



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 8



The U.S. Army Regional Environmental & Energy Office

February 2013

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



Table of Contents

Colorado.....	2
Montana.....	6
North Dakota.....	8
South Dakota.....	9
Utah.....	10
Wyoming.....	13
DoD Activity.....	15
Federal Activity.....	15
Professional Development.....	18
Staff Directory.....	23
Acronyms.....	24

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 (RFP) 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.

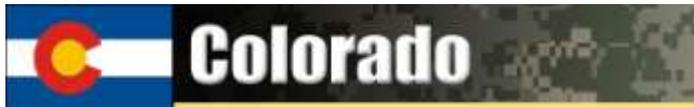
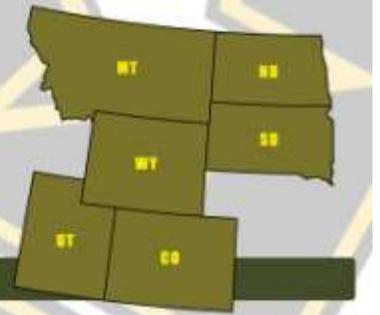
The Department of Defense as a whole has the goal to produce or consume 25 percent of its total energy use from renewable sources by year 2025.

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 8

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



AIR

REGULATION 3: PERMITTING The Colorado Department of Public Health and Environment (CDPHE) adopted revisions to Regulation 3 (Stationary Source Permitting and Air Pollutant Emission Notice Requirements). The revisions streamline, clarify, and correct sections of Parts A, B, C, D, and Appendix B of Part A. The revisions are administrative in nature. The final rules are effective February 15, 2013. For more information, contact Leah Martland at (303) 692-6269 or at leah.martland@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00862>. Proposed text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00862.DOC>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00862.DOC>.

REGULATION 7: OZONE PRECURSORS The CDPHE adopted revisions to Regulation Number 7 (Volatile Organic Compounds Control) in response to the Environmental Protection Agency's (EPA's) partial disapproval ([76 FR 47443](#)) of Colorado's Ozone State Implementation Plan (SIP). The SIP revisions under review were adopted by the Colorado Air Quality Control Commission in December 2008, and submitted to the EPA in June 2009. The final rule is effective February 15, 2013. For more information, contact Stefanie Rucker at (303) 692-3188 or at Stefanie.Rucker@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00861>. Proposed rule text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00861.DOC>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00861.DOC>.

REGULATION 11: VEHICLE INSPECTION/MAINTENANCE The CDPHE adopted revisions to Regulation 11 (Motor Vehicle Emissions Inspection Program). The amendments increase the new vehicle model-year exemptions from emissions testing from four to seven years and require on-board diagnostics testing for the next two inspection cycles. Other amendments require the current inspection/maintenance 240 testing commencing with the third inspection cycle, maintain the remote sensing provisions of the current program, and address other minor program deficiencies and housekeeping issues. Additionally, the agency issued a supplemental notice clarifying that the proposed changes affecting Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson counties would be submitted to the EPA for incorporation into the Colorado SIP, but that provisions affecting Larimer and Weld Counties would remain as state-only provisions, and not be submitted for incorporation into the Colorado SIP. This final rule is effective February 15, 2013. For more information, contact Doug Decker at (303) 692-3126 or at Doug.Decker@state.co.us. The initial notice of rulemaking is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00860>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00860.DOC>.

REGULATORY AGENDA: NEW STATIONARY SOURCES The CDPHE is proposing amendments to its standards of performance for new stationary sources. The amendments are intended to reduce the regulatory burden on owners and operators of internal combustion engines re-located into Colorado and in some cases could reduce the emission control requirements for these engines to the minimum standards required by federal New Source Performance Standards (NSPS) IIII or NSPS JJJJ requirements. This action would amend Title 5, Colorado Code of Regulation (CCR) 1001-8, Regulation 6. A public hearing is scheduled for March 21, 2013. For more information, contact Stefanie Rucker at (303) 692-3188 or at stefanie.rucker@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-01117>. Proposed rule text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-01117.DOC>. Additional information is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/AddInfoAttach2012-01117.DOC>.

OTHER

HAZARDOUS INCIDENT RESPONSE CLAIMS The CDPHE is proposing new guidance for the submission of reimbursement for expenditures by a public entity, political subdivision of the state, or unit of local government that are attributed to response to a hazardous substance incident. A public hearing is scheduled for February 26, 2013. For more information, contact Joshua Downing at (303) 273-1900 or at joshua.downing@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2013-00057>. The proposed guidance is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2013-00057.DOC>.

