



U.S. ARMY

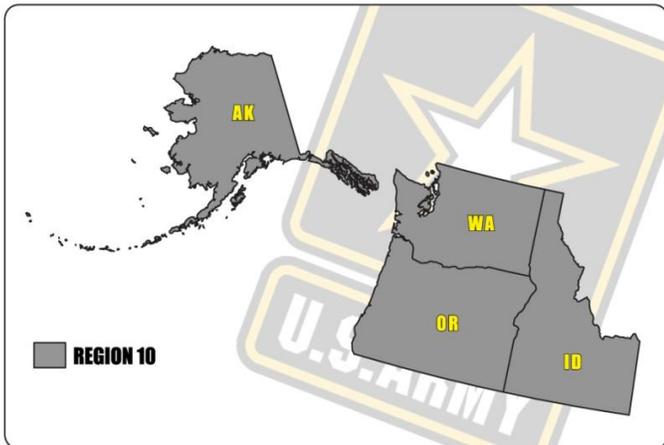
# Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

June 2015

The REGION 10 *WESTERN REVIEW* publishes environmental and energy related developments for DoD/Army leaders and installation staff. Covering the four states in Federal Region 10, the *Western Review* gives early notice of legislative and regulatory activities relevant to DoD interests. The *Review* also helps installations meet ISO 14001 environmental management system requirements. Find out more about the Army Regional Environmental and Energy Offices [here](#). Click [here](#) to browse back issues of the *Western Review*. To read back issues of other Regional Office *Reviews*, click on a region of the REEO website's U.S. map and then select "Publications." To receive a copy of this electronic publication, [send a subscription request](#).



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## Rule Redefines "Waters of the U.S."

The Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) finalized the [Clean Water Rule](#) to ensure that waters are protected under the Clean Water Act (CWA). Specifically, the rule:

- Clearly defines and protects tributaries that impact the health of downstream waters. The rule states a tributary must show physical features of flowing water—a bed, bank, and ordinary high water mark—to warrant protection. It provides protection for headwaters that exhibit these features and impact downstream waters.
- Provides certainty in how far safeguards extend to nearby waters. The rule protects waters next to rivers and lakes and their tributaries, as science demonstrates they impact downstream waters. The rule sets boundaries on covering nearby waters for the first time that are physical and measurable.
- Focuses on streams, not ditches. The rule limits protection to ditches constructed out of streams or that function like streams and can carry pollution downstream. Ditches not constructed in streams and flow only when it rains are not covered.
- Maintains the status of waters within Municipal Separate Storm Sewer Systems. The rule does not change how those waters are treated and encourages the use of green infrastructure.
- Reduces the use of case-specific analysis of waters. Previously, almost any water could be put through a lengthy case-specific analysis, even if it would not be subject to the CWA. The rule significantly limits the use of case-specific analysis by creating clarity and certainty on protected waters and limiting the number of similarly situated water features.

The Clean Water Rule will be effective 60 days after publication in the Federal Register.

# Region 10

Want to comment on something in the Review? Contact [Park Haney](#), Region 10 Environmental Coordinator (303) 844-0957.



## CLEANUP

**CONTAMINATED SITE WORK** The Alaska Department of Environmental Conservation (ADEC) [adopted final amendments](#) intended to increase the number of individuals who may qualify to conduct environmental work at contaminated sites and underground storage tank sites. The amendments permit a qualified sampler to conduct certain activities when a qualified environmental professional is not available. Other changes adopt updates to referenced documents, make clarifications and simplifications, and improve consistency. The rulemaking amends [Title 18 Chapter 75](#) Alaska Administrative Code (AAC) (Oil and Other Hazardous Substances Pollution Control) and [18 AAC 78](#) (Underground Storage Tanks). The [final rules](#) are effective 16 JUN 15.

## TOXICS

**RADIATION SOURCES AND PROTECTION** The Alaska Department of Health and Social Services (ADHSS) [adopted final amendments](#) to rules addressing radiation protection and discharge and disposal of radioactive material. Radiation regulations were amended to reference current federal radiation standards and repeal existing tables of standards. In addition, the regulations were amended to reflect that as a non-agreement state with the Nuclear Regulatory Commission, Alaska does not have the authority to approve the burial of radioactive waste. The amendments were a joint project between the ADEC and ADHSS. The rulemaking amends [Title 7](#) Chapter 18 Alaska Administrative Code (7 AAC 18) (Radiation Sources and Protection), 7 AAC 80 (Fees for Department Services), and [18 AAC 85](#) (Radiation Protection).

## LEGISLATIVE DEVELOPMENTS

The [Alaska 2015 legislative session](#) began 20 JAN 15 and adjourned 17 APR 15. The state held a special session 28 APR 15 through 21 MAY 15. A second special session began 21 MAY 15 and is scheduled to adjourn 12 JUN 15.

<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>
<b>AIR/CLIMATE CHANGE</b>				
<b>HB 1</b> <i>Representative Bob Herron (D)</i> Proposes to declare an Arctic Policy for the state. Declares the state should create an official body to develop strategies and policies for the Arctic region that responds to priorities and needs of state residents. Declares the policy will be implemented through statutes and regulations. Strengthens coordination and communication with nations and international bodies developing Arctic policies.	✓	✓	✓	Enacted

<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>
<b>HB 138</b> <i>Representative Dave Talerico (R)</i> Proposes to address the development of state emission standards that comply with the federal Clean Air Act. Opposes state implementation of requirements related to the Green Power Plan.	✓			Failed upon adjournment
<b>SB 16</b> <i>Senator Lesil L. McGuire (R)</i> Proposes to declare an Arctic Policy for the state. Declares the state should create an official body to develop strategies and policies for the Arctic region that responds to priorities and needs of state residents. Declares the policy will be implemented through statutes and regulations. Strengthens coordination and communication with nations and international bodies developing Arctic policies.	✓			Failed upon adjournment
<b>SB 57</b> <i>Senator Catherine A. Giessel (R)</i> Proposes to seek an exemption from federal Green Power Plan requirements. Places restrictions on state compliance with the Green Power Plan.	✓			Failed upon adjournment
<b>ENERGY</b>				
<b>LAND USE</b>				
<b>HB 115</b> <i>Representative Charles M. Chenault (R)</i> Proposes to transfer public land from the federal government to the state and to address state disposal of transferred lands. Exempts federal land used for military or naval purposes.	✓	✓		Failed upon adjournment
<b>NATURAL RESOURCES</b>				
<b>HB 20</b> <i>Representative Harriet Drummond (D)</i> Proposes to limit the application of neonicotinoid pesticides.	✓			Failed upon adjournment
<b>HB 38</b> <i>Representative Paul K. Seaton (R)</i> Proposes to establish an aquatic invasive species response fund.	✓			Failed upon adjournment
<b>OTHER</b>				
<b>HJR 13</b> <i>Representative Lora Reinbold (R)</i> Proposes to urge the U.S. Army to maintain and strengthen the current level of its combat-capable structure in the state and not to reduce personnel at Fort Wainwright and Joint Base Elmendorf-Richardson.	✓	✓	✓	Enacted
<b>SJR 14</b> <i>Senator John B. Coghill (R)</i> Proposes to urge the U.S. Army to maintain the current level of its combat-capable structure in the state and apply the No Action Alternative provision to both Fort Wainwright and Joint Base Elmendorf-Richardson.	✓			Failed upon adjournment
<b>WASTE</b>				
<b>HJR 6</b> <i>Representative Charisse E. Millett (R)</i> Proposes to support the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the act. Urges the U.S. Department of Interior to remediate lands transferred under the act.	✓	✓	✓	Enacted

<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>
<b>WATER</b>				



**LEGISLATIVE DEVELOPMENTS**

The [Idaho 2015 legislative session](#) began 12 JAN 15 and adjourned 11 APR 15. For information about legislation in 2015, refer to the [April 2015](#) edition of the Review.



