



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

February 2013

The **WESTERN REGION 10 REVIEW** provides current information on natural resource, energy and environmental issues relevant to Department of Defense interests in the 4 states that comprise Federal Region 10. 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 10 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.

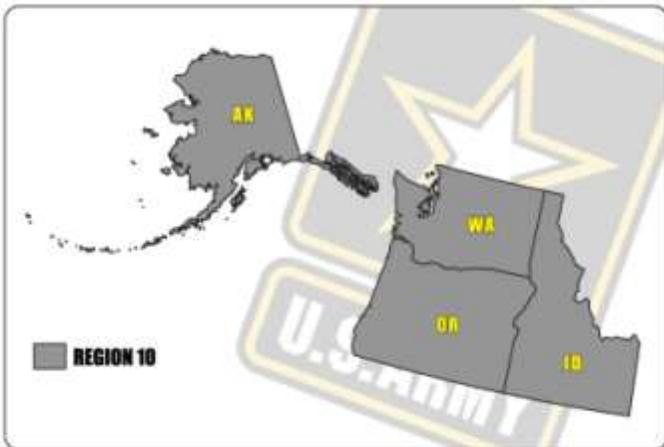


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Army Moves Toward Renewable Energy Goal for 2025

The Army's goal to deploy 1 gigawatt (GW) of renewable energy projects by 2025 will come into sharper focus in 2013, with the release of several requests for proposal this year. The Army [Energy Initiatives Task Force \(EITF\)](#) has positioned three projects (Fort Bliss, Texas; Fort Irwin, California; and Schofield Barracks, Hawaii) to be released as requests for proposals or Enhanced Use Leases (EULs) during 2013.

In November 2012, the EITF partnered with the Defense Logistics Agency-Energy in the release of a request for proposal for a 15-megawatt (MW) solar photovoltaic project at Fort Detrick, Maryland and in December, for a 28-MW biomass plant at Fort Drum, New York. In total, these projects represent a 10-fold increase in the Army's renewable energy deployment to date, and will move the Army 10 percent toward achieving its 1 GW goal. That amount of power is considerable—1 GW of solar can power up to 750,000 homes and is equal to about two coal-fired power plants.

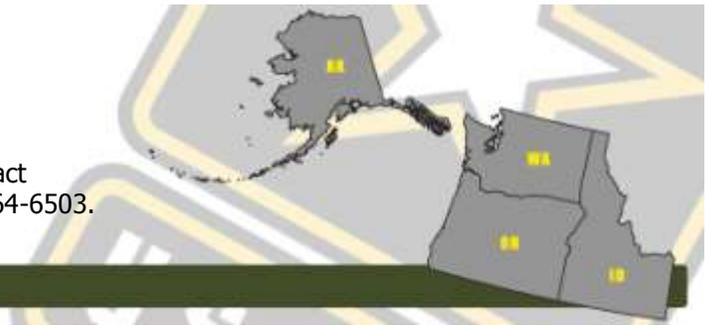
The Department of Defense as a whole has the goal to produce or consume 25 percent of its total energy use from renewable sources by year 2025.

The EITF serves as the central management office for partnering with Army installations to implement cost-effective, large-scale, renewable energy projects, with a focus on leveraging private sector financing. The EITF has responsibility for Army renewable energy projects that are 10 MW or greater using solar, wind, biomass, waste-to-energy, and geothermal energy sources. The Army Regional Environmental and Energy Offices (REEOs) support the EITF by providing information about state legislative and regulatory developments that may affect the EITF's mission.

For additional information on the Army's Renewable Energy projects, visit the [Federal Business Opportunities](#), the [EITF](#) website, or contact the Army REEO for your region.

Region 10

For more information on any state issues in Region 10, contact [Jeff Andrews](#), Region 10 Environmental Coordinator (206) 764-6503.



ENERGY

SUSTAINABLE ENERGY TRANSMISSION AND SUPPLY DEVELOPMENT PROGRAM The Alaska Industrial Development and Export Authority is proposing amendments to its new sustainable energy transmission and supply development program and its existing loan and financing programs. This action would establish new regulations for the sustainable energy transmission and supply development program created in 2012. The regulations on this new program address eligible projects, eligible applicants, the application and approval process, the terms of available financing, approval standards, interest rates, guarantee fees, and other fees and charges. These regulations would be codified in Title 3, Alaska Administrative Code (AAC) Chapter 101. Other amendments concern the state’s existing tax-exempt loan participation program, the state’s existing taxable loan participation program, and the authority’s conduit revenue bond program. Public hearings were held January 22 and 31, 2013. Comments are due February 11, 2013. The notice of proposed amendments is available at <http://notes3.state.ak.us/pn/pubnotic.nsf/1604e1912875140689256785006767f6/7874a61c428644b489257aee007c62b0?OpenDocument>. The proposed amendments are also available directly at [http://notes3.state.ak.us/pn/pubnotic.nsf/0/7874a61c428644b489257aee007c62b0/\\$FILE/Draft+of+new+and+amend+ed+SETS+and+Loan+Programs+Regulations.pdf](http://notes3.state.ak.us/pn/pubnotic.nsf/0/7874a61c428644b489257aee007c62b0/$FILE/Draft+of+new+and+amend+ed+SETS+and+Loan+Programs+Regulations.pdf).

LEGISLATIVE DEVELOPMENTS

The Alaska 2013 legislative session began January 15, 2013 and adjourns April 14, 2013. Bills from 2013 carry over to the 2014 session. An * indicates the first time a bill appears in the 2013 Review. For information on the Alaska legislature, go to <http://www.legis.state.ak.us>.

<i>Alaska 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				
ENERGY				
*SR 3 <i>Senate Rules Committee</i> Proposes to establish a Senate Special Committee on In-State Energy.	✓	✓		Approved
LAND USE				
*HB 77 <i>House Rules Committee</i> Proposes to amend the Alaska Land Use Act, including certain authorizations, contracts, leases, permits, or other disposals of state land, resources, property, or interests. Amends authorization for the use of state land by general permit. Amends requirements relating to the exchange of state land and administrative appeals procedures.	✓			

<i>Alaska Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
*SB 26 <i>Senate Rules Committee</i> Proposes to amend the Alaska Land Use Act, including certain authorizations, contracts, leases, permits, or other disposals of state land, resources, property, or interests. Amends authorization for the use of state land by general permit. Amends requirements relating to the exchange of state land and administrative appeals procedures.	✓			
NATURAL RESOURCES				
*SJR 2 <i>Senator Fred J. Dyson (R)</i> Proposes to urge the federal government to limit federal overreach into management of state resources. Commends Alaska government for actions to limit federal incursion into management of state resources.	✓			
Other				
*HR 4 <i>House Rules Committee</i> Proposes to establish a House Special Committee on Military and Veterans' Affairs.	✓	✓		Approved
WASTE				
WATER				
*HB 36 <i>Representative Tammie Wilson (R)</i> Proposes that a determination by the Department of Environmental Conservation regarding the permitting of active military ranges must be consistent with the federal Clean Water Act.	✓	✓		
*SB 29 <i>Senate Rules Committee</i> Proposes to prohibit the discharge of untreated sewage and other solid or liquid wastewaters in a manner that violates any applicable state or federal law. Allows for a five-year plan for an alternative terms and conditions for vessel discharges concerning small commercial passenger vessels.	✓			



LEGISLATIVE DEVELOPMENTS

The Idaho 2013 legislative session began January 7, 2013 and adjourns May 30, 2013. An * indicates the first time a bill appears in the 2013 Review. For information on the Idaho legislature, go to <http://www.legislature.idaho.gov/>.