WASTE

CORRECTIVE ACTION MANAGEMENT UNITS The CDPHE is proposing to modify its regulations for corrective action management units (CAMUs). The modifications would clarify that CAMUs approved prior to April 22, 2002 (including certain CAMU applications submitted by November 20, 2000), are subject to the requirements in Title 40, Code of Federal Regulation, Section 264.551 ([40 CFR 264.551](#)) for grandfathered CAMUs. New CAMUs and applications that did not qualify for the "grandfathered" status are subject to the CAMU requirements of [40 CFR 264.552](#). The proposed amendment clarifies the specific effective dates that a CAMU needed to meet in order to qualify for "grandfathered" status. This action is being taken in response to EPA comments. A public hearing is scheduled for February 19, 2013. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of proposed rulemaking is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2013-00065>.

ELECTRONIC WASTE LANDFILL BAN The CDPHE is proposing revisions to its rules for solid waste sites and facilities. The amendments, in response to [Senate Bill \(SB\) 133 \(2012\)](#), amend 6 CCR, 1007-2, Part 1, Section 16 (Materials Prohibited from Disposal) would implement an electronic waste landfill ban. Previously, Section 16 specified a landfill ban on a specific item (motorized vehicle waste). This action will now will implement a framework approach so that Section 16 will serve as a platform for classifying materials prohibited from disposal (including associated regulations). A public hearing is scheduled for February 19, 2013. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of proposed rulemaking is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2013-00063>. The proposed text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2013-00063.RTF>. Additional information is available at <http://www.colorado.gov/cs/Satellite/CDPHE-HM/CBON/1251615964355>.

WASTE TIRES The CDPHE is proposing revisions to its waste tire regulations and associated revisions to referenced definitions. This action would amend 6 CCR 1007-2, Part 1, Section 10 (Waste Tires). This action is intended to implement the requirements of [House Bill \(HB\) 1034 \(2012\)](#), add clarifying exemption language for solid waste landfills, transfer stations, and recycling facilities that divert waste tires from the solid waste stream, remove waste tire hauler decal inconsistencies, and standardize annual reporting submittal dates. A public hearing is scheduled for

February 19, 2013. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2013-00061>. Proposed revised text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2013-00061.RTF>. Additional information is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/AddInfoAttach2013-00061.RTF>.

WATER

PUEBLO WATER QUALITY MANAGEMENT PLAN The Colorado Water Quality Control Commission scheduled a public hearing to consider approval of the 2012 revision to the water quality management plan (section 208 plan) for the Pueblo Area Council of Governments. The hearing will be held March 12, 2013. For more information, contact the commission at (303) 692-3463. The notice of public hearing is available at http://www.statescape.com/RegsText/StaticDownloads/67631_102833.pdf. The revision is available at <http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251590840936>. The proposed text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2013-00065.RTF>.

PETROLEUM STORAGE TANK RULES The Colorado Department of Labor and Employment, Division of Oil and Public Safety is proposing amendments to its Petroleum Storage Tank Regulation for above ground and underground tanks. This action would reformat the regulations to enhance clarity, flow, comprehensiveness, and accuracy. This reformatting moves sections from their current locations, adds new sections, and entirely re-writes other sections. In addition, the division made technical changes that are identified in the draft document. A public hearing is scheduled for February 14, 2013. For more information, contact Greg Johnson at (303) 318-8536 or at greg.johnson@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2013-00076>. Proposed text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2013-00076.PDF>.

GREY WATER AND WATER REUSE The CDPHE is proposing revisions to its Reclaimed Water Control Regulation, (Regulation 84). This rulemaking concerns modifications to terms, evaporative and non-evaporative industrial processes, washwater applications, commercial laundries, and vehicle washing. A rulemaking hearing is scheduled for May 13, 2013. For more information, contact Nathan Moore at (303) 692-3555 or at nathan.moore@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2013-00069>. Proposed rule text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2013-00069.PDF>.

WATER QUALITY STANDARDS: SURFACE AND GROUND WATER The CDPHE adopted revisions to the Basic Standards for Ground Water, Regulation 41 (5 CCR 1002-41) and to the organic chemical standards in the Basic Standards and Methodologies for Surface Water, Regulation 31 (5 CCR 1002-31). The final amendments were effective January 31, 2013. For more information, contact Nancy Horan at (303) 692-3463 or at nancy.horan@state.co.us. The Regulation rulemaking information is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00386>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00386.RTF>. The Regulation 41 rulemaking is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00387>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00387.RTF>.

LEGISLATIVE DEVELOPMENTS

The Colorado 2013 legislative session began January 9, 2013 and adjourns May 8, 2013. An * indicates the first time a bill appears in the 2013 Review. For additional information on the Colorado legislature, go to <http://www.leg.state.co.us>.

