



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

March 2014

The **WESTERN REGION 10 REVIEW** provides current information on natural resource, energy and environmental issues relevant to Department of Defense interests in the 4 states that comprise Federal Region 10. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Western Region 10 Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. To receive a copy of this electronic publication, send an email request to nancy.l.reese2.ctr@mail.mil.



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EPA Enforcement: Fiscal Year 2013

The U.S. Environmental Protection Agency (EPA) has published [annual results](#) of its fiscal year (FY) 2013 enforcement actions.

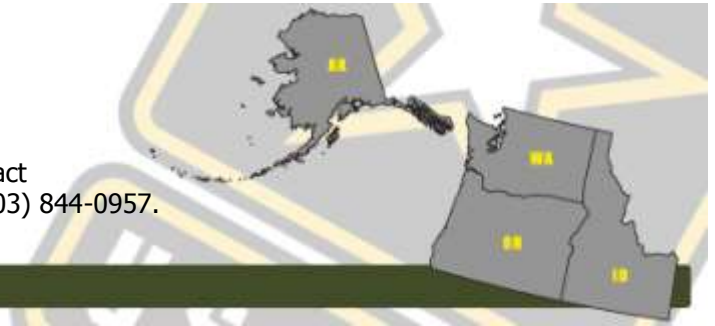
An interactive case map shows information on concluded enforcement actions and cases from FY13. The map shows civil enforcement actions taken by EPA, criminal cases prosecuted by the agency, and cases in which EPA provided significant support to cases prosecuted under state criminal law. Users can then link to the agency's Enforcement and Compliance History Online ([ECHO](#)) detailed facility report. Federal facilities are indicated by color. In addition, [FedCenter.gov](#) lists [EPA enforcement actions](#) issued to federal facilities and private industry.

Trends: A comparison of [FY13](#) and [FY12](#) results shows that in 2013, EPA conducted 1,835 fewer facility inspections (a 9% decrease). The number of final administrative penalty orders and the number of administrative compliance orders each decreased by nearly 20% over the same period. In addition, the amount liable parties committed to reimburse the federal government for Superfund cleanup increased by 41% (to \$292 million), and the amount paid for government oversight at Superfund sites increased by 27% (to \$93 million).

Looking Forward: According to EPA's [Draft Strategic Plan for FY 2014-2018](#), the agency intends to reduce its reliance on inspections and enforcement and increase its reliance on so-called Next-Generation tactics (i.e., electronic reporting and monitoring to identify violations) to increase compliance. The plan calls for the agency to reduce the number of inspections by 30% and to initiate 23% fewer enforcement actions over the 5-year period, compared to a FY 2012 baseline.

Region 10

For more information on any state issues in Region 10, contact [Park Haney](#), Acting Region 10 Environmental Coordinator (303) 844-0957.



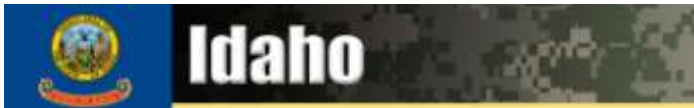
ALASKA SECTION 404 REGULATORY PROGRAM As part of its intent to assume Clean Water Act (CWA) Section 404 permitting authority, the state of Alaska (Alaska Department of Environmental Conservation and Alaska Department of Natural Resources), EPA, and the U.S. Army Corps of Engineers (USACE) [signed a memorandum of understanding \(MOU\)](#) in November 2013 regarding Alaska’s evaluation of assumption of the federal CWA Section 404 regulatory permitting program. The MOU specifies responsibilities toward developing an authorized state Section 404 permitting program and path for resolving any disagreements that may arise as the state seeks authorization to administer the program. The MOU was effective November 2013.

LEGISLATIVE DEVELOPMENTS

The [Alaska 2014 legislative session](#) began 21 JAN 14 and adjourns 20 APR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Alaska Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
* HB 163 <i>Representative Tammie Wilson (R)</i> Proposes to prohibit the burning of certain materials in a solid fuel burning device and amend solid fuel burning device emission standards.	✓			
ENERGY				
LAND USE				
* HB 123 <i>Representative Peggy Wilson (R)</i> Proposes to create the Alaska Transportation Panel and amend various funds related to local transportation, motor fuel taxes, motor vehicle registration fees, driver’s license fees, and other fees/taxes related to motor vehicles.	✓			
NATURAL RESOURCES				