<i>Idaho 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				
ENERGY				

<i>Idaho Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
LAND USE				
NATURAL RESOURCES				
OTHER				
WASTE				
WATER				
*HB 38 <i>Environment, Energy, and Technology Committee</i> Proposes to ratify and approve the Comprehensive State Water Plan as adopted by the Idaho Water Resource Board on November 28, 2012.	✓			
*HB 48 <i>Resources and Conservation Committee</i> Proposes to add a security (in the form of a bond, letter of credit, or other acceptable surety) requirement for all Class II injection well permits.	✓			



ENDANGERED SPECIES

ROGUE FALL CHINOOK CONSERVATION PLAN The Oregon Department of Fish and Wildlife adopted amendments to the Rogue Fall Chinook Conservation Plan. The amendments, primarily administrative in nature, were effective January 14, 2013. For more information, contact Therese Kucera at (503) 947-6033. The notice of proposed rulemaking is available at http://www.statescape.com/RegsText/StaticDownloads/65945_99291.pdf#page=15. The final rule is available at http://arcweb.sos.state.or.us/doc/rules/bulletin/February2013_Bulletin.pdf#page=126.

LEGISLATIVE DEVELOPMENTS

The Oregon 2013 legislative session began January 14, 2013 and adjourns June 28, 2013. An * indicates the first time a bill appears in the 2013 Review. For information on the Oregon legislature, go to <http://www.leg.state.or.us>.

<i>Oregon 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				
*HB 2237 Proposes to repeal sunset on provisions related to low carbon fuel standards.	✓			
*HB 2274 <i>Representative Vic Gilliam (R)</i> Proposes to modify, for purpose of gathering information related to greenhouse gas emissions, information that the Environmental Quality Commission may require to be reported.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 2336 <i>Representative Mitch Greenlick (D)</i> Proposes to require the Environmental Quality Commission to adopt by rule provisions requiring that certain permit applications include analysis regarding toxic air emissions.	✓			
* HB 2412 <i>Representative Kevin Cameron (R)</i> Proposes to require the Environmental Quality Commission to implement a motor vehicle pollution control system inspection program.	✓			
* SB 212 <i>Senator Chuck Thomsen (R)</i> Proposes to require the Environmental Quality Commission to prepare certain revisions to Oregon's State Implementation Plan under the federal Clean Air Act.	✓			
ENERGY				
* HB 2106 <i>Representative John E. Huffman (R)</i> Proposes to require the State Department of Energy to develop a map that identifies areas east of summit of Cascade Mountains that are appropriate for siting of energy facilities and any related or supporting facilities.	✓			
* HB 2108 <i>Representative Vic Gilliam (R)</i> Proposes to modify the renewable portfolio standard for small electric utilities to exclude certain sales to a single large consumer from calculation of percentage of sales to all retail electricity consumers.	✓			
* HB 2237 Proposes to repeal the sunset on provisions related to low carbon fuel standards.	✓			
* HB 2300 <i>Representative Tobias Read (D)</i> Proposes to require the State Department of Energy to promote use of compressed natural gas.	✓			
* HB 2343 Proposes to revise a requirement that a contracting agency dedicate a certain amount of the contract price toward including green energy technology in a public building.	✓			
* HB 2439 Proposes to transfer certain duties, functions and powers related to renewable energy from the State Department of Energy to the Public Utility Commission.	✓			
* HB 2440 Proposes to require the Department of Land Conservation and Development to review laws and rules regulating siting of solar energy projects.	✓			
* HB 2472 Proposes to extend the sunset for tax credit for renewable energy resource equipment manufacturing facilities.	✓			
* HB 2497 Proposes to impose tax on each fuel supplier and utility based on the amount of carbon in carbon-based fuel or that is used to produce carbon-generated electricity.	✓			
* HJR 9 Proposes to amend the Oregon constitution to allow fuel and vehicles taxes to fund transportation projects.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>*SB 321 <i>Senator Peter C. Courtney (D)</i> Proposes to extend the sunset for tax credit for renewable energy resource equipment manufacturing facilities.</p>	✓			
<p>*SB 354 <i>Senator Arnie Roblan (D)</i> Proposes to authorize the State Treasurer to issue Article XI-D general obligation bonds for development of transmission capacity for wave energy.</p>	✓			
<p>*HB 2106 <i>Representative John E. Huffman (R)</i> Proposes to require the State Department of Energy to develop a map that identifies areas east of summit of Cascade Mountains that are appropriate for siting of energy facilities and any related or supporting facilities.</p>	✓			
<p>*HB 2108 <i>Representative Vic Gilliam (R)</i> Proposes to modify the renewable portfolio standard for small electric utilities to exclude certain sales to a single large consumer from calculation of percentage of sales to all retail electricity consumers.</p>	✓			
<p>*HB 2237 Proposes to repeal the sunset on provisions related to low carbon fuel standards.</p>	✓			
<p>*HB 2300 <i>Representative Tobias Read (D)</i> Proposes to require the State Department of Energy to promote use of compressed natural gas.</p>	✓			
LAND USE				
<p>*SB 250 <i>Senator Peter C. Courtney (D)</i> Proposes to authorize a local government that has an urban growth boundary to include land within the boundary if consistent with local economic development projections and public facilities plans.</p>	✓			
NATURAL RESOURCES				
<p>*HB 2022 <i>Representative Brian L. Clem (D)</i> Proposes to modify the definition of native fish for purposes of salmon and trout enhancement program.</p>	✓			
<p>*HB 2173 <i>Representative Wayne Krieger (R)</i> Proposes to exempt land zoned for exclusive farm use from limitation on liability for damage, injury or death for certain fish and wildlife habitat improvement project.</p>	✓			
<p>*HB 2321 <i>Representative Peter Buckley (D)</i> Proposes to require agencies of the executive department to take certain actions to protect the environment.</p>	✓			
<p>*SB 338 <i>Senator Elizabeth Johnson (D)</i> Proposes to change the status of activities conducted to create, restore, or enhance wetlands on land zoned for exclusive farm use from outright permitted use to conditional use.</p>	✓			
<p>*SB 357 <i>Senator Larry George (R)</i> Proposes to establish policy direction for management of state forestlands, including management for timber harvesting.</p>	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* SB 432 <i>Senator Chris Edwards (D)</i> Proposes to expand the grounds for the Department of Agriculture to establish quarantine/eradication areas to control invasive species.	✓			
* HB 2022 <i>Representative Brian L. Clem (D)</i> Proposes to modify the definition of native fish for purposes of the salmon and trout enhancement program.	✓			
* HB 2173 <i>Representative Wayne Krieger (R)</i> Proposes to exempt land zoned for exclusive farm use from limitation on liability for damage, injury, or death for certain fish and wildlife habitat improvement projects.	✓			
OTHER				
* HB 2083 Proposes to permit a service member called into active service to suspend and reinstate provision of telecommunications, Internet, health spa, and health club services.	✓			
* HB 2158 Proposes to extend in-state tuition rates to certain military veterans.	✓			
* HB 2160 Proposes to appropriate funds for the campus veterans' service officers program.	✓			
* HB 2262 <i>Governor John Kitzhaber (D)</i> Proposes to define commercial driving privileges for purposes of the Oregon vehicle code.	✓			
* HM 1 Proposes to urge Congress to modernize the Toxic Substances Control Act.	✓			
* SB 32 <i>Senator Peter C. Courtney (D)</i> Proposes to establish the Oregon Code of Military Justice as law governing state militia.	✓			
* HB 2083 Proposes to permit a service member called into active service to suspend and reinstate provision of telecommunications, Internet, health spa, and health club services.	✓			
* HB 2158 Proposes to extend in-state tuition rates to certain military veterans.	✓			
WASTE				
* HB 2024 <i>Governor John A. Kitzhaber</i> Proposes to repeal the sunset on the architectural paint stewardship program.	✓			
* HB 2048 Proposes to repeal the sunset on the architectural paint stewardship program.	✓			
* HB 2075 <i>Representative Mitch Greenlick (D)</i> Proposes to implement a program by which patients may properly dispose of prescription drugs at hospitals and long-term care facilities.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 2284 <i>Representative Tobias Read (D)</i> Proposes to require the Oregon Business Development Department to establish and administer a program to make loans to qualified project sponsors for development certain brownfields.	✓			
* HB 2348 Proposes that conversion of certain waste plastics to oil using pyrolysis is considered recycling for certain purposes.	✓			
* HB 2659 Proposes to require the Department of Environmental Quality to study issues related to contaminated properties and to report to the legislature.	✓			
* SB 113 <i>Senator Peter C. Courtney (D)</i> Proposes to prohibit use of single-use checkout bags except in certain cases.	✓			
* SB 248 <i>Senator Peter C. Courtney (D)</i> Proposes to increase the amount collected for solid waste disposal that may be set aside by local governments for certain uses.	✓			
WATER				
* HB 2258 Proposes to make legislative findings regarding need for water supply management and merits of water banking.	✓			
* HB 2259 Proposes to increases certain fees charged by the Water Resources Department.	✓			
* HB 2396 <i>Representative Brad Witt (D)</i> Proposes to amend the definition of debris for purposes of in-channel removal-fill provisions.	✓			
* SB 199 <i>Senator Peter C. Courtney (D)</i> Proposes to expand the means for acquisition of existing water rights for conversion to in-stream water rights.	✓			
* SB 200 <i>Senator Peter C. Courtney (D)</i> Proposes to allow certain water right holders to apply for assignment of a water right. Authorizes the Department of Water Resources to issue replacement water right permits.	✓			
* SB 217 <i>Senator Peter C. Courtney (D)</i> Proposes to impose an annual management fee on water rights.	✓			
* HB 2258 Proposes to make legislative findings regarding need for water supply management and merits of water banking.	✓			
* HB 2259 Proposes to increases certain fees charged by Water Resources Department.	✓			