**AIR**

**AIR QUALITY PERMITTING** The Oregon Department of Environmental Quality (ODEQ) [adopted amendments](#) to streamline, reorganize, and update state air quality permit rules. ODEQ describes the rule amendments under nine categories:

- Clarify and update air quality rules;
- Update particulate matter emission standards;
- Change permitting requirements for emergency generators and small natural gas or oil-fired equipment;
- Establish two new state air quality area designations (sustainment and reattainment) to help areas avoid and more quickly end a federal nonattainment designation;
- Designate Lakeview as a state sustainment area while retaining a federal attainment designation;
- Change the new source review preconstruction permitting program;
- Modernize methods allowed for holding public hearings and meetings;
- Re-establish the Heat Smart woodstove replacement program exemption for small commercial solid fuel boilers regulated under the permitting program; and
- Remove annual reporting requirements for small gasoline dispensing facilities.

The notice of [final rule adoption](#) was published 1 JUN 15, effective 16 APR 15.

**FEDERAL EMISSION GUIDELINES** ODEQ adopted final amendments that align state rules with federal emission standards. The amendments to Oregon Administrative Rule (OAR) 340 Divisions 230, 238, and 244 adopt:

- New federal standards for boilers and process heaters, stationary internal combustion engines, nitric acid plants, and crude oil and natural gas production, transmission and distribution;
- Rules to implement new federal emission guidelines for commercial and industrial solid waste incineration units;
- Federal plan for hospital, medical, and infectious waste incinerators; and

- Update the adoption of previously adopted National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards.

The [final rules](#), published 1 JUN 15, were effective 17 APR 15.

## WASTE

**HAZARDOUS WASTE RULES** ODEQ [adopted final amendments](#) to state hazardous waste rules. The amendments:

- Align Oregon hazardous waste rules with federal rules;
- Incorporate previously adopted but subsequently amended federal rules;
- Incorporate some federal regulations for the first time; and
- Allow Oregon to apply for EPA permission to continue operating Oregon’s Resource Conservation and Recovery Act program under federal authority.

The [final rule](#), published 1 MAY 15, was effective 15 APR 15.

## LEGISLATIVE DEVELOPMENTS

The [Oregon 2015 legislative session](#) began 2 FEB 15 and adjourns 11 JUL 15. An \* indicates the first time a bill appears in the 2015 Review.

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<b>AIR/CLIMATE CHANGE</b>				
<a href="#">HB 2499</a> <i>Representative Gail Whitsett (R)</i> Proposes to prohibit the Department of Environmental Quality from adopting any air (or water) quality standard that exceeds that imposed by federal law.	✓			
<a href="#">HB 2572</a> <i>Representative Phil Barnhart (D)</i> Proposes to require carbon footprint labeling on all consumer products sold or offered for sale in state on and after 1 JAN 16.	✓			
<a href="#">HB 3250</a> <i>House Interim Committee on Energy And Environment</i> Proposes to require the Department of Environmental Quality to adopt a carbon cap-and-trade program.	✓			
<a href="#">HB 3310</a> <i>Representative Mitch Greenlick (D)</i> Proposes to require the Environmental Quality Commission to adopt standards and programs for on-road and nonroad diesel engines by 1 JAN 20.	✓			
<a href="#">HB 3470</a> <i>Representative Phil Barnhart (D)</i> Proposes to require the Environmental Quality Commission to adopt statewide greenhouse gas emissions limits for years 2020 and 2050 and to adopt interim limits consistent with 2050 limit every five years. Requires the commission to adopt an action plan for ensuring statewide greenhouse gas emissions do not exceed limits.	✓			
<a href="#">HJR 10</a> <i>House Interim Committee on Revenue</i> Proposes to allow the legislature to tax carbon emissions in order to reduce carbon emissions and carbon fuel use.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">SB 21</a> <i>Senate Interim Committee on Environment and Natural Resources</i> Proposes to establish a task force on clean air fee or tax implementation to develop recommendations to implement a clean air fee or tax.	✓			
* <a href="#">SB 965</a> <i>Senator Michael E. Dembrow (D)</i> Proposes to require the Environmental Quality Commission to adopt statewide greenhouse gas cap-and-dividend program to reduce statewide greenhouse gas emissions to meet certain benchmarks adopted by the commission.	✓			
<b>ENERGY</b>				
<a href="#">HB 2946</a> <i>House Interim Committee on Energy And Environment</i> Proposes to allow the Public Utility Commission to allow electric utilities to include energy conservation costs when setting rates.	✓			
<a href="#">SB 95</a> <i>Senate Interim Committee on Veterans and Emergency Preparedness</i> Proposes to address safety systems for fuel distribution. Requires facilities dispensing class I flammable liquids (or diesel) to have a manually operated system capable of dispensing fuel if its electrical power supply is disrupted.	✓			
<a href="#">SB 477</a> <i>Senator Chris Edwards (D)</i> Proposes to require electric companies to reduce electricity from coal-derived generating resources to zero on or before 1 JAN 25.	✓			
<b>LAND USE</b>				
<a href="#">HB 3240</a> <i>Representative Carl Wilson (R)</i> Proposes to establish a task force on the transfer of federal land ownership in Oregon.	✓			
<a href="#">HB 3444</a> <i>Representative Jim Weidner (R)</i> Proposes to require the United States to extinguish title to public lands and transfer title to public lands to state on or before 13 DEC 18.	✓			
<a href="#">HJM 7</a> <i>Representative Bill Kennemer (R)</i> Proposes to urge the U.S. Congress to return all public lands, including lands operated by the Department of Defense, to the state.	✓			
<b>NATURAL RESOURCES</b>				
<b>OTHER</b>				
<a href="#">HB 2189</a> <i>House Interim Committee on Energy and Environment</i> Proposes to require the Department of Health to adopt standards for labeling articles containing "hazardous substances." Defines hazardous substance.	✓			
<a href="#">HB 2241</a> <i>Representative John Davis (R)</i> Proposes to address cleanup of hazardous waste. Requires the Department of Environmental Quality to develop a single process to meet state and federal requirements for hazardous waste cleanup and release from liability.	✓			
<a href="#">HB 2589</a> <i>Representative Paul R. Holvey (D)</i> Proposes to prohibit the application of neonicotinoid pesticides in the state.	✓			