<i>Colorado 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 1091 <i>Representative Dave Young (D)</i> Proposes to authorize the Air Quality Control Commission allow fleet owners use an alternate method for demonstrating compliance with opacity standards.	✓			
* HB 1128 <i>Representative Lori Saine (R)</i> Proposes to allow a board of county commissioners to exclude any or all parts of the county from the enhanced motor vehicle emissions program area if the excluded part of the county does not violate air quality standards for carbon monoxide or ozone.	✓			
ENERGY				
* SB 63 <i>Senator Kevin Grantham (R)</i> Proposes to address recycled energy (gas derived from waste) with regard to renewable energy standards and synthetic gas.	✓			
LAND USE				
* SB 37 <i>Senator Larry Crowder (R)</i> Proposes to create the Pinon Canyon Maneuver Site Land Purchase Authority. Establishes its composition, management processes, responsibilities, and authorities and its reporting, and recordkeeping requirements.	✓			
NATURAL RESOURCES				
* SB 83 <i>Senator Ellen Roberts (R)</i> Proposes to create the Colorado Prescribed Burning Act. The Act directs the Division of Natural Resources to promulgate rules for proscribed burning.	✓			
OTHER				
WASTE				
* SB 57 <i>Senator Steve King (R)</i> Proposes to divest the CDPHE of the authority to review plans associated with solid waste facility design.	✓			
WATER				
HB 1044 <i>Representative Randy Fischer (D)</i> Proposes to permit graywater to be used in accordance with terms and conditions of decrees or permits. Authorizes local authority discretion to authorize graywater use.	✓			
* HB 1130 <i>Representative Jerry Sonnenberg (R)</i> Proposes to allow the state engineer to extend an original agreement for operation of an interruptible water supply.	✓			
SB 19 <i>Senator Gail S. Schwartz (D)</i> Proposes to direct the water judge to disregard the decrease in use of water from government-sponsored conservation programs in its determinations of historical consumptive use in change of water right cases. Adds to the list a decrease in water use to provide for compact compliance.	✓			

<i>Colorado Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
*SB 41 <i>Senator Mary Hodge (D)</i> Proposes to reverse certain Colorado Supreme Court holdings concerning flood control, fire or drought protection, beneficial use, and water rights.	✓			
*SB 72 <i>Senator Mary Hodge (D)</i> Proposes to delete a requirement for a final permit for all wells withdrawing designated ground water from the Denver basin aquifers.	✓			
*SB 75 <i>Senator Greg Brophy (R)</i> Proposes to specify that once the state engineer issues a final permit for the withdrawal of designated ground water, the engineer cannot reduce the withdraw amount to promote conservation of water.	✓			
*SB 78 <i>Senator Angela Giron (D)</i> Proposes to provide a process for a water right holder to address erroneous recordkeeping associated with points of water diversion.	✓			



AIR

MAJOR STATIONARY SOURCE The Montana Department of Environmental Quality (MDEQ) is inviting public comment on its proposal to submit recently adopted revisions to its stationary source program into the Montana SIP. Those revisions were set forth in Montana Administrative Register (MAR) Notice No. 17-334, were adopted effective October 12, 2012. The revisions concern updates for ozone implementation (definitions and review of major stationary sources and major modifications). Comments are due February 22, 2013. For more information, contact Elois Johnson at (406) 444-2630 or at ejohnson@mt.gov. The notice of public comment period is available at http://www.statescape.com/RegsText/StaticDownloads/67702_102932.pdf.

LEGISLATIVE DEVELOPMENTS

The Montana 2013 legislative session began January 7, 2013 and adjourns April 27, 2013. An * indicates the first time a bill appears in the 2013 Review. For information on the Montana legislature, go to <http://leg.mt.gov/css/default.asp>.

<i>Montana 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 44 <i>Environmental Quality Council</i> Proposes to eliminate the air pollution control advisory council and its functions.	✓	✓		
ENERGY				
SB 26 <i>Senator Greg Jergeson (D)</i> Proposes to revise the graduated renewable energy standard by changing deadlines and clarifying compliance requirements.	✓			