AIR

GREENHOUSE GAS REPORTING AND TRAINING The Washington Department of Ecology (WADOE) requires certain facilities to report to their greenhouse gas (GHG) emissions to the state. Reports are due April 1, 2013. The WADOE's applicable emissions and calculation methodologies are nearly identical to the EPA's, with a main difference being the lower reporting threshold of 10,000 metric tons of carbon dioxide equivalent (CO₂e) per calendar year. The WADOE is offering training sessions for facilities that are required to report their GHG emissions to Washington and the EPA. The sessions are:

- February 26, 2013: WADOE's Lacey Office (in person or webinar training)
- February 28, 2013: WADOE's Bellevue Office (in person training)
- March 6, 2013: Spokane Community College

Prior registration is required to attend the training sessions. To register, email [Neil Caudill](mailto:Neil.Caudill@ecy.wa.gov) with: attendee name, attendee email address(es), facility(ies) the attendee represents, number of parking spaces needed, and which training session you wish to attend. Contact Neil Caudill at (360) 407-6811 with questions. Additional information is available at http://www.ecy.wa.gov/programs/air/permit_register/ghg/ghg.html.

PUGET SOUND CLEAN AIR AGENCY: BULK GASOLINE The Puget Sound Clean Air Agency adopted a revision to Sections 2.01 and 2.06 of Regulation II to eliminate the potential conflict between an EPA regulatory requirement and the practical technical feasibility of actually complying with that requirement. This action establishes an enforceable limitation on the daily gasoline throughput of bulk gasoline plants in order to clarify that the agency will regulate these facilities as bulk gasoline plants and not as gasoline loading terminals. The final rule was effective February 1, 2013. For more information, contact Rob Switalski at robs@psccleanair.org. The notice of proposed rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/22/12-22-078.htm>. The notice of final rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2013/02/13-02-019.htm>.

CLIMATE CHANGE

GHG EMISSIONS FROM COMBINED CYCLE COMBUSTION TURBINES The Washington Department of Commerce is proposing to establish the average GHG emission rate from new, commercially available combined cycle combustion turbines (referenced in [RCW 80.80.040](http://www.wa.gov) Greenhouse Gas Emission Performance Standard – Rules). This section establishes the state GHG emission performance standard for utility baseload electric generation. The department released a supplemental notice that it intends to consider adoption of the proposed rule on February 14, 2013. For more information, contact Neil Caudill at (360) 407-6811 or at ncau461@ecy.wa.gov. The notice of proposed rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/21/12-21-138.htm>. The supplemental notice is available at <http://apps.leg.wa.gov/documents/laws/wsr/2013/02/13-02-098.htm>.

NATURAL RESOURCES

STATE ENVIRONMENTAL POLICY ACT The WADOE adopted amendments to [Chapter 197-11 WAC](http://www.wa.gov), SEPA Rules (State Environmental Protection Act). The amendments:

- increase the flexible thresholds that local governments may adopt to exempt minor new construction projects from SEPA review;
- establish separate flexible exemption thresholds for local governments with comprehensive growth management plans;
- revise the process that local governments follow in adopting flexible SEPA minor new construction exemption thresholds;
- revising and clarifying language related to the residential parking lot and landfill and excavation categories of minor new construction;

- increase the exemption threshold for SEPA review of electric facilities; and
- add flexibility for all lead agencies accept electronic submittal of the environmental checklist.

The final rules were effective January 28, 2013. For more information, contact Tom Clingman at (360) 407-7448 or at Tom.Clingman@ecy.wa.gov. The notice of proposed rulemaking is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/21/12-21-125.htm>. The notice of permanent rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2013/02/13-02-065.htm>. Final rule text is available at http://www.statescape.com/RegsText/StaticDownloads/58687_101831.pdf.

OTHER

HAZARD COMMUNICATION The Washington Department of Labor is proposing an expedited rulemaking to align state regulations with final Occupational Safety and Health Administration (OSHA) Hazard Communication Standards that bring federal rules into alignment with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). This rulemaking creates a new rule, Washington Administrative Code (WAC) 296-901-140, incorporating all the elements of existing state rules into one rule to be consistent with OSHA's Hazard Communication Standard. The effective dates of the new rule will be delayed and phased in. During the transition period, there is the option to comply with the applicable requirements in the existing rules or the requirements in the new rule or both. Upon completion of the transition period, the existing standards will be repealed. The notice of expedited rulemaking is available at http://www.statescape.com/RegsText/StaticDownloads/66659_100775.pdf. Proposed text is available at http://www.statescape.com/RegsText/StaticDownloads/66659_100776.pdf.

WATER

OIL SPILL CONTINGENCY PLANNING The WADOE adopted amendments to [Chapter 173-182 WAC](#) (Oil Spill Contingency Plan). The amendments:

- incorporate best achievable protection and best available technology;
- improve the state's current vessels of opportunity system;
- require joint large-scale equipment deployment drills from tank vessels;
- improve the state-required notification process to include potential spill threats as well as actual spills;
- change contingency plan requirements for nonprofit umbrella organizations;
- update definitions; and
- make other changes related to oil spill contingency plans and the department's contingency plan review and approval process.

The final rule was effective January 14, 2013. For more information, contact Sonja Larson at (360) 407-6682 or at sonja.larson@ecy.wa.gov. The notice of proposed rule is available at http://www.statescape.com/RegsText/StaticDownloads/42502_91125.pdf. The notice of permanent rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2013/01/13-01-054.htm>. Final rule text is available at http://www.statescape.com/RegsText/StaticDownloads/42502_100606.pdf.