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">HB 3491</a> <i>Representative Brian L. Clem (D)</i> Proposes to establish a task force on pesticide use notification.	✓			
<a href="#">SB 882</a> <i>Senator Floyd Prozanski (D)</i> Proposes to prohibit nitro-group neonicotinoid pesticides.	✓			
<b>WASTE</b>				
<a href="#">SB 245</a> <i>at the request of Governor John A. Kitzhaber</i> Proposes to modify solid waste facility permit fees. Adjusts tipping and other fees. Authorizes the Department of Environmental Quality to establish compost facility fees.	✓			
<a href="#">SB 263</a> <i>at the request of Governor John A. Kitzhaber</i> Proposes to expand recycling of solid waste. Updates statewide goals for recovery of materials from solid waste. Establishes specific recovery goals for specified materials.	✓	✓	✓	
<a href="#">SB 412</a> <i>Senator Arnie Roblan (D)</i> Proposes to define when rock, gravel, sand, silt, and other similar materials removed from waters of the state are not solid waste.	✓	✓		
<b>WATER</b>				
<a href="#">HB 2498</a> <i>Representative Gail Whitsett (R)</i> Proposes to prohibit the Department of Environmental Quality from adopting water quality standards that exceed those imposed by federal law.	✓			
<a href="#">SB 262</a> <i>at the request of Governor John A. Kitzhaber</i> Proposes to increase fees associated with the oil spill prevention program.	✓			
<a href="#">SB 537</a> <i>Senator Jeff Kruse (R)</i> Proposes to establish a task force to address "standing" in water proceedings. Requires the task force to review and evaluate Oregon laws, policies, and procedures affecting the ability to obtain standing in an administrative or judicial proceeding. Requires the task force to prepare a report to the legislature.	✓			



## **ENDANGERED SPECIES**

**TUFTED PUFFIN** The Washington Department of Fish and Wildlife [added](#) the [tufted puffin](#) to the list of wildlife classified as endangered species in Washington Administrative Code (WAC) [232-12-014](#) (Wildlife Classified as Endangered Species). Population data show that the tufted puffin population has strongly declined in recent decades, indicating a need for the tufted puffin to be listed as an endangered species in Washington. The final rule was effective 28 MAY 15. For more information, click [here](#) to view a status report for the species.

## WATER

**AQUATIC MOSQUITO NPDES GENERAL PERMIT** The Washington Department of Ecology (WADOE) [reissued](#) the aquatic mosquito control National Pollutant Discharge Elimination System (NPDES) general permit. The permit regulates the use of adulticides and larvicides for management of mosquitoes in and around surface waters of Washington state. Washington's water quality statutes and regulations do not allow the discharge of pollutants to waters of the state without permit coverage. The permit, issued 20 MAY 15, is effective 18 JUN 15. For more information, click [here](#) to visit the Aquatic Mosquito Control General Permit website.

**BIOSOLIDS MANAGEMENT GENERAL PERMIT** WADOE [is developing](#) a new General Permit for Biosolids Management and is requesting public comment on a proposed draft permit that will replace an expiring general permit. The new general permit will apply to public and private entities that treat, store, transfer, apply, or dispose of biosolids in the state. The permit is the primary regulatory mechanism for approving the final use of biosolids in the state. A public hearing to consider the draft permit is scheduled for 16-17 JUN 15. Comments are due 24 JUN 15. For more information, click [here](#) to visit the website for the 2015 General Permit for Biosolids.

## LEGISLATIVE DEVELOPMENTS

The [Washington 2015 legislative session](#) began 12 JAN 15 and adjourned 26 APR 15. A second special session began 29 May 15 and is scheduled to adjourn 28 JUN 15.

<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>
<b>AIR/CLIMATE CHANGE</b>				
<a href="#">HB 1314</a> <i>Representative Joe Fitzgibbon (D)</i> Proposes to establish the Carbon Pollution Accountability Act. Requires the Department of Ecology to implement a carbon market to allow national and international carbon trade. Companion bill is SB 5283.	✓			Carryover to 2016 session
<a href="#">HB 1881</a> <i>Representative Shelly Short (R)</i> Proposes to prohibit the implementation of a low-carbon fuel standard in the state. Prohibits Washington state from creating rules or otherwise implementing a low carbon fuel standard without the express direction from the legislature.	✓			Carryover to 2016 session
<a href="#">HB 1891</a> <i>Representative Jake Fey (D)</i> Proposes to require the Department of Ecology to analyze certain stage II gasoline vapor recovery system requirements. Companion bill is SB 5330.	✓			Carryover to 2016 session
<a href="#">SB 5283</a> <i>Senator Kevin Ranker (D)</i> Proposes to establish the Carbon Pollution Accountability Act. Requires the Department of Ecology to implement a carbon market to allow national and international carbon trade. Companion bill is HB 1314.	✓			Carryover to 2016 session
<a href="#">SB 5330</a> <i>Senator John Braun (R)</i> Proposes to require the Department of Ecology to analyze certain stage II gasoline vapor recovery system requirements. Companion bill is HB 1891.	✓	✓		Carryover to 2016 session
<a href="#">SB 5735</a> <i>Senator Doug Ericksen (R)</i> Proposes to revise the energy independence act to provide incentives for carbon reduction investments.	✓	✓		Carryover to 2016 session

<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>
<b>SB 5874</b> <i>Senator Doug Ericksen (R)</i> Proposes to establish the Washington Coal Generation Retirement Program Act. Promotes the retirement of coal-fired electric generation facilities.	✓	✓		Carryover to 2016 session
<b>ENERGY</b>				
<b>LAND USE</b>				
<b>HB 2036</b> <i>Representative Joe Fitzgibbon (D)</i> Proposes to require the Department of Ecology to develop two general permits for development projects exempt from the substantial development permit requirements of the shoreline management act. The permits would apply to projects east or west of the crest of the Cascade Mountains, respectively.	✓			Carryover to 2016 session
<b>NATURAL RESOURCES</b>				
<b>HB 1200</b> <i>Representative Elizabeth Scott (R)</i> Proposes to address enforcement of Department Fish and Wildlife rules or policies. Prohibits the department from enforcing rules/policies until they have been adopted into the state administrative code and ratified by the Legislature. Allows the Governor or either branch of the Legislature to void a rule or policy developed by the Department of Fish and Wildlife. Companion bill is SB 5372.	✓			Carryover to 2016 session
<b>HB 1225</b> <i>Representative Joel Kretz (R)</i> Proposes to address state listing of endangered species. Requires the Fish and Wildlife Commission to consider removing/reclassifying state-listed threatened/endangered/sensitive species on a regional basis, for species listed on a statewide basis.	✓			Carryover to 2016 session
<b>HB 1708</b> <i>Representative Tom Dent (R)</i> Proposes to clarify that irrigation district facilities are not within the definition of shorelands. Companion bill is SB 5554.	✓			Carryover to 2016 session
<b>SB 5372</b> <i>Representative Judith Warnick (R)</i> Proposes to address enforcement of Department Fish and Wildlife rules or policies. Prohibits the department from enforcing rules/policies until they have been adopted into the state administrative code and ratified by the Legislature. Allows the Governor or either branch of the Legislature to void a rule or policy developed by the Department of Fish and Wildlife. Companion bill is HB 1200.	✓			Carryover to 2016 session
<b>SB 5554</b> <i>Representative Judith Warnick (R)</i> Proposes to add a definition of streams to the Shoreline Management Act. Companion bill is HB 1708.	✓			Carryover to 2016 session
<b>SB 5938</b> <i>Senator Brian Dassel (R)</i> Proposes to prohibit the Fish and Wildlife Commission from designating the gray wolf as threatened, endangered, or sensitive in any area of the state where it has been federally delisted.	✓			Carryover to 2016 session