<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>
OTHER				
* HB 201 <i>Representative Les Gara (D)</i> Proposes to amend rules governing the application of non-aerial pesticides and broadcast chemicals near fish habitat or water and in public places.	✓			
HB 224 <i>Representative Harriet Drummond (D)</i> Proposes to limit the application of neonicotinoid pesticides.	✓			
WASTE				
WATER				



LEGISLATIVE DEVELOPMENTS

The [Idaho 2014 legislative session](#) began 6 JAN 14 and adjourns 4 APR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Idaho Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
LAND USE				
NATURAL RESOURCES				
* HB 486 <i>Revenue Committee</i> Proposes to repeal existing law relating to taxation on conservation easements.	✓			
OTHER				
WASTE				

<i>Idaho Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
WATER				
* HB 392 <i>Committee on Environment, Energy, and Technology</i> Proposes to amend existing water quality law to revise provisions relating to Tier II analysis and guidelines.	✓	✓	✓	Awaiting transmittal to Governor



REMEDIATION AND RESTORATION ON STATE-OWNED LANDS The Oregon Department of State Lands [adopted new rules](#) governing the management of remediation and restoration activities on state-owned land. The rules define the administrative process by which the department will authorize remedial actions on state-owned submerged and/or submersible lands. The rules also define the administrative process by which conservation easements for habitat restoration will be issued. On 4 DEC 10, the Oregon State Land Board directed the Oregon Department of State Lands to develop new rules to authorize environmental remediation and/or restoration activities undertaken by, or pursuant to an order issued by the Oregon Department of Environmental Quality (ODEQ) or EPA within the Portland Harbor Superfund Site and other locations throughout Oregon. The [final rules](#) were effective 1 FEB 14. For more information, contact Tiana Teeters at (503) 986-5239.

LEGISLATIVE DEVELOPMENTS

The [Oregon 2014 legislative session](#) began 3 FEB 14 and is estimated to adjourn 8 MAR 14.

<i>Oregon Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
SB 1511 <i>Senate Interim Committee on Environment and Natural Resources</i> Proposes to require certification from the Department of Consumer and Business Services to engage in radon testing or mitigation.	✓			
ENERGY				
LAND USE				
NATURAL RESOURCES				
OTHER				
HB 4139 <i>Representative Jeff Reardon (D)</i> Proposes to require the Department of Agriculture to classify certain pesticides as restricted-use pesticides.	✓	✓	✓	Awaiting transmittal to Governor

Oregon Bill Number, Sponsor, and Description	Bill Introduced	Passed 1st House	Passed 2nd House	Status
WASTE				
WATER				



REGULATORY AGENDA The Washington Department of Ecology (WADOE) released its [rule agenda](#) for January through June, 2014. For more information, contact [Bari Schreiner](#) at (360) 407-6998.

AIR

GASOLINE VAPOR EMISSIONS WADOE [is proposing](#) to revise outdated state requirements codified at Chapter [173-491](#), Washington Administrative Code (WAC) and make other administrative changes related to rules for gasoline marketing operations. This action would align state rules for gasoline dispensing facilities with federal Stage I vapor recovery requirements. It would also amend Chapter [173-400](#) WAC to update the adoption of federal air toxics rules and new source performance standards, and include requirements that implement emission guidelines for certain incineration units. Lastly, this rulemaking would amend the rule governing air quality fees, Chapter [173-455](#) WAC. For more information, contact [Elena Guilfoil](#) at (360) 407-6855 or visit the [rulemaking website](#).

TOXICS

LEAD-BASED PAINT: TRAINING PROGRAMS, CERTIFICATION OF CONTRACTORS AND INDIVIDUALS The Washington Department of Commerce [adopted expedited rules](#) regarding accreditation of lead-based paint training programs, and the certification of firms and individuals conducting lead-based paint activities and renovation. This action adopts federal rules (Tile 40 Code of Federal Regulation [CFR] Part 758, Subparts E and L) by reference into Chapter [365-230](#) WAC. The amendments include changes to work practice standards, training firm and renovator recordkeeping requirements, and renovator paint chip sampling/reporting. The [final rules](#) were effective 20 FEB 14. For more information, contact Cynthia Sanderson at (360) 725-2941.

RESTRICTED USE PESTICIDES The Washington Department of Agriculture [is proposing](#) to exempt liquid formulations of ready-to-use phenoxy hormone-type herbicides from being declared state restricted use pesticides. Currently, only dry formulation, small container phenoxy hormone-type herbicide distributed in for home use is exempt from designation as state restricted use. The [proposed amendment](#) would add ready-to-use liquid formulations to the list of exempted products. A public hearing is scheduled for 19 MAR 14. Comments are due the same day. For more information, contact Cliff Weed at (360) 902-2036.