<i>Montana Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 31 <i>Senator Debby Barrett (R)</i> Proposes to exclude existing hydroelectric resources within the definition of renewable energy resource under the Montana Renewable Power Production and Rural Economic Development Act.	✓	✓		
SB 45 <i>Senator Jim Keane (D)</i> Proposes to revise the definition of eligible renewable resource to include hydroelectric project expansions.	✓	✓		
SB 52 <i>Senator Jim Keane (D)</i> Proposes to clarify what entities are responsible for reporting the use of renewable energy credits with certain exceptions, and establishes penalties for those entities' failure to report.	✓	✓		
SB 74 <i>Senator Jason Priest (R)</i> Proposes to require that renewable energy projects and universal systems benefits (public purpose) projects be green certified.	✓			
SB 106 <i>Senator Greg Jergeson (D)</i> Proposes to add certain definitions related to the renewable portfolio standard.	✓			
SB 116 <i>Senator Ron Arthun (R)</i> Proposes to revise special fuel user permit laws by repealing the special fuel user's permit and by removing certain requirements.	✓	✓		
LAND USE				
HB 169 <i>Representative Kerry White (R)</i> Proposes to allow a local governing body to use or modify a growth policy for the purposes of coordinating and cooperating with federal land management agencies.	✓			
NATURAL RESOURCES				
*HB 246 <i>Representative Kerry White (R)</i> Proposes to ban conservation easements in perpetuity and requires local governments to approve conservation easements. Removes property tax exemptions for interest held by qualifying private organizations.	✓			
SB 18 <i>Water Policy Committee</i> Proposes to clarify ownership of a channel or former channel of a navigable river or stream following erosion or deposition of sediments that remove lands, create new lands, or add to existing lands.	✓			
*SB 200 <i>Senator Chas V. Vincent (R)</i> Proposes to revise laws related to wolf management.	✓			
*SB 201 <i>Senator Bradley Hamlett (D)</i> Proposes to revise laws related to wildland fire. Requires the Department of Natural Resources and Conservation to advocate for authority to engage in forest management activities to reduce fire risk on federally managed land located within the Wildland-Urban interface.	✓			

<i>Montana Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
OTHER				
WASTE				
HB 146 <i>Representative Kristin Hansen (R)</i> Proposes to limit how and when the Department of Environmental Quality can impose fees on solid waste facilities. Requires justification for fee increases.	✓			
HB 173 <i>Representative David Moore (R)</i> Proposes to revise the Department of Environmental Quality's process for certain remedial actions. Limits certain remedial actions near schools.	✓			
WATER				
HB 37 <i>Representative Bill McChesney (D)</i> Proposes to allow a temporary change of a water right through a lease. Establishes requirement for a temporary lease.	✓			
HB 106 <i>Representative Pat Connell (R)</i> Proposes to clarify the process for a permit or a change in appropriation right and to streamline the permit requirements in closed basins.	✓			
HB 128 <i>Representative Galen Hollenbaugh (D)</i> Proposes to authorize the expenditure of fines collected for unlawful use of water in order to enforce water use laws.	✓			
*HJR 7 <i>Representative Patrick Connell (R)</i> Proposes to initiate legal action against the federal government for damages to state waters.	✓			
SB 19 <i>Water Policy Committee</i> Proposes to define appropriation terms for wells and developed springs that are exempt from permitting.	✓			
SB 38 <i>Water Policy Committee</i> Proposes to define terms associated with ground water appropriations within stream depletion zones. Limits the creation of stream depletion zones.	✓			
SB 76 <i>Senator Chas V. Vincent (R)</i> Proposes to require permits for cooling water intake structures.	✓	✓		



LEGISLATIVE DEVELOPMENTS

The North Dakota 2013 legislative session began January 8, 2013 and adjourns May 1, 2013. An * indicates the first time a bill appears in the 2013 Review. For information on the North Dakota legislature, go to <http://www.legis.nd.gov>.

<i>North Dakota 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				
* SB 2209 <i>Senator Jerry Klein (R)</i> Propose to address eminent domain siting of an energy conversion facility or a transmission facility.	✓			
* SB 2291 <i>Senator Jerry Klein (R)</i> Proposes to provide for net metering.	✓			
LAND USE				
NATURAL RESOURCES				
OTHER				
WASTE				
HB 1149 <i>Representative Dick Anderson (R)</i> Proposes to create and enact a new subsection to section 37-17.1-07.1 of the North Dakota Century Code, relating to emergency response to hazardous materials incidents.	✓			
WATER				
* HB 1398 <i>Representative George J. Keiser (R)</i> Proposes to create a new water extraction tax.	✓			
* HB 1440 <i>Representative Curt Kreun (R)</i> Proposes to create and enact three new sections to chapter 61-35 of the North Dakota Century Code, relating to exclusion of cities from water districts and state water commission policies on funds for water districts.	✓			
* HB 2154 <i>Senator Jerry Klein (R)</i> Proposes to change registration fees for above and underground tanks.	✓			



LEGISLATIVE DEVELOPMENTS

The South Dakota 2013 legislative session began January 8, 2013 and adjourns March 27, 2013. An * indicates the first time a bill appears in the 2013 Review. For additional information on the South Dakota legislature, go to <http://legis.state.sd.us/>.

