standards for certain "class waters" located in the Upper Humboldt River Basin. The rulemaking would amend NAC 445A.

WATER QUALITY STANDARDS: SOUTH FORK HUMBOLDT RIVER AND SOUTH FORK RESERVOIR NSEC [is proposing](#) amendments to water quality standards for the South Fork Humboldt River and South Fork Reservoir located in the Upper Humboldt River Basin. The rulemaking would amend NAC 445A.

WATER QUALITY STANDARDS: CARSON RIVER AND LAHONTAN RESERVOIR NSEC [is proposing](#) amendments to water quality regulations for the Carson River and Lahontan Reservoir located in the Lower Carson River Basin. The rulemaking would amend NAC 445A.1792, 445A.1822, and 445A.1824.

LEGISLATIVE DEVELOPMENTS

[Nevada does not hold a legislative session](#) in 2014.

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 The Environmental Protection Agency (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 CO₂, methane, and nonmethane organic compounds. Some existing landfills are currently subject to control requirements under the landfill 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 40 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 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.

CALIFORNIA SIP: PLACER COUNTY AND SOUTH COAST EPA approved revisions to the Placer County Air Pollution Control District and the South Coast Air Quality Management District portions of the California State Implementation Plan (SIP) ([79 FR 40675](#)). The agency rescinded local rules that address nitrogen oxide (NO_x) emissions from stationary internal combustion engines and VOC emissions from the manufacture of certain fiberboard and resins used in plasticizing paper. The final revisions are effective 12 SEP 14 unless the agency received adverse comment by 13 AUG 14. For more information, contact [Arnold Lazarus](#) at (415) 972-3024.

CALIFORNIA SIP: SAN JOAQUIN EPA approved revisions to the San Joaquin Valley Unified Air Pollution Control District portion of the California SIP ([79 FR 37224](#)). The revisions concern basic enforcement authorities under the Clean Air

Act. In the rulemaking, EPA approved local rules [1040](#) (Enforcement), [1050](#) (Order of Abatement), [1070](#) (Inspections), and [1090](#) (Penalty). The final revisions are effective 2 SEP 14 unless the agency received adverse comment by 31 JUL 14. For more information, contact [Vanessa Graham](#) at (415) 947-4120.

CALIFORNIA SIP: VENTURA COUNTY EPA approved revisions to the Ventura County Air Pollution Control District portion of the California SIP ([79 FR 37222](#)). The revisions concern VOC emissions from aerospace assembly and component manufacturing and marine coating operations. In the rulemaking, EPA approved local rules [74.13](#) (Aerospace Assembly and Component Manufacturing Operations) and [74.24](#) (Marine Coating Operations). The final revisions are effective 2 SEP 14 unless the agency received adverse comment by 31 JUL 14. For more information, contact [Nancy Levin](#) at (415) 942-3848.

NEVADA SIP: CLARK COUNTY EPA is proposing to approve revisions to the Clark County portion of the Nevada SIP ([79 FR 41752](#)). The revisions regulate stationary source construction and modification permits within Clark County. Comments are due 22 AUG 14. For more information, contact [Laura Yannayon](#) at (415) 972-3534.

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 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 reduce future damages.

NATURAL RESOURCES

PAPAHĀNAUMOKUĀKEA MARINE NATIONAL MONUMENT The name of the Northwestern Hawaiian Islands Marine National Monument was changed to the Papahānaumokuākea Marine National Monument ([79 FR 44316](#)). In addition, the address and fax numbers for the monument have been updated in 50 CFR 404. The new address of the offices for the Papahānaumokuākea Marine National Monument is NOAA/Inouye Regional Center; NOS/ONMS/PMNM/ Attn: Permit Coordinator; 1845 Wasp Blvd., Building 176; Honolulu, HI 96818. The local Hawai`i based phone number for

vessel notifications, (808) 395-6944, has been removed from the regulations. The toll-free phone number 1 (866) 478-6944 remains active. The fax number for the ship reporting system is changed to 1 (808) 455-3093. For more information, contact [Tia Brown](#) at (808) 725-5805.

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.

NORTHERN MEXICAN AND NARROW-HEADED GARTERSNAKE FWS listed the [northern Mexican gartersnake](#) (*Thamnophis eques megalops*) and the [narrow-headed gartersnake](#) (*Thamnophis rufipunctatus*) as threatened ([79 FR 78677](#)). The service also finalized a rule under [ESA Section 4\(d\)](#) that provides conservation measures for the northern Mexican

gartersnake. The species are found in Arizona and New Mexico in the United States and in Mexico. The final rule was effective 7 AUG 14. For more information, contact Steve Spangle at (602) 242-0210.

BALD EAGLES EXPAND TERRITORIES TO CHANNEL ISLANDS FWS [announced](#) that bald eagles have expanded their range in the Channel Islands off the coast of California, where a nesting pair has been found on San Clemente Island for the first time in more than 50 years. The discovery means bald eagles have re-established territories on five of the eight islands in the chain and experts expect their return to all eight islands within a few years. Since 2002, 16 breeding pairs were added to the population of the more than 60 birds living on the islands.