WASTE

DANGEROUS WASTE REGULATIONS WADOE [is proposing](#) to incorporate several federal hazardous waste rules into Washington Dangerous Waste Regulations, Chapter [173-303](#) WAC. The department is proposing to incorporate by reference a new federal rule simplifying waste management at university and college laboratories, changes to import/export rules, an exclusion for certain recycled refinery wastes, and other minor new federal rules. This action

would incorporate corrections to EPA hazardous waste regulations and other federal rules. In addition, WADOE is proposing to update state-only requirements. Those updates would:

- Clarify rules for special wastes, including a time limit for special wastes stored at transfer facilities;
- Define which facilities are authorized to receive dangerous wastes from off-site sources;
- Exclude water contaminated fuels generated from petroleum storage tank terminals;
- Adopt a federal rule that allows use of enforceable documents in place of a post closure permit;
- Clarify rules regarding professional engineers performing permitted facility certifications; and
- Clarify chemical test methods.

For more information, contact [Robert Rieck](#) at (360) 407-6751.

LEGISLATIVE DEVELOPMENTS

The [Washington 2014 legislative session](#) began 13 JAN 14 and adjourns 13 MAR 14.

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
HB 1169 <i>Representative Matt Shea (R)</i> Proposes to establish the Washington State Energy Freedom Act. Prohibits state agencies from implementing a cap and trade system, regulating motor vehicle fuel economy, or otherwise addressing greenhouse gas emissions without direct and specific legislative authority to conduct the activity.	✓			
HB 1915 <i>Representative Dave Upthegrove (D)</i> Proposes to require the Governor hire an independent organization to prepare an evaluation of approaches to reduce greenhouse gas emissions. Creates the climate legislative and executive work group to recommend a state program of actions and policies to reduce greenhouse gas emissions.	✓			
SB 5321 <i>Senator Doug Ericksen (R)</i> Proposes to harmonize state greenhouse gas reporting requirements with federal requirements.	✓			
SB 5408 <i>Senator Doug Ericksen (R)</i> Proposes to provide exclusions for the definition of "nonpower attributes" for purposes of the Energy Independence Act.	✓	✓		
SB 5796 <i>Senator Mark G. Schoesler (R)</i> Proposes to address the requirements of emergency engines and backup generators for use at hospitals, sewage treatment plants, data centers, and other vital public services.	✓			
ENERGY				
HB 1106 <i>Representative John R. McCoy (D)</i> Proposes to exclude a third-party owner of a customer-sited renewable energy facility from the definition of "electrical company" for purposes of net metering. Changes the cumulative generating capacity available to net metering systems. Changes meter aggregation for customer-generators participating in certain generating facilities. Companion bill is SB 5707.	✓			
HB 1193 <i>Representative J.T. Wilcox (R)</i> Proposes to require an applicant of a permit to construct a wind turbine to provide notice of the application to adjacent landowners.	✓			

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<p>HB 1289 <i>Representative Jeff Morris (D)</i> Proposes to allow a qualifying utility to count electricity dispatched from an energy storage facility at 2.5 times the facility's output, under certain conditions.</p>	✓			
<p>HB 1296 <i>Representative Jeff Morris (D)</i> Proposes to require an electric utility's integrated resource plan to include an assessment of energy storage systems on the utility and distributed generation scale.</p>	✓			
<p>HB 1347 <i>Representative Shelly Short (R)</i> Proposes to authorize a qualifying utility to use certain eligible renewable resources to meet its annual targets. Prohibits the utility from transferring or selling these eligible renewable resources to another utility.</p>	✓			
<p>HB 1374 <i>Representative Jeff Morris (D)</i> Proposes to change the composition and duties of the Energy Facility Site Evaluation Council. Removes the military department from membership in the council.</p>	✓	✓		
<p>HB 1663 <i>Representative Steve Tharinger (D)</i> Proposes to delay the expiration of the sales and tax use exemption for "hog fuel" (i.e., woody biomass) used to produce electricity, steam, heat, or biofuel.</p>	✓	✓		
<p>HB 1977 <i>Representative Dave Upthegrove (D)</i> Proposes to declare state policy to promote deployment of distributed solar energy generation using current state policies and regulatory mechanisms, rather than ratepayer subsidies.</p>	✓			
<p>HB 2059 <i>Representative Jeff Morris (D)</i> Proposes to require the Utilities and Transportation Commission to allow customers to purchase voluntarily eligible renewable resources.</p>	✓			
<p>HB 2176 <i>Representative Jeff Morris (D)</i> Proposes to allow an electric utility or vendor to offer low-cost loan/lease program that provides all customers access to renewable energy systems on their property.</p>	✓			
<p>HB 2183 <i>Representative Jeff Morris (D)</i> Proposes to require the Joint Committee on Energy Supply and Conservation to make recommendations to the legislature to establish new renewable energy and energy efficiency goals for utilities.</p>	✓	✓		
<p>HB 2223 <i>Representative Gael Tarleton (D)</i> Proposes to revise the definition of "qualified alternative energy resource" to include electricity or thermal energy produced from generation facilities that are fueled by biomass energy based on liquid organic fuels from wood, forest, or field residues. Companion bill is SB 6021.</p>	✓			