PREASSESSMENT SCREENING AND OIL SPILL COMPENSATION SCHEDULE The WADOE adopted updates to its Preassessment Screening and Oil Spill Compensation Regulations (old title), [Chapter 173-183 WAC](#). The update incorporates the new requirements of [HB 1186 \(2011\)](#). The updates affect the calculations for compensation values and change the name of the rule to Oil Spill Natural Resource Damage Assessment. The final rule was effective January 14, 2013. For more information, contact Rebecca Post at (360) 407-7455 or at spillsrulemaking@ecy.wa.gov. The notice of proposed rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/17/12-17-074.htm>. The notice of permanent rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2013/01/13-01-055.htm>. Final rule text is available at http://www.statescape.com/RegsText/StaticDownloads/42499_100609.pdf.

ASSESSMENT: MARINE WATER AND SEDIMENT QUALITY The WADOE updated its assessment of the health of Washington's marine waters and sediment quality. The assessment, which is required under the Clean Water Act, is the state's latest list of polluted waters plus a status of water quality. It documents progress in addressing polluted water in specific geographic areas and helps the state recognize locations where additional water pollution control measures are needed. New to the assessment, Puget Sound is categorized as "waters of concern" for potential harm

to fish and shellfish habitat from human activities, including conditions that make the waters more vulnerable, such as climate change, urbanization, and ocean acidification. Based on recommendations from the Governor's Blue Ribbon Panel on Ocean Acidification, the WADOE asked the EPA to begin an assessment of water quality criteria relevant to ocean acidification. Currently, there is no federal guidance to list waters for ocean acidification impacts. For more information, contact Sandy Howard at (360) 407-6408 or at sandy.howard@ecy.wa.gov. A press release about the marine assessment is available at <http://www.ecy.wa.gov/news/2013/008.html>. The state's water quality assessment tool is available at <http://apps.ecy.wa.gov/wats/Default.aspx>.

LEGISLATIVE DEVELOPMENTS

The Washington 2013 legislative session began January 14, 2013 and adjourns April 24, 2013. Bills from 2013 carry over to the 2014 session. An * indicates the first time a bill appears in the 2013 Review. For information on the Washington legislature, go to <http://www.leg.wa.gov/pages/home.aspx>.

<i>Washington 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				
* SB 5321 <i>Senator Doug Ericksen (R)</i> Proposes to harmonize state greenhouse gas reporting requirements with federal requirements.	✓			
ENERGY				
* HB 1017 <i>Representative Jeff Morris (D)</i> Proposes to create new efficiency standards for battery charger systems, water closets, and urinals. Authorizes a city or county to enact an ordinance allowing the sale and installation of non low-consumption water closets or urinals.	✓			
* HB 1030 <i>Representative Jeff Morris (D)</i> Proposes to adopt the Electric Transmission Line Siting Compact in order to promote an inter-state cooperative transmission siting process.	✓			
* HB 1193 <i>Representative J.T. Wilcox (R)</i> Proposes to require an applicant of a permit to construct a wind turbine to provide notice of the application to adjacent landowners.	✓			
* HB 1221 <i>Representative Dave Upthegrove (D)</i> Proposes to modify the Energy Independence Act by revising the definition of "load" and adding a definition for "coal transition power." Companion bill is SB 5298.	✓			
* HB 1296 <i>Representative Jeff Morris (D)</i> Proposes to require an electric utility's integrated resource plan to include an assessment of energy storage systems on the utility and distributed generation scale.	✓			
* HB 1347 <i>Representative Shelly Short (R)</i> Proposes to authorize a qualifying utility to use certain eligible renewable resources to meet its annual targets. Prohibits the utility from transferring or selling these eligible renewable resources to another utility.	✓			

Washington Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
<p>*HB 1374 <i>Representative Jeff Morris (D)</i> Proposes to change the composition and duties of the Energy Facility Site Evaluation Council because there is a critical need for infrastructure to ensure the safe and reliable operations of electrical generation and energy transmission systems in the state and the region. Removes the military department from membership in the council.</p>	✓			
<p>*HB 1426 <i>Representative Terry Nealey (R)</i> Proposes to authorize qualifying utilities serving retail customers to use eligible renewable resources located within the Western Electricity Coordinating Council area to comply with the Energy Independence Act. Companion bill is SB 5400.</p>	✓			
<p>*SB 5294 <i>Senator Doug Ericksen (R)</i> Proposes to revise the Energy Independence Act by recognizing hydroelectricity as an eligible renewable resource.</p>	✓			
<p>*SB 5298 <i>Senator John Braun (R)</i> Proposes to modify the Energy Independence Act by revising the definition of "load" and adding a definition for "coal transition power." Companion bill is HB 1221.</p>	✓			
<p>*SB 5369 <i>Senator Adam Kline (D)</i> Proposes to address rights and permits associated with geothermal energy production. Allocates revenues associate with geothermal energy and creates a geothermal energy account in the state treasury.</p>	✓			
<p>*SB 5400 <i>Senator Jim Honeyford (R)</i> Proposes to authorize qualifying utilities serving retail customers to use eligible renewable resources located within the Western Electricity Coordinating Council area to comply with the Energy Independence Act. Companion bill is HB 1426.</p>	✓			
<p>*SB 5412 <i>Senator Doug Ericksen (R)</i> Proposes to revise the definition of "eligible renewable resource" for purposes of the Energy Independence Act.</p>	✓			
<p>*HB 1017 <i>Representative Jeff Morris (D)</i> Proposes to create new efficiency standards for battery charger systems, water closets, and urinals. Authorizes a city or county to enact an ordinance allowing the sale and installation of non low-consumption water closets or urinals.</p>	✓			
<p>*HB 1030 <i>Representative Jeff Morris (D)</i> Proposes to adopt the Electric Transmission Line Siting Compact in order to promote an inter-state cooperative transmission siting process.</p>	✓			
<p>*HB 1193 <i>Representative J.T. Wilcox (R)</i> Proposes to require an applicant of a permit to construct a wind turbine to provide notice of the application to adjacent landowners.</p>	✓			

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
LAND USE				
* HB 1158 <i>Representative Steve Kirby (D)</i> Proposes to authorize The Adjutant General (TAG) to file a petition to have real property owned by the state for military purposes annexed to a city or town if that property constitutes the whole of the property in the annexation petition. Companion bill is SB 5068.	✓			
* HB 1277 <i>Representative David Sawyer (D)</i> Proposes to address tribes holding conservation easements.	✓			
* SB 5068 <i>Senator Steve Conway (D)</i> Proposes to authorize The Adjutant General (TAG) to file a petition to have real property owned by the state for military purposes annexed to a city or town if that property constitutes the whole of the property in the annexation petition. Companion bill is HB 1158.	✓			
NATURAL RESOURCES				
* HB 1244 <i>Representative Derek Stanford (D)</i> Proposes to clarify the Department of Natural Resources' authority to enter into cooperative agreements. Addresses watershed management.	✓			
OTHER				
* HB 1010 <i>Representative Sherry V. Appleton (D)</i> Proposes to remove an exclusion that allowed the wholesale of bulk containers (55 gallons or greater) of antifreeze without an aversive agent.	✓			
* HB 1110 <i>Representative David Taylor (R)</i> Proposes to require employers to comply with certain federal standards for the purposes of respirator requirements for asbestos abatement projects.	✓			
* HB 1434 <i>Representative Gerry Pollet (D)</i> Proposes to promote community involvement in environmental decision-making.	✓			
* SB 5002 <i>Senator Jim Honeyford (R)</i> Proposes to require mosquito control districts to the use integrated pest management methods in places where public health vectors are found or are likely to exist.	✓			
WASTE				
* HB 1310 <i>Representative Joe Fitzgibbon (D)</i> Proposes to authorize a local government, through its local legislative authority, to choose to regulate consumer access to retail carryout bags. Companion bill is SB 5386.	✓			
* HB 1364 <i>Representative Steve Tharinger (D)</i> Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is SB 5457.	✓			