<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>
<b>SB 5969</b> <i>Senator Sharon Brown (R)</i> Proposes to address environmental analysis under the National Environmental Policy Act. Exempts certain certifications from state environmental policy act requirements.	✓			Carryover to 2016 session
<b>OTHER</b>				
<b>HB 1449</b> <i>Representative Jessyn Farrell (D)</i> Proposes to address oil transportation safety. Regulates oil transport by rail. Companion bill is SB 5087.	✓	✓	✓	Enacted
<b>HB 1472</b> <i>Representative Joe Fitzgibbon (D)</i> Proposes to establish the Toxics Reduction Act. Requires the state to identify "Washington priority chemicals," develop chemical action plans for some of the identified chemicals, and establish policy to limit/prohibit the purchase of products containing Washington priority chemicals. Companion bill is SB 5406.	✓	✓		Carryover to 2016 session
<b>HB 1816</b> <i>Representative Lynda Wilson (R)</i> Proposes to address administrative review of rules. Requires a joint committee to review rules if certain conditions are met. Conditions or actions resulting in a review include receipt of certain petitions, economic impact above a specified amount, the issuance of certain permits, rules related to shoreline management and actions related to the growth management act.	✓			Carryover to 2016 session
<b>HB 1984</b> <i>Representative Gerry Pollet (D)</i> Proposes to prohibit the use of phthalates (including bisphenol A) in food or beverage containers above a specified level. Prohibits the distribution of such containers to youth.	✓			Carryover to 2016 session
<b>HB 2106</b> <i>Representative Richard Muri (R)</i> Proposes to allow testing of autonomous vehicles within the boundaries of Joint Base Lewis-McChord.	✓			Carryover to 2016 session
<b>SB 5087</b> <i>Senator Christine Rolfes (D)</i> Proposes to address oil transportation safety. Regulates oil transport by rail. Companion bill is HB 1449.	✓			Carryover to 2016 session
<b>SB 5406</b> <i>Senator Andy Billig (D)</i> Proposes to establish the Toxics Reduction Act. Requires the state to identify "Washington priority chemicals," develop chemical action plans for some of the identified chemicals, and establish policy to limit/prohibit the purchase of products containing Washington priority chemicals. Companion bill is HB 1472.	✓			Carryover to 2016 session
<b>WASTE</b>				
<b>HB 1845</b> <i>Representative Richard DeBolt (R)</i> Proposes to require the Department of Ecology to develop a new program for pharmaceutical waste disposal. Abandons the department's April 2008 interim enforcement policy for pharmaceutical waste. Requires coordination with regulated entities. Companion bill is SB 5577.	✓	✓		Carryover to 2016 session

<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>
<b>SB 5432</b> <i>Senator Maralyn Chase (D)</i> Proposes to prohibit retailers from providing carryout plastic bags unless they are compostable.	✓			Carryover to 2016 session
<b>SB 5577</b> <i>Senator John Braun (R)</i> Proposes to require the Department of Ecology to develop a new program for pharmaceutical waste disposal. Abandons the department's April 2008 interim enforcement policy for pharmaceutical waste. Requires coordination with regulated entities. Companion bill is HB 1845.	✓	✓	✓	Enacted
<b>WATER</b>				
<b>HB 1187</b> <i>Representative Bruce Chandler (R)</i> Proposes to address water conservation. Establishes the Yakima Basin Water Banking Best Practices Act to establish standards for water banking in the Yakima basin. Companion bill is SB 5014.	✓	✓	✓	Carryover to 2016 session
<b>HB 1715</b> <i>Representative Strom Peterson (D)</i> Proposes to address onsite sewage systems in the twelve counties bordering the Puget Sound. Authorizes the local board of health to collect on-site sewage system fees. Restricts how fees can be spent.	✓			Carryover to 2016 session
<b>HB 1836</b> <i>Representative Derek Stanford (D)</i> Proposes to address drought preparedness. Specifies that the Department of Ecology can take actions in response to drought. Specifies limits.	✓	✓		Carryover to 2016 session
<b>SB 5014</b> <i>Senator Jim Honeyford (R)</i> Proposes to address water conservation. Establishes the Yakima Basin Water Banking Best Practices Act to establish standards for water banking in the Yakima basin. Companion bill is HB 1187.	✓	✓		Carryover to 2016 session
<b>SB 5491</b> <i>Senator Linda Parlette (R)</i> Proposes to ensure that reservations of water are maintained for certain future uses included in rules establishing levels and flows.	✓	✓		Carryover to 2016 session
<b>SB 5584</b> <i>Senator Brian Dassel (R)</i> Proposes to require water quality decisions be based on actual test results.	✓			Carryover to 2016 session
<b>SB 5628</b> <i>Senator Jim Honeyford (R)</i> Proposes to establish the Washington Waters Act. Requires the Department of Ecology to evaluate, rank, and fund projects that reduce stormwater pollution, flooding, and protect water for in-stream and out-of-stream uses.	✓			Carryover to 2016 session
<b>SB 5801</b> <i>Senator Kirk Pearson (R)</i> Proposes to create the Washington Water Commission and transfers certain powers, duties, and functions pertaining to water resources from the Department of Ecology to the commission.	✓			Carryover to 2016 session
<b>SB 5965</b> <i>Senator Judith Warnick (R)</i> Proposes to address groundwater withdrawals. Requires the Department of Ecology to produce a report evaluating options for mitigating the effects of permit-exempt groundwater withdrawals on base flows and minimum instream flows.	✓	✓		Carryover to 2016 session

<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>
<a href="#">SB 6012</a> <i>Senator Pam Roach (R)</i> Proposes to require a building permit application for a construction project costing more than \$5,000 to include a risk assessment of possible impacts to the drinking water supply of the surrounding property owners. Applies to building permit applications for a structure outside the urban growth area and not connected to a public sewer system.	✓			Carryover to 2016 session

# Department of Defense Activity

**NEW ARMY DASA SELECTED** [Mr. Eugene Collins](#) was selected as Deputy Assistant Secretary of the Army (DASA) for Environment, Safety and Occupational Health (DASA (ESOH)). Mr. Collins joins ESOH from Headquarters, US Air Force, where he served as the Deputy Director of Logistics in the office of the Deputy Chief of Staff for Logistics, Installations and Mission Support. Mr. Collins has a broad background in public service. He served in the Air Force for 26 years and in a variety of other organizations, to include the U.S. Department of Health and the Internal Revenue Service.

## ***INSTRUCTIONS AND REGULATIONS***

**ENVIRONMENTAL COMPLIANCE IN THE UNITED STATES** DoD reissued Department of Defense Instruction (DoDI) [4715.06](#) (Environmental Compliance in the United States), effective 4 MAY 15. The DoDI establishes policy, assigns responsibilities, and provides procedures for achieving and maintaining environmental compliance in the United States.

**HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS** DoD, the General Services Administration (GSA), and the National Aeronautics and Space Administration (NASA) are proposing to amend the Federal Acquisition Regulation (FAR) to implement executive branch policy in the President's Climate Action Plan to procure alternatives to high global warming potential hydrofluorocarbons when possible ([80 FR 26883](#)). The amendments will allow the agencies to better meet the greenhouse gas (GHG) emission reduction goals and reporting requirements of Executive Order (EO) [13693](#), which subsumes EOs 13423 and 13514. Comments are due 10 JUL 15.