<i>South Dakota 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				
LAND USE				
HB 1007 <i>Representative James Schaefer (R)</i> Proposes to restrict the term of conservation easements.	✓			
NATURAL RESOURCES				
SB 12 <i>Commerce Committee</i> Proposes to update citations and revise certain provisions regarding permits for energy facilities.	✓	✓		
*SB 149 <i>Senator James Bradford (D)</i> Proposes to revise certain provisions relating to violations found through environmental audits.	✓			
OTHER				
WASTE				
SB 42 <i>Transportation Committee</i> Proposes to update references to federal regulations regarding safe transport of hazardous materials.	✓			
WATER				



AIR

APPLIANCE AUTO PILOT LIGHT PROHIBITION The Utah Department of Environmental Quality (UDEQ) adopted Rule R307-356 which prohibits the sale or installation of any natural gas fired fan-type central furnace, fireplace or stove that requires the use of a pilot light for ignition in the fine particulate (PM2.5) nonattainment area. Natural gas pilot lights emit volatile organic compounds (VOCs) which are precursors to the formation of PM2.5. This new rule in the Montana SIP will reduce the VOCs emitted by pilot lights in natural gas appliances by prohibiting their future sale and distribution in the PM2.5 nonattainment areas. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20120815.pdf#page=70. The notice of proposed revision is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=75. The notice of effective rule date is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130115.pdf#page=117.

RESIDENTIAL FIREPLACES AND STOVES The UDEQ adopted amendments to Rule [R307-302](#) (Residential Fireplaces and Stoves in Davis, Salt Lake, Utah, and Weber Counties) by adding language to clarify that the rule applies in coarse particulate (PM10) and PM2.5 nonattainment and maintenance areas. Other amendments require sole sources of residential heating using solid fuel burning devices to register with the director by June 1, 2013 to be exempt from the

rule, and a prohibit the sale, supply, installation or transfer of a wood burning stove that is not EPA phase 2 certified. This final rule was effective January 1, 2013. For more information, contact Mark Berger at (801) 536-0085 or at mberger@utah.gov. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20120815.pdf#page=67. Revisions are available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=64. The notice of effective rule date is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130115.pdf#page=117.

DEGREASING AND SOLVENT CLEANING OPERATIONS The UDEQ adopted amendments to its rules for degreasing and solvent cleaning operations. This action aligns state rules with EPA's control techniques guidelines (CTGs) for VOCs. New sections are added, including a section for industrial solvent cleaning requirements; a section of regulatory requirements for emission control systems; and a section for solvent containing waste disposal requirements. The rule applies to Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties. The final rule was effective January 1, 2013. For more information, contact Mark Berger at (801) 536-0085 or at mberger@utah.gov. The notice of proposed rulemaking, including initial proposed text is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20120801.pdf#page=23. Proposed revisions are available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=72. The notice of final effective rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130115.pdf#page=117.

UTAH SIP: PM2.5 GENERAL REQUIREMENTS The UDEQ released revisions to its proposed amendments that make conforming definition changes to state air quality rules as part of its development of the Utah SIP for PM2.5. The initial proposed rule would add definitions for "condensable PM2.5," "filterable PM2.5," and "PM2.5 precursor" and "significant." The revisions add two additional definitions. The amendments, which make changes to [R307-101-2](#), address the 24-hour PM2.5 National Ambient Air Quality Standards (NAAQS) in the state. Currently, seven Utah counties are not in attainment for PM2.5. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=35. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62770_93111.pdf. The notice of revision is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=42.

Fugitive Emissions and Fugitive Dust The UDEQ adopted amendments to Rule [R307-309](#) (Nonattainment and Maintenance Areas for PM10: Fugitive Emissions and Fugitive Dust). The amendments clarify that the rule is applicable only to those areas nonattainment for PM10 and PM2.5; extend the compliance deadline for newly regulated areas; and clarify the approval process for dust control plans. This rulemaking was initiated in response to EPA concerns that not all anthropogenic sources of fugitive dust are being reasonably controlled as required under the Exceptional Events Rule and in order to receive EPA approval of exceptional event data flags. The final rule was effective January 1, 2013. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20120801.pdf#page=20. The notice of revision is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=67. The final rule is available at is available at http://www.statescape.com/RegsText/StaticDownloads/62771_93113.pdf.

UTAH SIP: PM2.5 CONTROL STRATEGIES The UDEQ adopted amendments specifying the date of Section IX, Part A of the SIP incorporated into the Utah Air Quality Rules as the most recent (December 5, 2012). The amendments to Section IX, Part A add three sections that address PM2.5 in the Salt Lake City and Provo, Utah; and the Logan, Utah-Idaho, nonattainment areas. The new sections identify PM2.5 control strategies, the impact the control strategies have on PM2.5 concentrations in the nonattainment areas, and the tons per day of VOCs and primary particulates that remain to be controlled to attain the standard by 2019. This action amends Rule [R307-110-10](#). The final rule was effective December 6, 2012. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=46. The notice of final rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=99.

UTAH SIP GENERAL REQUIREMENTS: REPEAL/REENACTMENT The UDEQ repealed and reenacted Utah SIP Section X Parts A, B, D, and E and to add Part F. This action amends [Utah Rule R307-110-31](#) through 36 by changing the date of the last adoption by the Air Quality Board to December 5, 2012. The amendments consolidate duplicative information in Section X into a single location; address existing vehicle inspection/maintenance (I/M) programs, including reciprocity; and add a new I/M program for Cache County, Utah. The final rule was effective December 6, 2012. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=42. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62772_93115.pdf. The notice of final rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=99.