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 1498 <i>Representative Dave Upthegrove (D)</i> Proposes to require additional information in the annual electronic product recycling reports prepared by the Washington Materials Management and Financing Authority.	✓			
* SB 5201 <i>Senator Kevin Ranker (D)</i> Proposes to create the brownfield redevelopment trust fund account to accelerate the cleanup of hazardous waste sites and brownfields throughout the state.	✓			
* SB 5386 <i>Senator Mark Mullet (D)</i> Proposes to authorize a local government, through its local legislative authority, to choose to regulate consumer access to retail carryout bags. Companion bill is HB 1310.	✓			
* SB 5457 <i>Senator Sharon Nelson (D)</i> Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is HB 1364.	✓			
WATER				
* HB 1016 <i>Representative Jan Angel (R)</i> Proposes to designate facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements.	✓			
* HB 1179 <i>Representative Dawn Morrell (D)</i> Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is SB 5218.	✓			
* HB 1237 <i>Representative Liz Pike (R)</i> Proposes to require the Department of Ecology to conduct a pilot project to evaluate net environmental effects of an alternative approach to municipal storm water management and verify the approach satisfies state/federal law. Companion bill is SB 5435.	✓			
* HB 1239 <i>Representative Dean Takko (D)</i> Proposes to modify powers of water-sewer districts. Specifies how water sewer districts can use the powers of eminent domain and condemnation. Concerns waterworks used for electric generation. Companion bill is SB 5185.	✓			
* HB 1350 <i>Representative Bruce Chandler (R)</i> Proposes to address future development criteria with regard to exempt well withdrawals in order to allow better allocation of water resources.	✓			
* HB 1375 <i>Representative Brian Blake (D)</i> Proposes to allow local governments to consolidate a new exempt withdrawal of groundwater into an existing public water system. Companion bill is SB 5200.	✓			
* HB 1414 <i>Representative Bruce Chandler (R)</i> Proposes to implement the integrated water resource management plan in the Yakima river basin. Companion bill is SB 5367.	✓			

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 1438 <i>Representative Vincent Buys (R)</i> Proposes to address de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies. Companion bill is SB 5199.	✓			
* HB 1512 <i>Representative Dean Takko (D)</i> Proposes to clarify the authority of water purveyors to provide fire suppression water facilities and services and to recover the costs. Provides liability protection.	✓			
* SB 5071 <i>Senator Jerome L. Delvin (R)</i> Proposes to extend the time period permitted to put water to beneficial use.	✓			
* SB 5185 <i>Senator Pam Roach (R)</i> Proposes to modify certain powers of water-sewer districts. Companion bill is HB 1239.	✓			
* SB 5199 <i>Senator Doug Ericksen (R)</i> Proposes to establish that the standards for a change of use application for certain types of water rights are the laws in place at the time the change of use was implemented. Companion bill is HB 1438.	✓			
* SB 5200 <i>Senator Brian Hatfield (D)</i> Proposes to allow local governments to consolidate a new exempt withdrawal of groundwater into an existing public water system. Companion bill is HB 1375.	✓			
* SB 5218 <i>Senator Bruce Dammeier (R)</i> Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is HB 1179.	✓			
* SB 5219 <i>Senator Jim Honeyford (R)</i> Proposes to establish a process to retain water rights when they are no longer used on state purchased lands and to make the water rights available for alternate uses by local economies rather than be permanently lost to the economy of the area through relinquishment.	✓			
* SB 5324 <i>Senator Jim Honeyford (R)</i> Proposes to address mosquito abatement in storm water control retention ponds.	✓			
* SB 5326 <i>Senator Ann Rivers (R)</i> Proposes to delay new storm water discharge permitting requirements.	✓			
* SB 5367 <i>Senator Jim Honeyford (R)</i> Proposes to implement the integrated water resource management plan in the Yakima river basin. Companion bill is HB 1414.	✓			
* SB 5435 <i>Senator Annette Cleveland (D)</i> Proposes to require the Department of Ecology to conduct a pilot project to evaluate net environmental effects of an alternative approach to municipal storm water management and verify the approach satisfies state/federal law. Companion bill is HB 1237.	✓			

Department of Defense Activity

NATURAL RESOURCES

PROTECTION OF SACRED SITES The DoD, Department of Interior (DOI), Department of Agriculture, and the Advisory Council on Historic Preservation (ACHP) signed a memorandum of understanding (MOU) to improve the protection of and tribal access to Indian sacred sites through enhance and improved inter departmental coordination and collaboration. The MOU includes a participating agency agreement that specifies actions the agencies agree to undertake. The MOU, effective upon final signature, expires December 31, 2017. The MOU is available at http://www.achp.gov/docs/SacredSites-MOU_121205.pdf.

OTHER

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT (PEA) FOR ARMY 2020 FORCE STRUCTURE REALIGNMENT The Department of the Army completed a final [Programmatic Environmental Assessment](#) and draft Finding of No Significant Impact for Army force structure reductions and realignments that may occur from Fiscal Years 2013-2020. The PEA analyzes the potential environmental and socioeconomic impacts associated with realignment of the Army's force structure between FY2013 and FY 2020 to field a force of sufficient size, capability, and configuration to meet the Nation's current and projected future security and defense requirements.

ASA(I&E) FISCAL YEAR 2013 BUDGET GUIDANCE The Assistant Secretary of the Army (Installations, Energy, and Environment) released budget guidance for fiscal year 2013. The guidance addresses a number of required cost saving actions affecting facility space management, energy procurement and use, and environmental and cultural resource programs. The guidance, dated January 23, 2013, was effective upon release. The guidance is available as an attachment to this document (paperclip icon).

Federal Activity

AIR

NATIONAL AMBIENT AIR QUALITY STANDARDS TIGHTENED FOR FINE PARTICULATE MATTER The EPA published its final rule revising PM2.5 NAAQS ([78 FR 3085](#)). The rule lowers, from 15.0 to 12.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), the annual PM2.5 primary (health-based) standards for PM2.5. EPA is retaining the 24-hour PM2.5 standard at a level of 35 $\mu\text{g}/\text{m}^3$, and retaining the 24-hour PM10 standard at 150 $\mu\text{g}/\text{m}^3$. EPA indicates that [most areas are already in compliance](#) and expects that fewer than 10 counties in the United States will be required to consider local actions to reduce fine particle pollution in order to meet the new standard by 2020. Separately EPA has announced a voluntary program called [PM Advance](#) to encourage states, localities, and tribes to work to reduce particulate emissions. Additional information can be found on the [EPA NAAQS website](#).

NESHAP FOR RECIPROCATING INTERNAL COMBUSTION ENGINES In advance of formal publication, [EPA signed amendments](#) to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for stationary reciprocating internal combustion engines. Additional information on the rules including fact sheets and the text of the final amendments can be found at the [EPA policy and guidance website](#). For more information, contact [Melanie King](#).

ALASKA EAGLE RIVER NONATTAINMENT AREA The EPA issued a direct final rule approving the Limited Maintenance Plan submitted for the Eagle River nonattainment area and the State's request to redesignate the area to attainment for the National Ambient Air Quality Standards (NAAQS) for coarse particulate matter (PM10) ([78 FR 924](#)). This rule was effective January 7, 2013 unless the EPA received adverse comment by February 6, 2013. For more information, contact [Justin Spenillo](#) at (206) 553-6125.