<i>Washington Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
<p>SB 5707 <i>Senator Kevin Ranker (D)</i> Proposes to exclude a third-party owner of a customer-sited renewable energy facility from the definition of "electrical company" for purposes of net metering. Changes the cumulative generating capacity available to net metering systems. Changes meter aggregation for customer-generators participating in certain generating facilities. Companion bill is HB 1106.</p>	✓			
<p>SB 5896 <i>Senator Steve Hobbs (D)</i> Proposes to delay the expiration of renewable energy sales and use tax exemption for an additional four years.</p>	✓			
<p>SB 6021 <i>Senator Doug Ericksen (R)</i> Proposes to revise the definition of "qualified alternative energy resource" to include electricity or thermal energy produced from generation facilities that are fueled by biomass energy based on liquid organic fuels from wood, forest, or field residues. Companion bill is HB 2223.</p>	✓			
LAND USE				
<p>HB 1158 <i>Representative Steve Kirby (D)</i> Proposes to authorize The Adjutant General (TAG) to file a petition to have real property owned by the state for military purposes annexed to a city or town if that property constitutes the whole of the property in the annexation petition. Companion bill is SB 5068.</p>	✓	✓		
<p>HB 2268 <i>Representative David Taylor (R)</i> Proposes to create a joint task force to make recommendations for the transfer of federal lands to state control.</p>	✓			
<p>SB 5011 <i>Senator Don Benton (R)</i> Proposes to prohibit the state and all political subdivisions from adopting and developing environmental and developmental policies that infringe or restrict private property rights without due process.</p>	✓			
<p>SB 5068 <i>Senator Steve Conway (D)</i> Proposes to authorize The Adjutant General (TAG) to file a petition to have real property owned by the state for military purposes annexed to a city or town if that property constitutes the whole of the property in the annexation petition. Companion bill is HB 1158.</p>	✓			
NATURAL RESOURCES				
<p>HB 1191 <i>Representative Shelly Short (R)</i> Proposes to allow the taking of a wolf under certain conditions without a permit. Makes rule applicable across all public and private lands where livestock are found. Companion bill is SB 5187.</p>	✓			
<p>HB 1244 <i>Representative Derek Stanford (D)</i> Proposes to clarify the Department of Natural Resources' authority to enter into cooperative agreements. Addresses watershed management.</p>	✓	✓		
<p>HB 1258 <i>Representative Joel A. Kretz (R)</i> Proposes to allow wolves to be relocated from one area of the state to another, subject to certain conditions.</p>	✓			