WATER

SEWAGE EFFLUENT The Utah Department of Natural Resources is proposing to repeal Rule R 655-7 (Administrative Procedures for Notifying the State Engineer of Sewage Effluent Use or Change in the Point of Discharge for Sewage Effluent). This action is proposed because the rule no longer applies in statute. Comments are due February 14, 2013. For more information, contact Marianne Burbidge at (801) 538-7370 or at marianneburbidge@utah.gov. The notice of proposed repeal is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130115.pdf#page=88.

LEGISLATIVE DEVELOPMENTS

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

<i>Utah 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 77 <i>Representative Kraig Powell (R)</i> Proposes to allow the Division of Forestry, Fire, and State Lands to develop and implement a long-Range fire presuppression strategy responsive to specific observed changes in climate that pose a risk to fire management.	✓			
ENERGY				
LAND USE				
NATURAL RESOURCES				
OTHER				
WASTE				
WATER				
HB 29 <i>Representative Joel Briscoe (D)</i> Proposes to establish procedures for a general adjudication of water rights.	✓			
HB 36 <i>Representative Jim Nielson (R)</i> Proposes to prohibit the state engineer from commencing an enforcement action under certain circumstances and provides for the collection and use of precipitation without obtaining a water right in certain circumstances.	✓			

<i>Utah Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
*HB 73 <i>Representative John G. Mathis (R)</i> Proposes to establish a procedure for the holder of a prescriptive easement for a water conveyance to abandon all or part of the prescriptive easement.	✓			
SB 30 <i>Senator Margaret Dayton (R)</i> Proposes to modify provisions regarding forfeiture of a water right.	✓			
*SB 109 <i>Senator Ralph Okerlund (R)</i> Proposes to require that a person who applies for a permanent or temporary change to a water right meet certain qualifications. Allows the state engineer to approve the modifications.	✓			



WASTE

SOLID WASTE RULE REVISIONS: USED OIL, TRANSFER SITES, AND LANDFILLS The Wyoming Department of Environmental Quality (WDEQ) is proposing amendments to Chapters 1, 2, and 7 of its solid waste management rules. The amendments would:

- simplify and streamline permitting requirements for solid waste transfer, treatment and storage facilities;
- simplify and streamline permitting requirements for facilities storing used oil to be recycled or burned for energy recovery;
- improve closure and post-closure financial assurance cost calculations for certain low volume/low hazard facilities and for municipal solid waste landfills;
- incorporate into the rule the statutory process for issuing certain renewal and closure permits;
- expand and clarify standards for facilities that may be exempt from a permit or the need to obtain a waste management authorization;
- update municipal solid waste landfill location standards to comply with federal requirements for separation from airports and Wyoming Sage-Grouse protection standards; and
- add landfill gas reporting standards to the annual reporting requirements for municipal solid waste landfills and streamline reporting requirements for landfill operators.

Comments are due February 22, 2013. A public hearing is scheduled for March 14, 2013. For more information, contact Bob Doctor at (307) 473-3468 or at bob.doctor@wyo.gov. The notice of public hearing is available at http://www.statescape.com/RegsText/StaticDownloads/57492_102289.pdf. Revisions to Chapter 1 are available at http://deq.state.wy.us/shwd/New_Rules/SW_Proposed_Rule_Changes_2013/Chapter%201%20Changes%20121026.pdf. Revisions to Chapter 2 are available at http://deq.state.wy.us/shwd/New_Rules/SW_Proposed_Rule_Changes_2013/Chapter%202%20changes%20121026.pdf. Revisions to Chapter 7 are available at http://deq.state.wy.us/shwd/New_Rules/SW_Proposed_Rule_Changes_2013/Chapter%207%20Changes%20121026.pdf.

LEGISLATIVE DEVELOPMENTS

The Wyoming 2013 legislative session began January 8, 2013 and adjourns March 1, 2013. An * indicates the first time a bill appears in the 2013 Review. For additional information on the Wyoming legislature, go to <http://legisweb.state.wy.us/>.