## ***PLANNING DOCUMENTS***

**ARMY ENERGY SECURITY AND SUSTAINABILITY STRATEGY** The U.S. Army published and released its strategic roadmap to future energy security and sustainability. The document complements the Office of the Assistant Secretary of the Army Installations, Energy and Environment Strategy 2025 and the Army Strategy for the Environment by emphasizing energy and including recognition of water and land as equally essential resources. For the first time, the Army is moving toward a perspective that considers the critical role of energy, water, and land resources as mission enablers. The [Energy Security and Sustainability \(ES2\) Strategy](#) outlines five goals, which will be achieved through steady progress across the Army enterprise—materiel, readiness, human capital, services and infrastructure—with targeted measures and metrics as guides. These goals are Inform Decisions, Optimize Use, Assure Access, Build Resiliency, and Drive Innovation. The ES2 Strategy expands on and replaces the 2009 Army Energy Security Implementation Strategy by including operational energy and sustainability while strengthening the focus on resource management for the Army. A press release is available [here](#).

## REPORTS

**GAO OBSERVATIONS ON ARMY AVIATION RESTRUCTURING** The Government Accountability Office (GAO) completed a review of the Army's recently approved Army Aviation Force Restructuring Initiative, a multi-year undertaking that would reduce the size of the Army's aviation force and rebalance its capabilities by removing all AH-64 attack helicopters (Apaches) from the Army National Guard. Upon review of the Army's analyses of two competing aviation force structure proposals, GAO found the analyses enabled the Army to compare the force-structure proposals with respect to their abilities to meet future combat requirements and relative costs. GAO concluded that the Army's analyses had two key limitations:

- The Army's analyses did not evaluate how the proposals would have performed under modified scenarios that varied the rate at which units would deploy into a major combat operation, or the duration of the major combat operation. Although GAO conceded the analysis enabled Army leaders to credibly assess the proposals, GAO observed that additional sensitivity would have provided Army officials with additional insights.
- The Army's cost estimates were limited as a means of projecting actual costs and potential cost savings because they do not capture all the costs associated with unit conversion. GAO observed that if additional requirements are not addressed, the Army may be delayed in restoring unit readiness once the restructuring is completed.

To view report highlights, [click here](#). To view the entire 14-page report, [click here](#).

**NAVAL BASE CORONADO** EPA released [comments](#) to the [Final Environmental Impact Statement](#) (EIS) for the Naval Base Coronado Coastal Campus. The final EIS concluded there is a potential for inundation of the southern portion of the site under sea level rise after 2050. EPA encourages the Navy to consider whether any protective design features could be incorporated into the proposed project at this time that could reduce the potential need for coastal armoring in the future.

**YUMA PROVING GROUND** EPA released [comments](#) to the U.S. Marine Corps (USMC) [Final Programmatic EIS](#) (PEIS) for Yuma Proving Ground Activities and Operations. The agency is satisfied with the additional information provided in response to the draft PEIS and recommends commitments for mitigation, monitoring, and similar activities be incorporated in the Record of Decision.

# Federal Activity

**Want to comment on something in the Review?** Contact [Park Haney](#), Region 10 Environmental Coordinator at (303) 844-0957.

## AIR

**BACKUP GENERATOR EMISSIONS** The U.S. Court of Appeals, District of Columbia Circuit [ruled](#) that EPA acted arbitrarily and capriciously when it modified the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and performance standards to allow backup generators to operate without emissions controls for up to 100 hours per year as part of an emergency demand-response program. The court reversed EPA's 100-hour exemption for emergency engines under Title 40 Code of Federal Regulation (CFR) 63.6640(f)(2), 60.4211(f)(2), and 60.4243(d)(2) and remanded them to EPA for further action. The opinion was issued 1 MAY 15.

**NSPS ELECTRONIC REPORTING** EPA extended the public comment period for its proposed Electronic Reporting and Recordkeeping Requirements for New Source Performance Standards (NSPS) to 18 JUN 15 ([80 FR 28571](#)). For more information, contact Gerri Garwood at (919) 541-2406.

**ECHO NOW INCLUDES CLEAN AIR ACT VIOLATION AND ENFORCEMENT DATA** EPA released [ECHO Version 2.4](#), featuring updated Clean Air Act (CAA) stationary source data and a tailored search interface. ECHO provides information about environmental inspections, violations, and enforcement actions for EPA-regulated facilities such as power plants, factories, and federal facilities. The information in ECHO is updated weekly.

**GHG TAILORING RULE** EPA is amending federal Prevention of Significant Deterioration (PSD) program regulations to allow for rescission of certain PSD permits under Step 2 of the PSD and Title V GHG Tailoring Rule ([80 FR 26183](#)). The agency is taking this action in order to provide a mechanism for it and delegated reviewing authorities to rescind PSD permits that are no longer required in light of the U.S. Supreme Court's decision vacating that rule. The decisions determined that Step 2 of the Tailoring Rule was not required under CAA and vacated the EPA regulations implementing Step 2. The final rule is effective 6 JUL 15 unless the agency received adverse comment by 8 JUN 15.

**NO<sub>2</sub> REVIEW** EPA is reviewing the primary National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide (NO<sub>2</sub>) ([80 FR 27304](#)). The agency is requesting comment on the document titled *Review of the Primary National Ambient Air Quality Standards for Nitrogen Dioxide: Risk and Exposure Assessment Planning Document*. The plan presents considerations and the proposed approach for conducting quantitative analyses of NO<sub>2</sub> exposures or health risks in the current review of the primary NO<sub>2</sub> NAAQS. The document is intended to facilitate Clean Air Scientific Advisory Committee (CASAC) advice and public input in advance of reaching decisions on these quantitative analyses. Comments are due 3 JUL 15. For more information, [click here](#) to visit the NO<sub>2</sub> planning documents website.

**WITHDRAWN: AMENDMENTS TO VARIOUS MOBILE SOURCE REGULATIONS** EPA withdrew amendments to certain elements of the Tier 3 amendments final rule published 19 FEB 15 because it received adverse comment ([80 FR 26463](#)). The agency intends to consider the comments received and proceed with a new final rule for the withdrawn elements. The remaining elements will go into effect pursuant to the direct final rule. Effective 5 MAY 15, EPA withdrew the amendments to 40 CFR 80.1453, 80.1616, and 80.1621 published on 19 FEB 15 ([80 FR 9078](#)).

**ALASKA SIP** EPA is approving revisions to the Alaska State Implementation Plan (SIP) that update the adoption by reference of federal regulations and definitions ([80 FR 30161](#)). The revisions also clarify stationary source permitting rules governing owner-requested emission limits and revise the SIP to reflect the redesignation of the Eagle River area of Anchorage. The final rule is effective 26 JUN 15.

**WASHINGTON SIP: PM<sub>2.5</sub> NAAQS** EPA is partially approving and partially disapproving a SIP submittal demonstrating that the SIP meets the infrastructure requirements for the 1997, 2006, and 2012 fine particulate matter (PM<sub>2.5</sub>) NAAQS ([80 FR 27102](#)). EPA determined that Washington's SIP is adequate for purposes of the infrastructure SIP requirements of the PM<sub>2.5</sub> NAAQS, with exceptions. EPA will address the remaining interstate transport requirements in a separate action. The final rule is effective 11 JUN 15.

**WASHINGTON SIP: INTERSTATE TRANSPORT NAAQS** EPA is proposing to approve revisions to the Washington SIP that demonstrate compliance with the interstate transport requirements for the 2008 lead and 2010 NO<sub>2</sub> NAAQS ([80 FR 30200](#)). Washington State conducted an emissions inventory analysis and reviewed monitoring data to show that sources within the state do not significantly contribute to nonattainment or interfere with maintenance of the lead and NO<sub>2</sub> NAAQS in any other state. Comments are due 26 JUN 15.