IDAHO SIP The EPA is proposing to approve revisions to the Idaho SIP regarding open burning (78 FR 2359). The revisions relate to Idaho's open burning and crop residue disposal requirements and establish a streamlined permitting process for spot burns, baled agricultural residue burns, and propane flaming. Comments were due February 11, 2013. For more information, contact [Donna Deneen](#) at (206) 553-6706.

OREGON OPEN BURNING The EPA is proposing to approve revisions to the Oregon SIP regarding open burning, enforcement procedures, civil penalties, and procedures in contested cases (78 FR 918). Comments were due February 6, 2013. For more information, contact Justin Spenillo at (206) 553-6125.

WASHINGTON SIP The EPA is proposing to approve a revision to the Washington SIP relating to PM2.5 (78 FR 4804). The EPA is proposing to approve the 2008 Baseline Emissions Inventory and Documentation to meet requirements related to the Tacoma-Pierce County nonattainment area for the 2006 (PM2.5) NAAQS. The EPA is also proposing to approve updated Puget Sound Clean Air Agency rule that implement recommendations of the Tacoma-Pierce County Clean Air Task Force, which was formed to develop PM2.5 reduction strategies. Comments are due February 22, 2013. For more information, contact [Jeff Hunt](#) at (206) 553-0256.

CLIMATE CHANGE

TEST PROCEDURES FOR RESIDENTIAL WATER HEATERS AND COMMERCIAL WATER HEATERS The Department of Energy (DOE) is initiating the rulemaking and data collection process to develop a uniform efficiency descriptor and accompanying test method for residential water heaters and commercial water heaters (78 FR 2340-2347). For more information, contact [Mohammed Khan](#) at (202) 586-7892.

ENDANGERED SPECIES

WOOD BISON The Fish and Wildlife Service (FWS) is proposing to establish a nonessential experimental population of wood bison in central Alaska (78 FR 4108). This proposal, if made final, would also establish provisions under which wood bison in Alaska would be managed. Comments are due March 19, 2013. For more information, contact Sonja Jahrsdoerfer at 907) 786-3323 or at woodbison-AK@fws.gov. Additional information is available at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A00R>.

RECOVERY PLAN: COLUMBIA BASIN PYGMY RABBIT The FWS released the final Recovery Plan for the Columbia Basin Distinct Population Segment of the Pygmy Rabbit (*Brachylagus idahoensis*). There are currently no Columbia Basin pygmy rabbits known to occur in the wild, however, it is possible that they may still be found on lands that have not yet been surveyed in central Washington. For more information, contact Chris Warren at (509) 891-6839. Additional information is available at <http://www.fws.gov/pacific/news/2013/images/CBPRQA.pdf> and at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0GG>.

CRITICAL HABITAT: LOWER COLUMBIA RIVER SALMON AND PUGET SOUND STEELHEAD The National Marine Fisheries Service (NMFS) is proposing to designate critical habitat for lower Columbia River Coho salmon and Puget Sound steelhead (78 FR 2725). Areas proposed for designation for lower Columbia River Coho include approximately 2,288 miles of freshwater and estuarine habitat in Oregon and Washington. Areas proposed for designation for Puget Sound steelhead include approximately 1,880 miles of freshwater and estuarine habitat in Puget Sound, Washington. The NMFS identified three DoD installations in Washington with streams occupied by Puget Sound steelhead but will not designate critical habitat on these installations because they have either draft or final Integrated Natural Resource Management Plans (INRMPs) that protect the species. The installations are Naval Base Kitsap; Naval Radio Station, Jim Creek; and Joint Base Lewis- McChord (Army and Air Force). For more information, contact Steve Stone at (503) 231-2317. Additional information is available at <http://www.nwr.noaa.gov/Salmon-Habitat/Critical-Habitat/LCR-coho-PS-stlhd.cfm>.

RECOVERY PLAN: NORTH PACIFIC RIGHT WHALE The NMFS released the draft recovery plan for the North Pacific right whale (*Eubalaena japonica*) for public comment (78 FR 4835). Comments are due March 11, 2013. For more information, contact Shannon Bettridge at (301) 427-8437 or at Shannon.Bettridge@noaa.gov. Additional information is available at http://www.nmfs.noaa.gov/pr/species/mammals/cetaceans/rightwhale_northpacific.htm.

ENERGY

UPDATED GUIDANCE: SUPERFUND LIABILITY AT LEASED RENEWABLE ENERGY SITES The EPA released [updated enforcement discretion guidance](#) regarding the treatment of tenants concerned about liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), also commonly referred to as Superfund. The guidance is intended to encourage renewable energy development on current and formerly contaminated land and mine sites. Under current CERCLA case law, the mere execution of a lease does not necessarily make a tenant liable as an owner or operator under CERCLA Section 107(a). A webinar on this topic was held February 4, 2013. For more information, contact [Susan Boushell](#) at (202) 564-5161.

HAZARDOUS MATERIAL

HARMONIZATION WITH INTERNATIONAL STANDARDS The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule ([78 FR 987-1100](#)) amending the Hazardous Materials Regulations to incorporate changes adopted in the International Maritime Dangerous Goods (IMDG) Code, the International Civil Aviation Organization's (ICAO) Technical Instructions, and the UN Model Regulations, effective January 1, 2013. For more information, contact Vincent Babich at (202) 366-8553.

EXTENSION OF ORM-D FOR SURFACE TRANSPORTATION The Department of Transportation (DOT) extended authorization for use of the other regulated materials, domestic (ORM-D) classification and the use of packagings marked "Consumer commodity, ORM-D" for domestic highway, rail, and vessel transportation until December 31, 2020 ([78 FR 1101-1118](#)). For more information, contact Michael Stevens at (202) 366-8553.

AIR TRANSPORTATION OF LITHIUM BATTERIES The PHMSA is seeking additional comment on the impact of changes to the requirements for the air transport of lithium cells and batteries ([78 FR 1119-1120](#)). Changes for lithium batteries adopted in the 2013-2014 International Civil Aviation Organization [Technical Instructions](#) on the Transport of Dangerous Goods by Air (ICAO Technical Instructions), were incorporated by reference in a final rule amending the DOT Hazardous Materials Regulations (HMR). Specifically, PHMSA is seeking comment on whether to require mandatory compliance with the 2013-2014 ICAO Technical Instructions for all shipments of lithium batteries by air, both foreign and domestic, or to allow domestic shippers and carriers to choose between compliance with the existing HMR and the ICAO instruction. Comments are due March 8, 2013. For more information, contact Charles Betts at (202) 366-8553.

OTHER

S.152 AMERICA NEEDS EIELSON ACT OF 2013 Alaska Senator Lisa Murkowski (R) introduced Senate Bill 152, titled [America Needs Eielson Act of 2013](#). The bill would require the Secretary of the Air Force to retain the current leadership rank, aircraft, and core functions of the 354th Fighter Wing and the 18th Aggressor Squadron at Eielson Air Force Base and to require reports on proposed activities at such installation. The bill was introduced on January 24, 2013, read twice, and referred to the Senate Committee on Armed Forces. As introduced, the bill contains several conditions:

- the findings of the Commission on the Structure of the Air Force are released (scheduled for March 2014);
- an Environmental Impact Statement (EIS) is completed on the proposed move of the F-16 Aggressor Squadron to Joint Base Elmendorf Richardson;
- a Pentagon study is conducted on the Strategic Importance of Eielson Air Force Base; and
- a Record of Decision (ROD) is released that explains how any proposed action is consistent with the findings of the EIS and the Pentagon study of Eielson's strategic future.