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HB 1337 <i>Representative Joel A. Kretz (R)</i> Proposes to prohibit the Fish and Wildlife Commission from classifying the gray wolf as endangered or threatened in any area of the state where a similar listing is not simultaneously in effect for the same species under the federal Endangered Species Act.	✓			
HB 2458 <i>Representative Drew MacEwen (R)</i> Proposes to provide authority for the Department of Fish and Wildlife to develop an integrated invasive species management program. Companion bill is SB 6040.	✓			
HB 2724 <i>Representative Lilian Ortiz-Self (D)</i> Proposes to exempt from disclosure certain information related to historical archaeological resources, traditional cultural places, or archaeological resources. Companion bill is SB 6480.	✓	✓		
SB 5187 <i>Senator John Smith (R)</i> Proposes to allow the taking of a wolf under certain conditions without a permit. Makes rule applicable across all public and private lands where livestock are found. Companion bill is HB 1191.	✓	✓		
SB 6040 <i>Senator Jim Honeyford (R)</i> Proposes to provide authority for the Department of Fish and Wildlife to develop an integrated invasive species management program. Companion bill is HB 2458.	✓	✓		
SB 6480 <i>Representative John R. McCoy (D)</i> Proposes to exempt from disclosure certain information related to historical archaeological resources, traditional cultural places, or archaeological resources. Companion bill is HB 2724.	✓			
OTHER				
HB 1010 <i>Representative Sherry V. Appleton (D)</i> Proposes to remove an exclusion that allowed the wholesale of bulk containers (55 gallons or greater) of antifreeze without an aversive agent.	✓	✓		
HB 1110 <i>Representative David Taylor (R)</i> Proposes to require employers to comply with certain federal respirator requirements for asbestos abatement projects.	✓			
HB 1163 <i>Representative David Taylor (R)</i> Proposes to impose a general moratorium on state agency rulemaking. Establishes the Regulatory Freedom and Accountability Act and revises the State Administrative Procedure Act.	✓			
HB 1434 <i>Representative Gerry Pollet (D)</i> Proposes to promote community involvement in environmental decision-making.	✓			
HB 2427 <i>Representative Brian Blake (D)</i> Proposes to prohibit discharging an incendiary ammunition, releasing a sky lantern, or detonating an exploding target on or over any forest, brush, range, or grain area during certain times of the year. Companion bill is SB 6199.	✓			

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SB 5255 <i>Senator Maralyn Chase (D)</i> Proposes to require agencies to implement environmental quality and public health policies.	✓			
SB 6199 <i>Senator John Braun (R)</i> Proposes to prohibit discharging an incendiary ammunition, releasing a sky lantern, or detonating an exploding target on or over any forest, brush, range, or grain area during certain times of the year. Companion bill is HB 2427.	✓	✓		
WASTE				
HB 1364 <i>Representative Steve Tharinger (D)</i> Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is SB 5457.	✓	✓		
HB 1444 <i>Representative Sam Hunt (D)</i> Proposes to establish a product stewardship program for the disposal of mercury-containing lights. Addresses funding of stewardship program.	✓			
HB 1579 <i>Representative Roger Goodman (D)</i> Proposes to create an architectural paint recovery program. Requires paint manufacturers to assume responsibility for development and implementation of a cost-effective paint stewardship program. Creates the paint product stewardship account. Companion bill is SB 5424.	✓			
HB 2072 <i>Representative Matt Manweller (R)</i> Proposes to establish requirements for county compostable waste collection programs.	✓			
HB 2246 <i>Representative Sam Hunt (D)</i> Proposes to make changes to the product stewardship program for mercury-containing lights to provide for a sustainable funding mechanism. Companion bill is SB 6177.	✓	✓		
SB 5252 <i>Senator Maralyn Chase (D)</i> Proposes to prohibit food service businesses from selling or providing food in expanded polystyrene food service products. Prohibits disposable plastic food service ware.	✓			
SB 5253 <i>Senator Maralyn Chase (D)</i> Proposes to prohibit a retail store from providing a carryout bag to a consumer unless the carryout bag is compostable plastic, recyclable, or reusable.	✓			
SB 5424 <i>Senator Maralyn Chase (D)</i> Proposes to create an architectural paint recovery program. Requires paint manufacturers to assume responsibility for development and implementation of a cost-effective paint stewardship program. Creates the paint product stewardship account. Companion bill is HB 1579.	✓			
SB 5457 <i>Senator Sharon Nelson (D)</i> Proposes to create the used battery stewardship account to implement voluntary programs to collect and recycle used small rechargeable batteries. Companion bill is HB 1364.	✓			