## **CLIMATE CHANGE**

**CLIMATE CHANGE ADAPTATION** In October 2011, the Interagency Climate Change Adaptation Task Force published the "National Action Plan: Priorities for Managing Freshwater Resources in a Changing Climate." The National Action Plan

was developed by the Water Resources and Climate Change Adaptation Workgroup made up of federal agencies with responsibilities for water management. This [recent report](#) highlights progress made in 2014 implementing the plan and describes the specific tasks that federal agencies are planning to undertake in 2015. The work described in this report reflects a comprehensive, coordinated, and continuing effort by federal agencies to respond to the challenges for water resources management posed by climate change.

**COMMUNITY RESILIENCE PLANNING** The National Institute of Standards and Technology (NIST) [released](#) a draft guide to help communities plan for windstorms, floods, earthquakes, sea-level rise, industrial mishaps, and other hazards ([80 FR 23256](#)). The draft guide consists of two volumes. The first provides an overview of community resilience and summarizes six steps involved in developing and implementing a resilience plan. It also provides an example of how a fictional community uses the framework to plan and guide resilience efforts. The second volume serves as a detailed resource to support the six steps. It includes sections on characterization of social and economic functions, buildings, transportation, energy, communication, water and wastewater and community resilience metrics. Comments are due 26 JUN 15.

## **ENERGY**

**RENEWABLE FUEL STANDARD** EPA [is proposing](#) to adjust the amount of renewable fuels required under the Renewable Fuel Standard (RFS) for program years 2014-2016. The proposed rule would lower the amounts of cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel for gasoline and diesel fuel produced or imported in years 2014 through 2016. The agency is also proposing to adjust (lower) the amount of biomass-based diesel required in 2017. Although the agency is proposing a lower amount of renewable fuels than originally established in the RFS, the proposed amounts would result in renewable fuel use above historic levels. The agency is taking this action because it believes the original standards cannot be achieved. A public hearing is scheduled for 25 JUN 15. Comments are due 27 JUL 15. The RFS website is available [here](#) and a fact sheet is available [here](#).

**ENERGY EFFICIENCY IMPROVEMENT ACT OF 2015** Signed by President Obama on 30 April 2015, this [act](#) mandates the GSA Administrator develop model commercial leasing provisions and best practices to promote energy efficiency and water efficiency in federal and other buildings. This act also amends the [Energy Independence and Security Act of 2007](#).

**ESPC FOR SMALL PROJECTS** The Federal Energy Management Program's (FEMP's) Energy Savings Performance Contract (ESPC) [ENABLE program](#) provides a standardized and streamlined process for small federal facilities to install targeted energy conservation measures (ECMs) in six months or less. Through the program, smaller federal facilities have the opportunity to upgrade their old equipment, contribute to a number of sustainability initiatives, and enhance their ability to fulfill their stated mission. In May 2015, the Air Force [announced](#) it had awarded the first contract under ESPC ENABLE in the DoD. The project involves an upgrade of exterior lighting at Laughlin Air Force Base in Texas. For more information, [click here](#) to view a sheet or visit the [ESPC Enable](#) website.

**REPORT: ENABLING WIND POWER NATIONWIDE** The Department of Energy (DOE) released a report titled [Enabling Wind Power Nationwide](#). The report describes the current state of wind technology and transportation considerations and details future technology pathways for technical innovation in towers, rotors, drivetrains, and component transport and installation. The report also analyzes and quantifies the geographic expansion that could be enabled by accessing higher above ground heights for wind turbines and considers the means by which this new potential could be responsibly developed. According to the report, market trends and technological innovations are increasingly unlocking cost-effective wind in regions with more moderate wind resources. Based on an advanced turbine concept and assuming hub heights of 110 meters (m), the technical potential for wind deployment is estimated to grow to 4.3 million square kilometers (km<sup>2</sup>), a 54% increase compared to current technology. By pursuing hub heights of 140 m, the technical potential for wind deployment is estimated to grow to 4.6 million km<sup>2</sup>, a 67% increase compared to current technology.

**WAVE ENERGY COMPETITION** DOE launched a Wave Energy Prize competition designed to achieve performance enhancements to wave energy conversion devices, establishing a pathway to significant cost reductions on a commercial scale ([80 FR 25286](#)). The competition consists of three phases—design, build, and test and evaluation. Winners will be announced by the end of 2016. For more information, visit [waveenergyprize.org](http://waveenergyprize.org).

## ***NATURAL RESOURCES***

**INTEGRATED RANGELAND FIRE MANAGEMENT STRATEGY TO PROTECT SAGE-GROUSE** The Department of Interior (DOI) [released](#) a strategy to address the increasing threat of wildfires that are damaging vital sagebrush landscapes and productive rangelands in the West. Given the scope and magnitude of the challenges of a landscape that crosses 11 western states and two Canadian Provinces, the strategy relies on the [Fire and Invasive Assessment Tool \(FIAT\)](#) to identify and prioritize important sage-steppe and greater sage-grouse habitat and calls for greater use of effective adaptive management to ensure that design practices and implementation strategies reflect both emerging scientific findings and knowledge gained from past actions. The strategy builds on wildland fire prevention, suppression and restoration efforts to date, including the 2014 [National Cohesive Wildland Fire Management Strategy](#) and is the final report called for in [Secretarial Order 3336](#). Efforts to conserve and protect sagebrush habitat are the centerpiece of an historic effort to address threats to greater sage-grouse prior to FWS's court-ordered 2015 deadline for determining whether the bird warrants Endangered Species Act (ESA) protection. [Click here](#) to read more about the greater sage-grouse and work to conserve sagebrush landscape.

**ROCKY MOUNTAIN REGION GREATER SAGE-GROUSE LAND USE PLAN AMENDMENTS AND FINAL EISs** Through two separate announcements, the Bureau of Land Management (BLM) and U.S. Forest Service (USFS) released proposed Land Use Plan Amendments (LUPA) and final Environmental Impact Statements (EISs) for the Rocky Mountain Region greater sage-grouse ([80 FR 30703](#)) and the Great Basin Region greater sage-grouse ([80 FR 30711](#)). The Rocky Mountain Region greater sage-grouse LUPA and EISs cover planning units in Wyoming, Lewistown (Montana), Northwest Colorado, and North Dakota, while the Great Basin Region greater sage-grouse LUPA and EIS cover planning units in Idaho, Southwestern Montana, Nevada, Northeastern California, Oregon, and Utah. Four final EISs are being conducted in the Rocky Mountain Region and four in the Great Basin Region.