MEXICAN WOLF NEP FWS is proposing revisions to the existing nonessential experimental population (NEP) designation of the [Mexican wolf](#) (*Canis lupus baileyi*) (79 FR 43358). In 1998, FWS published a final rule establishing a NEP of Mexican wolves in Arizona and New Mexico. FWS is revising elements of the 1998 final rule to enhance the growth, stability, and success of the NEP. The service released a proposed revision to the final rule in 2013, and based on public comment, is proposing additional revisions. Comments are due 23 SEP 14. For more information, contact Sherry Barrett at (505) 761-4704.

SCALLOPED HAMMERHEAD SHARK NMFS listed the Central and Southwest Atlantic DPS and the Indo-West Pacific DPS of [scaloped hammerhead shark](#) (*Sphyrna lewini*) as threatened (79 FR 38213). In addition, the service listed Eastern Atlantic DPS and Eastern Pacific DPS of scaloped hammerhead sharks as endangered. Critical habitat will be addressed in a separate rulemaking. The final rule is effective 2 SEP 14. For more information, contact Maggie Miller at (301) 427-8403.

HUMPBACK WHALE NMFS extended the public comment period on its 26 JUN 14 proposal to designate the Central North Pacific population of [humpback whale](#) (*Megaptera novaeangliae*) as a DPS and to delist the DPS (79 FR 40054). Comments are due 27 AUG 14. For more information, contact Aleria Jensen at (907) 586-7638.

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.

ELECTRONIC NPDES REPORTING IN CALIFORNIA EPA approved California's request to revise its NPDES program to allow electronic reporting. The approval was effective 2 JUL 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. 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 a 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.

ENERGY TRAINING FOR FEDS FEMP is sponsoring, planning, and implementing the [Energy Exchange Training Event](#) in August 2015. The event will:

- Provide an effective and efficient forum to obtain valuable training
- Provide International Association for Continuing Education and Training (IACET) learning credits

- Facilitate the application of best practices
- Cover topics related to energy efficiency, renewable energy, transportation/fleet, water efficiency, and greenhouse gas management
- Demonstrate the connection between actions and impacts as related to energy consumption, sustainability, energy efficiency, and energy security
- Feature expertise from all levels of project and policy implementation to enable federal agencies to meet energy-related goals and provide energy leadership
- Satisfy training requirements mandated by and address requirements outlined in federal requirements and challenges.

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

AAQS	ambient air quality standards
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
ADEQ	Arizona Department of Environmental Quality
ADWM	Arizona Department of Weights and Measures
ADWR	Arizona Department of Water Resources
AFB	Air Force Base
AGRRC	Arizona Governor's Regulatory Review Council
AQIP	Air Quality Improvement Program
ARNG	Army National Guard
ASTM	American Standard Test Method
ATSDR	Agency for Toxic Substances and Disease Registry
BACM	best available control measure
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
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CaRFG3	phase 3 California reformulated gasoline
CBAR	California Bureau of Automotive Repair
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CDPH	California Department of Public Health
CDPR	California Department of Pesticide Regulation
CDTSC	California Department of Toxic Substances Control
CDWR	California Department of Water Resources
CEC	California Energy Commission
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulation
CH ₄	methane
CNOR	candidate notice of review
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
COAL	California Office of Administrative Law
COE	Army Corps of Engineers
COEHHA	California Office of Environmental Health Hazard Assessment
CPUC	California Public Utilities Commission
CrVI	hexavalent chromium
CSWRCB	California State Water Resources Control Board
CVC	California Vehicle Code
CWA	Clean Water Act
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
DSM	demand side management
DPS	distinct population segment

EA	environmental assessment
ECA	emission control area
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EPA	Environmental Protection Agency
EO	Executive Order
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
GEPA	Guam Environmental Protection Agency
GHG	greenhouse gas
GSA	General Service Administration
HAP	hazardous air pollutant
HAR	Hawaii Administrative Rule
HB	House Bill
HCFC	hydrochlorofluorocarbon
HCWRM	Hawaii Commission on Water Resource Management
HDA	Hawaii Department of Agriculture
HDLNR	Hawaii Department of Land and Natural Resources
HDOH	Hawaii Department of Health
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
MADL	maximum allowable dose level
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MERIT	Materials of Evolving Regulatory Interest Team
MOU	memorandum of understanding
MPA	marine protected area
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
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF ₃	nitrogen trifluoride
NHTSA	National Highway Traffic 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	Nuclear Regulatory Commission
NSEC	Nevada State Environmental Commission
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
PM2.5	particulate matter 2.5 microns in diameter or less
PM10	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
RACT	reasonably available control technology
RCRA	Resource Conservation and Recovery Act
RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
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
UFC	Unified Facilities Criteria
ug/m ³	micrograms per cubic meter
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
WGA	Western Governors' Association
WRAP	Western Regional Air Partnership