<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>
<p>SB 6177 <i>Senator Steve Litzow (R)</i> Proposes to make changes to the product stewardship program for mercury-containing lights to provide for a sustainable funding mechanism. Companion bill is HB 2246.</p>	✓			
WATER				
<p>HB 1179 <i>Representative Dawn Morrell (D)</i> Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is SB 5218.</p>	✓	✓		
<p>HB 1196 <i>Representative Bruce Chandler (R)</i> Proposes to implement an integrated water resource management plan in the Yakima river basin.</p>	✓			
<p>HB 1234 <i>Representative Liz Pike (R)</i> Proposes to reissue without modification for a term of two years, phase I national pollutant discharge elimination system municipal stormwater general permits in effect on 1 SEP 12. Modifies the date that updated permits become effective from 1 AUG 13 to 1 AUG 15.</p>	✓			
<p>HB 1237 <i>Representative Liz Pike (R)</i> Proposes to require the Department of Ecology to conduct a pilot project to evaluate net environmental effects of an alternative approach to municipal stormwater management and verify the approach satisfies state/federal law. Companion bill is SB 5435.</p>	✓			
<p>HB 1350 <i>Representative Bruce Chandler (R)</i> Proposes to address future development criteria with regard to exempt well withdrawals to allow better allocation of water resources.</p>	✓			
<p>HB 1375 <i>Representative Brian Blake (D)</i> Proposes to allow local governments to consolidate a new exempt withdrawal of groundwater into an existing public water system. Companion bill is SB 5200.</p>	✓			
<p>HB 1414 <i>Representative Bruce Chandler (R)</i> Proposes to implement the integrated water resource management plan in the Yakima river basin.</p>	✓			
<p>HB 1438 <i>Representative Vincent Buys (R)</i> Proposes to require the Department of Ecology to establish a process to account for changes in water rights. Companion bill is SB 5199.</p>	✓			
<p>HB 1548 <i>Representative Brian Blake (D)</i> Proposes to revise the Department of Ecology's process for amendments to water right change applications. Moves the point of withdrawal to reduce potential surface water impacts. Companion bill is SB 5463.</p>	✓			
<p>HB 1549 <i>Representative Brian Blake (D)</i> Proposes to revise the Department of Ecology's process for amendments to water right change applications. Consolidates the annual quantities of those water rights held by the applicant. Companion bill is SB 5462.</p>	✓			

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HB 2454 <i>Representative Brian Blake (D)</i> Proposes to require the State Conservation Commission, in partnership with the Department of Ecology, to explore options for developing a water quality trading program.	✓	✓		
HB 2472 <i>Representative Joel A. Kretz (R)</i> Proposes to require determinations made by the Department of Ecology to be based on a preponderance of actual site-based, source-specific environmental testing. Companion bill is SB 6288.	✓			
* HB 2620 <i>Representative Joel A. Kretz (R)</i> Proposes to require the Washington Department of Health to seek to enhance potable water supply by encouraging treatment of raw groundwater sources where they exceed maximum contaminant levels.	✓			
SB 5071 <i>Senator Jerome L. Delvin (R)</i> Proposes to extend the time period permitted to put water to beneficial use.	✓			
SB 5199 <i>Senator Doug Ericksen (R)</i> Proposes to require the Department of Ecology to establish a process to account for changes in water rights. Companion bill is HB 1438.	✓	✓		
SB 5200 <i>Senator Brian Hatfield (D)</i> Proposes to allow local governments to consolidate a new exempt withdrawal of groundwater into an existing public water system. Companion bill is HB 1375.	✓	✓		
SB 5218 <i>Senator Bruce Dammeier (R)</i> Proposes to allow counties to adopt alternative procedures for the collection of sewer charges. Companion bill is HB 1179.	✓			
SB 5219 <i>Senator Jim Honeyford (R)</i> Proposes to establish a process to retain water rights when they are no longer used on state purchased lands and to make the water rights available for alternate uses by local economies rather than be permanently lost to the economy of the area through relinquishment.	✓	✓		
SB 5326 <i>Senator Ann Rivers (R)</i> Proposes to delay new stormwater discharge permitting requirements and to extend current permits for a period of three years.	✓			
SB 5407 <i>Senator Doug Ericksen (R)</i> Proposes to require the Department of Ecology to provide for electronic filing of pollutant discharge elimination permit system applications, updates and revisions thereof, and data reporting.	✓	✓		
SB 5435 <i>Senator Annette Cleveland (D)</i> Proposes to require the Department of Ecology to conduct a pilot project to evaluate net environmental effects of an alternative approach to municipal stormwater management and verify the approach satisfies state/federal law. Companion bill is HB 1237.	✓			

<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>
SB 5462 <i>Senator Jim Honeyford (R)</i> Proposes to revise the Department of Ecology's process for amendments to water right change applications. Consolidates the annual quantities of those water rights held by the applicant. Companion bill is HB 1549.	✓			
SB 5463 <i>Senator Jim Honeyford (R)</i> Proposes to revise the Department of Ecology's process for amendments to water right change applications. Moves the point of withdrawal to reduce potential surface water impacts. Companion bill is HB 1548.	✓			
SB 5836 <i>Senator Jim Honeyford (R)</i> Proposes to authorize the use of permit exempt wells as long as the basin is not closed to further appropriation of groundwater.	✓			
SB 6288 <i>Senator Brian Dinsel (R)</i> Proposes to require determinations made by the Department of Ecology to be based on a preponderance of actual site-based, source-specific environmental testing. Companion bill is HB 2472.	✓			

Department of Defense Activity

U.S. COAST GUARD: COMMANDING OFFICERS ENVIRONMENTAL GUIDE The U.S. Coast Guard released an update to its Commanding Officers Environmental Guide. The guide is designed to be an easy-to-use desktop guide to carry out environmental stewardship for commanding officers and officers in charge of Coast Guard shore units, vessels and aircraft. It replaces COMDTPUB 5090.1B. The publication is a training, education, and awareness tool to environmentally relevant regulations, Executive Orders, and other requirements that affect Coast Guard assets. A copy of the guide is available [upon request](#).