The planning effort focuses on the remaining habitat of the greater sage-grouse on BLM and USFS lands. The EISs focus on conserving priority habitat areas that have been identified as having the highest value to maintaining the species and its habitat. Within priority habitat, specific areas have been identified as sagebrush focal areas. Sagebrush focal areas are important landscape blocks with high breeding population densities of sage-grouse and existing high quality sagebrush. The EISs also designate general habitat management areas, which provide greater flexibility for land use activities. The plans contain three common approaches:

- Minimize new or additional surface disturbance: The plans seek to reduce habitat fragmentation and protect intact habitat by implementing surface disturbance caps on development, minimizing surface occupancy from energy development, and identifying buffer distances around leks—areas critical to the sage-grouse life-cycle.
- Improve habitat condition: Where there are unavoidable impacts to habitat from development, the plans will require mitigation efforts to enhance and improve sage-grouse habitat.
- Reduce threat of rangeland fire: Rangeland fire can lead to the conversion of previously healthy sagebrush habitat into non-native, cheatgrass-dominated landscapes. The plans seek to fight the spread of cheatgrass and other invasive species, position wildland fire management resources for more effective rangeland fire response, and accelerate the restoration of fire-impacted landscapes to native grasses and sagebrush.

Comments are due 29 JUN 15. For more information, visit BLMs [sage-grouse and sagebrush conservation website](#), [click here](#) to view a press release, or [click here](#) to view a fact sheet.

**NATIONAL STRATEGY FOR HONEY BEES AND MONARCH BUTTERFLIES** The White House Pollinator Health Task Force released a [National Strategy to Promote the Health of Honey Bees and Other Pollinators](#) in May 2015. The strategy

outlines a comprehensive approach to tackling and reducing the impact of multiple stressors on pollinator health, including pests and pathogens, reduced habitat, lack of nutritional resources, and exposure to pesticides. It lays out current and planned federal actions to achieve these overarching goals:

- Honey Bees: Reduce honey bee colony losses during winter to no more than 15% within 10 years.
- Monarch Butterflies: Increase the eastern population of the monarch butterfly to 225 million butterflies occupying an area of approximately 15 acres in overwintering grounds in Mexico by 2020 through domestic/international actions and public/private partnerships by 2020.
- Pollinator Habitat Acreage: Restore or enhance seven million acres of land for pollinators over the next five years through federal actions and public/private partnerships.

## ***NOISE***

**FAA POLICY** The Federal Aviation Administration (FAA) posted a policy statement regarding the required use of its [Aviation Environmental Design Tool version 2b \(AEDT 2b\)](#) to analyze noise, fuel burn, and emissions for FAA actions under the National Environmental Policy Act (NEPA) ([80 FR 27853](#)). AEDT 2b, a comprehensive software tool that provides information to FAA stakeholders on specific environmental impacts, facilitates environmental review activities required under NEPA by consolidating the modeling of these environmental impacts in a single tool. The policy was effective 29 MAY 15.

## ***PESTICIDES***

**PESTICIDES DASHBOARD** The [Pesticides Dashboard](#) will initially present three years of compliance and enforcement activity data on the regulated universe of pesticide-producing establishments, thus making Federal Insecticide, Fungicide, and Rodenticide Act compliance information available to anyone with Internet access. Future screens will focus on compliance with worker protection standards. On the dashboard, the public can view and download information about the number of pesticide-producing establishments, inspections, and the government response to these violations during the three most recent years. Data is presented for states, tribes, EPA regions, and the nation as a whole.

## ***THREATENED AND ENDANGERED SPECIES***

**PETITIONS FOR THREATENED AND ENDANGERED SPECIES** FWS and the National Marine Fisheries Service (NMFS) are proposing to revise their regulations governing petitions for threatened and endangered species conservation ([80 FR 29286](#)). The revisions would clarify and enhance the procedures by which the services will evaluate petitions under ESA Section 4(b)(3). The proposed changes are also intended to streamline the processes by which the services process petitions. Comments are due 20 JUL 15.

**COOK INLET BELUGA WHALE** NMFS released the [Cook Inlet beluga whale \(\*Delphinapterus leucas\*\)](#) draft recovery plan for public comment ([80 FR 27925](#)). The recovery plan identifies ten potential threat types along with a ranking (high, medium, low) of each threat type. Climate change is not listed as a threat, but rather discussed with respect to how it may affect each of the listed threats. Comments are due 14 JUL 15. For more information, [click here](#) to view the recovery plan.

## ***WASTE***

**POST-CLOSURE CARE** EPA is seeking comment on the draft memorandum [Guidelines for Evaluating and Adjusting the Post-Closure Care Period for Hazardous Waste Disposal Facilities under Subtitle C of the Resource Conservation and Recovery Act \(RCRA\)](#). The guidelines assist regulators in evaluating the post-closure care period for hazardous waste disposal facilities subject to RCRA-C, and determining whether that length of time should be adjusted. The draft

guidance also provides information to assist facility owners and operators in preparing documentation to support a decision to adjust the post-closure care period. Once finalized, the guidance will lend greater transparency and efficiency to the decision making process. EPA specifically requests comments from operating treatment storage and disposals facilities, permit writers, trade associations, and environmental groups. Comments are due 30 JUN 15.

## ***WATER***

**DISCHARGE MONITORING REPORT POLLUTANT LOADING TOOL** EPA's [Discharge Monitoring Report \(DMR\) Pollutant Loading Tool](#) has a new search feature that identifies instances when industrial facilities and sewage treatment plants discharge wastewater pollution in exceedance of their CWA permit effluent limits. The tool calculates pollutant loadings from permit and DMR data from EPA's NPDES Integrated Compliance Information System (ICIS). Data are available from the year 2007 to the present. Pollutant loadings are presented as pounds per year and as toxic-weighted pounds per year to account for variations in toxicity among pollutants.

# ***Professional Development***

**USACE PROSPECT TRAINING** USACE announces course availability for the FY15 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to all federal, state, county, and city employees and contractors. There are different registration processes for each entity. Please refer to the [Course Catalog](#) and [List of Classes and schedule](#) for details. Environmental courses include, but are not limited to:

- Environmental Regulations Practical Application Course (Course Control Number (CCN) 398)
- CERCLA/RCRA Process (CCN 356)
- Hazardous Waste Manifesting & DOT Certification (CCN 223)
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429)
- Radioactive Waste Transport (CCN 441)
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Environmental Remediation Technologies (CCN 395)
- Environmental Laws and Regulations (CCN 170)

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

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

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

## ***FEDERAL TRAINING SOURCES***

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

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

FedCenter also provides member assistance services such as:

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

## ***ONLINE TRAINING: SCHEDULED EVENTS***

**SERDP AND ESTCP WEBINAR SERIES** The DoD environmental research and development funding programs ([SERDP and ESTCP](#)) are launching a [webinar series](#) to promote the transfer of innovative, cost-effective and sustainable solutions developed using SERDP and ESTCP funding. Live webinars will be offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars will feature two 30-minute presentations and interactive question and answer sessions, on topics targeted for DoD and DOE audiences. Prior presentations are archived for viewing any time.

- Management of Contaminated Sediments Sites (20 NOV 14)
- Waste to Energy Technologies (4 DEC 14)
- Energy Audits (18 DEC 14)
- DNAPL (Dense Non-Aqueous Phase Liquid) Source Zone Management (8 JAN 15)
- Sustainable Materials (22 JAN 15)
- Acoustic Methods for Underwater Munitions (5 FEB 15)
- Solar Technologies (19 FEB 15)
- Lead Free Electronics (5 MAR 15)
- Bioremediation Approaches at Chlorinated Solvent Sites (19 MAR 15)
- Resource Conservation and Climate Change (26 MAR 15)
- Blast Noise Measurements and Community Response (16 APR 15)
- Munitions Mobility (7 MAY 15)
- Managing Mmunition Constituents on Training Ranges (28 MAY 15)

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

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

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

**ENERGY STAR WEBCASTS.** Among the offerings:

- [Portfolio Manager 101](#) – This webcast demonstrates the core functionality of EPA’s Energy Star Portfolio Manager tool. Attendees will learn to navigate the Portfolio Manager, add a property and enter details, enter energy and water consumption data, share properties, generate performance reports to assess progress, and respond to data requests.
- [Portfolio Manager 201](#) – This webcast will explore advanced functionalities of EPA’s Energy Star Portfolio Manager tool, including managing and tracking changes to property uses over time; using spreadsheet templates to update property data; setting goals and targets to plan energy improvements for properties; generating and using custom reports; and using the Sustainable Buildings Checklist.