TOXICS

DRAFT CHEMICAL RISK ASSESSMENTS - METHYLENE CHLORIDE AND TCE The EPA released draft chemical risk assessments for methylene chloride (dichloromethane—DCM), N-Methylpyrrolidone (NMP), and trichloroethylene (TCE) ([78 FR 1856-1858](#)). The draft assessments focus on the use of methylene chloride and N-Methylpyrrolidone in paint stripping and uses of TCE as a degreaser and in consumer products. Comments on draft assessments are due March 11, 2013. For more information, contact [Stanley Barone](#) at (202) 564-1169.

WASTE

ASSESSING PROTECTIVENESS AT SITES FOR VAPOR INTRUSION The EPA finalized the first of several pending guidance documents and regulations governing the evaluation and mitigation of vapor intrusion at contaminated sites. [EPA's new guidance](#) requires regional EPA offices to address vapor intrusion risks during the five-year reviews for most completed Superfund cleanups.

Professional Development

February 26, New Orleans, LA: [ESPC Comprehensive Workshop](#). Open only to Federal employees and DOE management and operating (M&O) contractors, the workshop outlines the latest DOE energy savings performance contract (ESPC) indefinite delivery, indefinite quantity contract and process. The session is taught by DOE national laboratory experts and other consultants with extensive background in ESPCs.

February 27-28, Washington, DC: [2013 Climate Leadership Conference](#). This conference is dedicated to professionals addressing global climate change through policy, innovation, and business solutions. It gathers forward-thinking leaders from business, government, academia, and the non-profit community to explore energy and climate related solutions, introduce new opportunities, and provide support to leaders taking action on climate change.

March 5-7, Washington, DC: [8th Annual Military Energy Alternatives Conference](#) This will be an in-depth discussion on strategies to integrate the latest technologies, establish returns on alternative energy investments and create a successful business environment with stakeholders in an effort to meet energy efficiency and security targets.

March 6-7, Philadelphia, PA: [24th Annual Globalcon 2013](#). Presented by the Association of Energy Engineers (AEE), examples of topics addressed at this conference include: energy efficiency, high performance buildings, energy conservation, and other energy related issues.

March 7, Online: [Embedding Sustainability In An Organizational Structure](#). Stephanie Bertels, PhD and Assistant Professor in Technology and Operations Management at Simon Fraser University, Surrey, researches innovations related to sustainability, institutional change, inter-organizational collaboration, and resilience and reliability. Her current research bridges organization theory and the issues surrounding sustainable development to explore how organizations can develop and implement innovative strategies for a more sustainable future.

March 13-15, New Orleans, LA: [Clean Air Compliance Workshop](#). This 2.5-day course provides a comprehensive overview of each regulation, permit, plan, to give a better understanding of facility compliance. This course is designed for new and veteran air professionals and practitioners.

March 25-28, Myrtle Beach, SC: [Coastal Geotools](#). This conference series focuses on the technical information needs of the nation's coastal programs. It will focus on building the Digital Coast, a Web platform that provides access to geospatial data, tools, and technical training.

April 1-4, Los Angeles, CA: [2013 National Association Of Environmental Professionals \(NAEP\)](#). NAEP and the California Association of Environmental Professionals (AEP) will jointly host their annual meetings. The theme of the conference is "Walk-the-Talk," highlighting the best efforts by private- and public-sector environmental professionals in the areas of regulations, analyses, project construction, and project operations. The focus will be on highlighting the work of environmental professionals that achieves the spirit of NEPA and the California Environmental Quality Act, while balancing the needs of economic development, quality of life, and conservation and protection of the environment.

April 11-13, Washington, DC: [Reclaim + Remake Symposium](#). This conference brings together the most innovative practices in education and research for current and future reuse and recycling of material resources in the built environment.

April 16-18, Washington, DC: [ESPC Comprehensive Workshop](#). Open only to Federal employees and DOE M&O contractors, the workshop outlines the latest DOE ESPC indefinite delivery, indefinite quantity contract and process. The session is taught by DOE national laboratory experts and other consultants with extensive background in ESPCs.

May 8-10, Chicago, IL: [International Society Of Sustainability Professionals Conference](#). The conference is structured around stories from the field featuring presentations of on-the-ground implementation from organizations worldwide; emerging strategies for building the business case, engaging employees and developing cultures of sustainability; and sustainability tools that will demonstrate the latest sustainability assessments, reporting standards and more.

May 15-17, Atlanta, GA: [Brownfields 2013](#). The focus of this conference is environmental revitalization and economic redevelopment.

June 20-13, New Orleans, LA: [E2S2 2013](#). E2S2 provides participants with information about environmental, energy security, and sustainability issues such as acquisition, environmental management, environmental restoration, emerging technologies, partnerships, finance and budgeting, technology, climate change and adaptation, sustainable design and construction, stormwater, BRAC, unexploded ordnance recovery, grids and infrastructure security, and contingency base energy.

August 27-29, Topeka, KS: [2013 Kansas Environmental Conference](#). This annual conference provides updates on environmental issues, new technologies, regulatory information, and pollution prevention. Anyone interested in the status of the environment in Kansas is invited to attend.

[Various Dates and Times Online](#)

Readiness and Environmental Protection Initiative – [Webinar Series](#). The REPI Webinar Series is presented by the Department of Defense in partnership with the [Land Trust Alliance](#). This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted. For detailed webinar descriptions please visit the [REPI website](#).

Defense and Federal Environmental Training/Awareness. The U.S. Army offers numerous environmental training courses. Information on environmental training conferences, school and other training providers and fiscal year class schedules are available on the [US Army Environmental Command \(AEC\) website](#).

[NPDES Training Courses And Workshops](#). Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program. They are designed for permit writers, dischargers, USEPA officials and other interested parties.

[Interstate Technology And Regulatory Council \(ITRC\) Internet Based Training](#). 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 via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

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

[National Enforcement Training Institute](#). EPA environmental enforcement training opportunities are offered (e-learning, classroom, and webinar) for federal, state, tribal and local government environmental enforcement professionals.

USACE PROSPECT Training. USACE announces its FY 2013 PROSPECT training program. Please see the [Course Catalog \(a.k.a. Purple Book\)](#) and [List of Classes and schedule](#) for details. Courses are open to all federal employees, state, county and city employees and contractors. There are different registration processes for each entity.

[Navy and ISEERB Environmental Training FY 13.](#) The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY13 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 FY 2013.](#) The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government. Fees vary according to personnel status (i.e. active duty Air Force/civilian, other U.S. government employee, contractor).

Air Force Institute of Technology (AFIT) Training Course, [Qualified Recycling Program Management.](#) The purpose of the course is to understand the Department of Defense requirements for operating a Qualified Recycling Program (QRP). This course emphasizes principles and techniques to assist students in implementing a sound Qualified Recycling Program. The course focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting methods to maximize returns, working with your DRMO, establishing contracts, recording transactions, DoD recordkeeping, and estimating future budgets.

[Anytime Online](#)

[EPA Watershed Academy.](#) The website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in time to complete, from 1/2 hour to 2 hours.

[EPA Sustainable Materials Management Academy.](#) Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make your program more successful. The format is a formal presentation followed by a question and answer session and discussion time.

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

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

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

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

[Training for Federal GHG Inventories.](#) A component of FedCenter's broader Greenhouse Gas Inventory Reporting site is available. The DOE Federal Energy Management Program (FEMP)-developed training offers three types of training that can help in understanding the processes needed to develop an agency's GHG inventory under EO 13514 section 9. These trainings include online interactive courses, archived webinar videos and PowerPoint files from training courses.

[Building Retuning](#). The purpose of this course is to enable you to reduce operating cost and provide energy savings to buildings. The focus is on large (100,000 sq. ft.) commercial buildings, but the concepts and techniques presented can be applied to any type and size of facility that has a building automation system.