ARMY ENVIRONMENTAL AWARDS The Secretary of the Army Environmental Awards represent the highest honor in the field of environmental science and sustainability conferred by the Army. For more information about the awards, visit the U.S. Army Environmental Command's [website](#). The 2013 winners include:

- Camp Johnson, Vermont Army National Guard, earned the small installation award for its natural resources conservation accomplishments;
- Fort Wainwright, Alaska, earned the cultural resources management award for an installation;
- Fort Hood, Texas, took home the environmental quality award for a non-industrial installation;
- Lake City Army Ammunition Plant in Missouri won the sustainability category for industrial installations;
- Fort Riley, Kansas, won the team award for natural resource conservation efforts;
- Minnesota Army National Guard won the environmental quality team award; and
- Maryland's Fort George G. Meade Installation Restoration and Military Munitions Response Program Team earned the environmental restoration team award.

The following installations were recognized as runners-up in their respective categories:

- Hawaii Army National Guard Keaukaha Military Reservation, natural resources small installation award;
- Redstone Arsenal, Alabama, cultural resources management installation award;

- Maine Army National Guard, environmental quality non-industrial installation;
- Mississippi Army National Guard, sustainability industrial installation;
- Larry Vrtiska, Nebraska Army National Guard, natural resources team/individual;
- Steven Flier, Fort Leonard Wood, Missouri, environmental quality team/individual; and
- Milan Army Ammunition Plant, Tennessee, environmental restoration team/individual.

ENERGY

ARMY QUALIFIES ADDITIONAL FIRMS FOR RENEWABLE ENERGY MATOC The U.S. Army Corps of Engineers, Engineering and Support Center, Huntsville, working with the Army Energy Initiatives Task Force (EITF), [added 20 additional awards to qualified contractors](#) for the renewable energy Multiple Award Task Order Contract (MATOC). These eligible firms can now compete for task orders for renewable energy projects on DoD installations. The 20 contracts are for solar (15), wind (3), and biomass (2) technologies.

NATURAL RESOURCES

LEGACY FUNDS The DoD Legacy Resource Management Program funds projects that protect and enhance our nation's natural and cultural heritage while supporting military readiness. Legacy released its FY15 Areas of Emphasis and Request for Pre-Proposals. [Further information](#) is available. For more information, contact the Legacy support team at DoDLegacy@bah.com.

REPI FUNDS PROTECT NAVY SUBMARINE BASE BANGOR The Navy, in partnership with the Trust for Public Land, [completed agreements](#) to prevent development on 1,420 acres of land adjacent to operating ranges used by Naval Submarine Base Bangor in northwest Washington. The trust purchased the tracts and sold them to Ecotrust Forest Management under an easement purchased by the Navy that restricts development, reported the *Kitsap Sun*. The properties will remain as working forest and be open to the public. The agreement was completed through DOD's Readiness and Environmental Protection Integration (REPI) program, which provides funding to buy land or easements to prevent development incompatible with military installations.

TOXICS

DoDI 4715.18 EMERGING CONTAMINANTS Department of Defense Instruction (DoDI) [4715.18](#), *Emerging Contaminants*, has been updated. The DoDI establishes policy and assigns responsibilities for the identification, assessment, and risk management of emerging contaminants that have the potential to impact the DoD. The DoDI expires 11 JUN 16.

RISK ALERT FOR LEAD The DoD's [Chemical and Material Risk Management Program](#) issued final Risk Alert #01-14, *Revised Blood Reference Value for Lead*. The risk alert was issued due to new information about the health effects associated with lead exposure for adults and children. The resulting progressively lower levels may impact air quality standards, soil screening concentrations, and occupational exposure limits. For more information, contact [Paul Yaroschak](#), or [request a copy](#) of the risk alert.