<i>Wyoming 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 63 <i>Joint Minerals, Business And Economic Development Committee</i> Proposes to authorize the Department of Environmental Quality to submit an amended GHG regulation SIP to the EPA that is no more stringent than federal GHG new source performance standards.	✓	✓		
ENERGY				
HB 40 <i>Joint Judiciary Interim Committee</i> Proposes to extend the moratorium on the exercise of the power of condemnation for wind energy collector systems.	✓	✓		
LAND USE				
HB 42 <i>Representative Keith Gingery (R)</i> Proposes to repeal provisions related to state level land use planning act and repeal specified provisions for local zoning and land use planning.	✓	✓		
NATURAL RESOURCES				
SB 49 <i>Senator Cale Case (R)</i> Proposes to provide for expiration of industrial siting permits.	✓			
OTHER				
WASTE				
HB 65 <i>Joint Minerals, Business And Economic Development Committee</i> Proposes to create the municipal solid waste landfill remediation program and to establish criteria for the program. Additionally, creates the municipal solid waste landfill remediation account and provides for expenditures from the account.	✓	✓		
*HB 66 <i>Joint Minerals, Business And Economic Development Interim Committee</i> Proposes to create the municipal solid waste facility cease and transfer program and to establish criteria for the program. Creates a municipal solid waste facility cease and transfer accounts, providing qualifications for applicants to receive funds under the program.	✓	✓		
WATER				
HB 56 <i>Representative Mike Greear (R)</i> Proposes to implements a surface water point source discharge fee system for each pollution discharge elimination system permit. This bill requires that the fee be paid before the processing and issuance of the permit.	✓	✓		
*SB 150 <i>Senator John J. Hines (R)</i> Proposes to provide for a policy on salvage water as specified.	✓			

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 (paper clip 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](#).

COLORADO SIP: NEW SOURCE REVIEW The EPA approved revisions to the Colorado State Implementation Plan (SIP) concerning air quality permits (78 FR 5140). This action approves Colorado Regulation 3 (Air Pollution Emission Notice and Permitting Requirements). For more information, contact [Kevin Leone](#) at (303) 312-6227.

UTAH SIP: OZONE The EPA is proposing to partially approve and partially disapprove revisions to the 1997 8-hour ozone standard for the Salt Lake County and Davis County portion of the Utah SIP (78 FR 37). This action ozone control rules in nonattainment and maintenance areas, including rules for solvent degreasing, petroleum storage, surface coating activities, and storage tank vapor recovery. For more information, contact [Jody Ostendorf](#) at (303) 312-7814.

UTAH SIP: SMOKE MANAGEMENT The EPA is approving a revision to the Utah SIP that establishes rule [R307-204](#) (Emissions Standards: Smoke Management) applicable to for Mandatory Class I Areas (78 FR 4071). EPA is also proposing to approve section XX.G of the State's Regional Haze SIP, which contains the State's long-term strategy for fire programs. This final rule is effective February 19, 2013. For more information, contact [Laurel Dygowski](#) at (303) 312-6144.

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

CRITICAL HABITAT: GUNNISON SAGE GROUSE The Fish and Wildlife Service (FWS) is proposing to designate 1,704,227 acres of land as critical habitat for the Gunnison sage grouse (*Centrocercus minimus*) in Colorado and Utah (78 FR 2539). The critical habitat is located in Chaffee, Delta, Dolores, Gunnison, Hinsdale, Mesa, Montrose, Ouray, Saguache, and San Miguel counties in Colorado, and in Grand and San Juan Counties in Utah. Comments are due March 12, 2013. Requests for a public hearing are due February 22, 2013. For more information, contact [Patty Gelatt](#) at (970) 243-2778. Additional information is available at <http://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/>.

PROPOSED LISTING: GUNNISON SAGE GROUSE The FWS is proposing to list the Gunnison sage grouse (*Centrocercus minimus*) as endangered (78 FR 2485). The effect of this regulation would be to add the Gunnison sage grouse to the Lists of Endangered and Threatened Wildlife. The species occurs in Colorado and Utah. Comments are due March 12, 2013. Requests for a public hearing are due February 22, 2013. For more information, contact [Patty Gelatt](#) at (970) 243-2778. Additional information is available at <http://www.fws.gov/mountain-prairie/species/birds/gunnisonsagegrouse/>.

CRITICAL HABITAT: SOUTHWESTERN WILLOW FLYCATCHER The FWS designated 1,227 stream miles as critical habitat for the southwester willow flycatcher (*Empidonax traillii extimus*) (78 FR 343). These areas are designated as stream segments, with the lateral extent including the riparian areas and streams that occur within the 100-year floodplain or flood-prone areas encompassing a total area of 208,973 acres, in states of California, Arizona, Nevada, Colorado, and New Mexico. Relevant lands on Vandenberg Air Force Base (AFB), Marine Corps Base (MCB) Camp Pendleton (including Marine Corps Air Station [MCAS] Camp Pendleton), and Naval Weapons Station Seal Beach-Detachment Fallbrook have been exempted by the FWS from critical habitat designation based on implementation of each installation's Integrated Natural Resources Management Plan. This final rule was effective January 4, 2013. For more information, contact [Steve Spangle](#) at (602) 242-0210. Additional information is available at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?sPCODE=B094>.

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 or at boushell.susan@epa.gov.

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.

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.