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

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

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

**ITRC INTERNET BASED TRAINING** The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA’s Technology Innovation and Field Services Division, ITRC delivers training courses to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming internet-based training events.

**\*24 JUN, ONLINE: ENERGY MANAGEMENT BASIC TRAINING- TOOLS AND RESOURCES FOR RESULTS** This course will provide civilian and military personnel with a concise overview of federal energy management, and the most current tools and

resources for success. The instructors for this seminar will be Randall Smidt, Army Program Manager for Alternative Financing, and Thomas B. Delaney, Jr., PE, Army Energy Conservation Investment Program Manager. Both instructors serve within the Army's Facilities Policy Division of the Office of the Assistant Chief of Staff for Installation Management.

## ***ONLINE TRAINING: AVAILABLE ANYTIME***

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

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

**EPA RCRA TRAINING** RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout EPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations, and implementation. Topics include general RCRA, RCRA corrective action, Environmental Management Systems (EMS), e-waste, groundwater characterization and cleanup, land revitalization, land disposal restrictions, sustainable materials management web academy, and environmental justice and RCRA permitting.

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

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

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

**BEST PRACTICES FOR COMPREHENSIVE WATER MANAGEMENT FOR FEDERAL FACILITIES** This comprehensive water management training provides federal facility and energy managers with knowledge and skills to assist in meeting water-related legislative and executive order requirements. Learners will develop skills in increasing water efficiency and reducing water use through sound operations and maintenance practices and water-efficient technologies. Several methods for meeting needs for non-potable water through alternate water sources, such as rainwater harvesting, reclaimed wastewater, and gray water are discussed. Water metering is covered, as well as life cycle costing and establishing the overall economics for strategic water management.

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

**DISTRIBUTED-SCALE RENEWABLE ENERGY PROJECTS: FROM PLANNING TO PROJECT CLOSEOUT** This 2.5 hour webinar focuses on the planning and implementation of distributed-scale renewable energy projects (i.e., those smaller than 10

megawatts). The on-demand course outlines a detailed 10-step process from technology screening to project closeout. It explores online tools and resources for renewable energy projects on federal sites.

**EPA AIR POLLUTION TRAINING INSTITUTE (APTI)** EPA's [Air Pollution Training Institute \(APTI\)](#) offers a variety of online self instructional courses and videos for air pollution professionals. Although APTI courses are designed for state and local government officials, the courses, webinars, and videos are available to anyone.

**AVERT TUTORIAL** This training provides an overview of EPA's Avoided Emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy (EE/RE) programs to displace electricity system-related SO<sub>2</sub>, NO<sub>x</sub>, and CO<sub>2</sub> emissions in the continental United States. The tool can be used to evaluate county, state and regional level emissions displaced by energy efficiency and renewable energy programs without the need for specialized resources or electricity system expertise.

**FEMP TRAINING SEARCH TOOL** The FEMP Training Search is a web tool that lists free training opportunities to help agencies meet federal energy, water, and sustainability laws and requirements. The new search tool provides options to easily find and select training offerings by topic area, topic series, course format and type, and by level of difficulty—introductory (101), intermediate (201), and advanced (301).

**EPA TMDL AND NPDES PERMIT TRAINING** EPA developed three web-based training modules on topics related to TMDLs and NPDES permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded PowerPoint presentations with slides and scripts. Each recorded session is approximately two hours long.

- Module 1: Understanding TMDLs: A Primer for NPDES Permit Writers
- Module 2: Understanding Waste Load Allocation Implementation in Permits: A Primer for TMDL Developers
- Module 3: Understanding TMDLs with Stormwater Sources and the NPDES Stormwater Permitting Process

## ***CLASSROOM/INTERNET TRAINING SOURCES***

**EPA NPDES TRAINING COURSES AND WORKSHOPS** Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES permit program. They are designed for permit writers, dischargers, EPA officials, and other interested parties. Topics include vessel general permits, combined sewer overflows, energy management, green infrastructure, pesticides, pretreatment, sanitary sewer overflows, and stormwater.

**\*19-20 AUG, JOINT BASE PEARL HARBOR-HICKAM DoD Native Hawaiian Cultural Communication and Consultation Course** This free course provides valuable information for DoD employees in Hawaii whose work may have an effect on Native Hawaiians and for those already working with Native Hawaiians and Native Hawaiian Organizations. For more information or to register, please email Mr. Chris Allen at [william.c.allen240.ctr@mail.mil](mailto:william.c.allen240.ctr@mail.mil), before 31 JUL 15.

**\*29 JUN-1 JUL, CALIFORNIA WATER SUMMIT** The second [California Water Summit](#) will be held 29 JUN-1 JUL 15 in Sacramento, California. The summit will address the regulatory initiatives affecting state water infrastructure development and incentives planned for 2015 and beyond. Hear from California state and local government officials as they discuss the progress being made by their respective agencies to increase regulatory incentives to battle the drought affecting the state.

\* Indicates the first time a training or career development opportunity appears in the Review.

## *How the Regional Offices Work for You*

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

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

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

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

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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
CATEX	categorical exclusion
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH <sub>4</sub>	methane
CNOR	candidate notice of review
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalent
CrVI	hexavalent chromium
CWA	Clean Water Act
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	Department of Transportation
DPS	distinct population segment
EA	environmental assessment
ECF	emission comparable fuel
EIS	environmental impact statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FS	Forest Service
FWS	Fish and Wildlife Service
FY	fiscal year
GAO	Government Accountability Office
GHG	greenhouse gas
GRP	geographic response plan
GSA	General Service Administration

HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
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
N <sub>2</sub> O	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
NF <sub>3</sub>	nitrogen trifluoride
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO <sub>2</sub>	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
OIE	Office of Energy Initiatives
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
PM2.5	particulate matter 2.5 microns in diameter or less
PM10	particulate matter 10 microns in diameter or less
POP	persistent organic pollutant
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
SO <sub>2</sub>	sulfur dioxide
SO <sub>x</sub>	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TAC	toxic air pollutant
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UFC	Unified Facilities Criteria
ug/m <sup>3</sup>	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WAC	Washington Administrative Code
WADOE	Washington Department of Ecology
WCI	Western Climate Initiative
WEFSEC	Washington Energy Facility Site Evaluation Council
WDC	Washington Department of Commerce
WDOH	Washington Department of Health
WGA	Western Governors' Association
WPCF	Water Pollution Control Facility
WRAP	Western Regional Air Partnership

**The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations.** The REEOs

monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to offer language to support or oppose the issue.

To comment on an item in the *Western Review*, please contact the Regional Environmental Coordinator listed at the top of page 2 and/or in the [Staff Directory](#).

To be added to the Region 10 *Western Review* distribution list, email [Nancy Reese](#).