[Achieving Energy Security in Federal Facilities](#). Achieving Energy Security in Federal Facilities builds competency in protecting critical missions by integrating energy security measures into all aspects of operations. Employ critical principles, such as diversity, redundancy, reducing demand, planning, and emergency management as you consider energy security. Consider technologies that support energy security and develop an understanding of key issues related to short- and long-term energy disruptions, including storage and maintenance issues.

[Advanced Metering Solutions for Federal Agencies](#). This one-day FEMP-sponsored symposium (targeting federal energy managers, contractors, and software and system providers) consists of two sections. The morning session consists of presentations by federal agencies highlighting their successful applications of advanced metering, data analysis, and diagnostic software. The afternoon session features panel discussions by invited metering hardware and software providers highlighting the capabilities of such systems.

[Whole Building Design Guide Training](#). FEMP has partnered with the National Institute of Building Sciences to offer FEMP E-Learning Courses on the Whole Building Design Guide. Eight interactive, on-demand, self-paced, and self-tracking courses are supportive of the Federal Building Personnel Training Act competencies and provide up-to-date information targeted to mid-level federal energy, water, and sustainability managers.

[Using Social Media Channels to Inspire Offline Action](#). Zoey Kroll is an Internet Communications Specialist at the San Francisco Department of Environment and a Social Media Strategist at Hayes Valley Farm. She will talk about using social media channels to inspire offline action. The webinar will discuss how apps (RecycleWhere), activity clubs (Photo Adventure Club), and social media tools can inspire people to move from clicks to compost. This training is offered by the Pollution Prevention Resource Exchange (P2Rx).

[Energy Star Training](#). Energy Star offers free online training to help improve energy performance. Training is available in the form of live web conferences, pre-recorded training available 24/7, and self-guided presentations in pdf format. Depending on the conference, session, or presentation, the training is designed for facility managers, property managers, environmental managers, energy managers, financial officers, building engineers, and others interested in Energy Star.

[Air Force Civil Engineering School Seminars](#). The Air Force Civil Engineering School offers a variety of free online seminars on hazardous waste management, hazardous materials management, stormwater management, and more.

[USEPA Stormwater Webcast Series](#). The USEPA's NPDES Permit program offers training courses, workshops, and webcasts to explain the regulatory framework and technical considerations of the NPDES Permit program. These courses are designed for permit writers, dischargers, USEPA officials, and other interested parties.

[USEPA Reduce Runoff Video](#). The USEPA and the U.S. Botanic Garden produced a 9-minute online video, "Reduce Runoff: Slow It Down, Spread It Out, Soak It In," that highlights green techniques such as rain gardens, green roofs and rain barrels to help manage stormwater runoff.

[USEPA Watershed Academy Web Self Paced Training Modules](#). This USEPA online training website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in the time to complete, from ½ hour to 2 hours.

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

[NPDES Training](#). The web-based NPDES permit writers training is a series of web-based recordings of presentations. This training is appropriate for those who have attended the live course and wish to review the material in a self-paced

environment, and for those who wish to become familiar with the NPDES process. A certificate of completion is available for each module in the series.

[ITRC Archived Internet-Based Training](#). The Interstate Technology and Regulatory Council (ITRC) offers free internet-based training events on a wide variety of topics. Archived training courses are available for online viewing or download for later viewing. Limited sessions/topics are available via podcast.

[CLU-IN Environmental Remediation Webcast Series](#). USEPA's Clean-up Information (CLU-IN) website provides information about innovative treatment and site characterization technologies while acting as a forum for waste remediation stakeholders. The CLU-IN website offers free podcasts, live web events, course and seminar information and more, with most lasting approximately two hours.

[Sustainable Materials Management Web Academy](#). The Sustainable Materials Management (SMM) Web Academy (formerly the Resource Conservation Challenge) series provides information through another year of webinars related to the USEPA's Sustainable Materials Management Program. Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what does not, and how to make your program more successful. The format for the calls is a formal presentation followed by a question and answer session and discussion time.

[FedCenter-Sponsored Courses](#). In conjunction with the USEPA, FedCenter is now offering free, web-based, on-demand training courses for federal employees. Initially, the FedCenter will be offering training for federal laboratories, environmental management systems, and underground storage tanks, but their library will expand over time to include other topic areas deemed important to the federal community. (FedCenter membership is required to view these courses).

[USEPA Climate & Energy Webcast Series](#). The USEPA hosts the Local Climate and Energy Webcast Series to assist local governments as they explore and plan climate change and clean energy efforts. These regular webcasts highlight EPA resources available to local governments and present examples of successful climate and energy programs and policies implemented locally.

[Global Challenges/ Chemistry Solutions Podcast Series](#). Global Challenges/Chemistry Solutions is a series of podcasts describing some of the 21st century's most daunting problems, and how cutting-edge research in chemistry matters in the quest for solutions. These global challenges includes dilemmas such as providing a hungry, thirsty world with ample supplies of safe food and clean water; developing alternatives to petroleum to fuel society; preserving the environment and assuring a sustainable future for our children; and improving human health.

[2013 First Thursday Series Seminars](#). First Thursday Seminars are FEMP training opportunities targeting federal energy, environmental, and fleet professionals offered at no cost by leading experts. Seven seminars will be held February through August on the first Thursday of each month. Archived seminars from 2010 and 2011 are also available at this site.

[FEMP Energy Management Program Online Training](#). FEMP trains federal energy managers on the latest energy requirements, best practices, and technologies. Training categories include design, operations, and maintenance; energy efficient products; energy management; financing; fleet; renewable energy; and water efficiency. Search the FEMP website for all topics, specific topics, or type of training (live or on-demand) to find training opportunities. All courses are free unless otherwise noted.

[Solar Energy International](#). Solar Energy International offers several online courses addressing design and installation of a variety of solar energy systems. These fee-based courses generally require 10 hours per week of online instruction, accessible at any time. Courses must be completed within a 6-week window. Follow the provided link to view class schedules.

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

ADEC	Alaska Department of Environmental Conservation
ADFG	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
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
CAMR	Clean Air Mercury Rule
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH4	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
CrVI	hexavalent chromium
CTED	Washington Department of Community, Trade, & Economic Development
CWA	Clean Water Act
CX	categorical exclusion
DO	dissolved oxygen
DoD	Department of Defense
DPS	distinct population segment
EA	environmental assessment
ECA	emission control area
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
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
FY	fiscal year
GAO	Government Accountability Office
GHG	greenhouse gas
GRP	geographic response plan
GSA	General Service Administration
HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
HID	high intensity discharge
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
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
LOSS	large on-site sewage system
LT2	long term 2
MACT	maximum achievable control technology
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
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	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
NO₂	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NSPS	New Source Performance Standard
NSR	New Source Review
OAR	Oregon Administrative Rules
ODA	Oregon Department of Agriculture
ODEQ	Oregon Department of Environmental Quality
OEQC	Oregon Environmental Quality Commission
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PHMSA	Pipeline and Hazardous Materials Safety Administration
PM	particulate matter
PM_{2.5}	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
RCRA	Resource Conservation and Recovery Act
REEO-W	Regional Environmental and Energy Office - Western
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
SMP	Shoreline Management Plan
SNAP	significant new alternatives policy

SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TAC	toxic air pollutant
TiO₂	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/m³	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USDA	United States Department of Agriculture
USDOE	United States Department of Energy
USDOI	United States Department of Interior
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WAC	Washington Administrative Code
WCI	Western Climate Initiative
WEFSEC	Washington Energy Facility Site Evaluation Council
WDC	Washington Department of Commerce
WDOE	Washington Department of Ecology
WDOH	Washington Department of Health
WPCF	Water Pollution Control Facility
WRAP	Western Regional Air Partnership