WATER

PROPOSED REISSUANCE: SLUDGE APPLICATION PERMITS Region 8 EPA is proposing to reissue National Pollutant Discharge Elimination System (NPDES) general permits for facilities or operations that generate, treat, and/or use/dispose of sewage sludge by means of land application, landfill, and surface disposal in Colorado, Montana, North Dakota, and Wyoming (78 FR 727). Comments are due February 19, 2013. For more information, contact Bob Brobst at (303) 312-6129.

GROUNDWATER INVESTIGATION: PAVILION WYOMING Region 8 EPA announced an extension to the public comment period for the external review of the draft research report titled *Investigation of Ground Water Contamination* near Pavilion, Wyoming (78 FR 2396). The agency is investigating the relationship between chemical present in groundwater and the practice of hydraulic fracturing. The public comment period began December 14, 2011, and ends September 30, 2013. Additional information is available at <http://www.epa.gov/region8/superfund/wy/pavillion/>.

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 adaption, 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.

GO Learn. Go Learn 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 1/2 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?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

Staff Directory

Mark Mahoney

Director /DoD REC Region 8
(303) 844-0956
mark.a.mahoney.civ@mail.mil

Kevin Ward

Regional Counsel
(303) 844-0955
kevin.michael.ward@us.army.mil

Park Haney

Deputy Director
(303) 844-0957
park.haney@us.army.mil

Julia Miller

Region 8 Program Coordinator (Marstel-Day, LLC)
(303) 844-0952
Julia.miller3@us.army.mil

Tim Kilgannon

Army Coordinator Region 9
(303) 844-0953
tim.kilgannon@us.army.mil

Howard Killian

Army Coordinator Hawaii
(808) 226-8517
killianh001@hawaii.rr.com

Jeff Andrews

Army Coordinator Region 10
(206) 316-3152
jeffrey.a.andrews.civ@mail.mil

Adriane Miller

Project Manager (Plexus Scientific Corporation)
(410) 278-6165
Adriane.miller@plexsci.com

Nancy Reese

Regulatory Affairs Specialist (Marstel-Day, LLC)
(303) 844-0954
nancy.l.reese2.ctr@mail.mil

Additional Multi-Service Contacts

Clark Pitchford

Navy REC Region 8
(360) 315-5440
clark.pitchford@navy.mil

Mike Garrison

Air Force REC Region 8
(214) 767-4652
david.garrison.1@us.af.mil

Acronyms

ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
AFFF	aqueous film forming foam
ARM	Administrative Rules of Montana
ATSDR	Agency for Toxic Substances and Disease Registry
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAIR	Clean Air Interstate Rule
CAMR	Clean Air Mercury Rule
CCR	Code of Colorado Regulations
CDNR	Colorado Department of Natural Resources
CDPHE	Colorado Department of Public Health and Environment
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH₄	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO_{2e}	carbon dioxide equivalent
CrVI	hexavalent chromium
CSB	Chemical Safety Board
CWA	Clean Water Act
CWQCC	Colorado Water Quality Control Commission
CX	categorical exclusion
DO	dissolved oxygen
DoD	Department of Defense
ECA	emission control area
DPS	distinct population segment
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EO	Executive Order
EQC	Environmental Quality Council
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FY	fiscal year
GAO	Government Accountability Office
GHG	greenhouse gas
GSA	General Service Administration
HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
HID	high intensity discharge
INRMP	integrated natural resource management plan
ISEERB	Interservice Environmental Education Review Board
ITRC	Interstate Technology and Regulatory Council
JLUS	Joint Land Use Study

LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
MACT	maximum achievable control technology
MBER	Montana Board of Environmental Review
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MDEQ	Montana Department of Environmental Quality
MDNRC	Montana Department of Natural Resources and Conservation
MERIT	Materials of Evolving Regulatory Interest Team
MGA	Midwestern Governors Association
MOU	memorandum of understanding
MMS	Minerals Management Service
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NDDOH	North Dakota Department of Health
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	nitrogen trifluoride
NHTSA	National Highway Transportation Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
NSPS	New Source Performance Standard
NSR	New Source Review
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
ORW	outstanding resource water
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PM	particulate matter
PM_{2.5}	particulate matter 2.5 microns in diameter or less
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
RGGI	Regional Greenhouse Gas Initiative
RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SDDENR	South Dakota Department of Environment and Natural Resources
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	State Implementation Plan

SNAP	significant new alternatives policy
SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TiO₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UDEQ	Utah Department of Environmental Quality
UDNR	Utah Department of Natural Resources
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
UPDES	Utah Pollutant Discharge Elimination System
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USDA	United States Department of Agriculture
USDOE	United States Department of Energy
USDOJ	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
WCI	Western Climate Initiative
WDEQ	Wyoming Department of Environmental Quality
WOSL	Wyoming Office of State Lands
WRAP	Western Regional Air Partnership