ALERT: LEAD C-130 BRAKE ASSEMBLIES During an occupational health special assessment at a C-130 hydraulics shop, results of a total metal analysis of swipe samples of two parts of the C-130 brake assembly identified lead contamination. Lead may not be identified by the manufacturer as part of the brake assembly composition in the safety data sheet (SDS). Workers may be potentially exposed to lead as a byproduct of their occupation. If exposure assessments have not been performed, they may be indicated. It is unknown at this time if other airframes may be affected. To view the attached fact sheet, click on the paperclip icon.



WATER

NET ZERO WATER PILOT: PROGRAMMATIC SUMMARY The Army released the document titled, [Army Net Zero, Water Balance and Roadmap Programmatic Summary](#). Net Zero espouses the belief that consuming natural resources responsibly based on knowledge of long-term resource availability creates a sustainable environment to support an installation's continuing mission. Net Zero water is broadly defined as limiting consumption of freshwater resources and returning water to the same watershed so as not to deplete the region's water resources over the course of a year. The common elements at each Net Zero water pilot installation include:

- Conducting a water balance study to quantify water use at the end level;
- Setting aggressive water use reduction goals (indoor and outdoor); and
- Developing a site-specific Net Zero water objective, tailored to each location's unique requirements.

Based on the results of the study and accounting for installation specific goals and objectives, a roadmap was developed to provide a strategy for the installation to implement a phased approach to reach Net Zero water objectives.

Federal Activity

AIR

DRAFT INTEGRATED REVIEW PLAN: NAAQS FOR NOX EPA released the draft document titled, *Integrated Review Plan for the Primary National Ambient Air Quality Standards for Nitrogen Dioxide* ([79 FR 7184](#)). The document contains the plans for review of air quality criteria for oxides of nitrogen (NO_x) and national ambient air quality standards (NAAQS) for nitrogen dioxide (NO₂). Comments are due 13 MAR 14. For more information, contact [Beth Hassett-Sipple](#) at (919) 541-4605. The draft document is available from the EPA's website for [NO₂ Primary Standards](#).

IDAHO SIP: PM10 MAINTENANCE PLAN EPA is proposing to approve revisions to the Idaho State Implementation Plan (SIP) that implement NAAQS for coarse particulates (PM₁₀) in Northern Ada County, Idaho ([79 FR 9697](#)). This revised Maintenance Plan addresses maintenance of the PM₁₀ standard for a second ten-year period beyond redesignation, extends the horizon years, and contains revised transportation conformity budgets. The agency is also proposing to approve contingency measures for the Pinehurst PM₁₀ Air Quality Improvement Plan. Comments are due 24 MAR 14. For more information, contact [Lucy Edmondson](#) at (360) 753-9082.

WASHINGTON SIP: SECOND 10-YEAR MAINTENANCE PLAN EPA reopened the public comment period for its [16 DEC 13](#) proposed rulemaking titled, *Approval and Promulgation of Implementation Plans; Washington: Kent, Seattle, and Tacoma Second 10-Year PM₁₀ Limited Maintenance Plan* ([79 FR 7126](#)). Comments are due 10 MAR 14. For more information, contact [Jeff Hunt](#) at (206) 553-0256.

CLIMATE CHANGE

DRAFT INVENTORY OF GHG EMISSIONS AND SINKS EPA released its draft [Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2012](#) (529 pages) for public review and comment ([79 FR 10143](#)). Annual U.S. emissions from 1990 through 2012 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbon (HFC), perfluorocarbon (PFC), and sulfur hexafluoride (SF₆) emissions. The inventory also includes estimates of carbon fluxes in U.S. agricultural and forest lands. The report found that while total greenhouse gas (GHG) emissions increased by 4.4% from 1990 to 2012, emissions also decreased 3.3% from 2011 to 2012. The decrease is attributed to a decrease in the carbon intensity of

fuels used to generate electricity, an increase in fuel efficiency across different transportation modes, and warmer winter conditions. Comments are due 26 MAR 14. For more information, contact [Leif Hockstad](#) at (202) 343-9432 or visit EPA's [National GHG Emissions Data website](#) to download an executive summary and individual report sections.

CLIMATE ADAPTATION PLANNING The General Services Administration (GSA) released the Sustainable Facilities Tool [annotated version](#) of Executive Order (EO) 13653 (*Preparing the United States for the Impacts of Climate Change*). Click through the annotated text for definitions, strategies, and links for more information. In addition, the U.S. Global Change Research Program created a [new website](#) featuring a collection of resources to help federal agencies plan and implement climate change adaptation. Resources include relevant federal executive orders and strategic plans, selected technical reports on adaptation research, frameworks, and overview reports for higher-level decision makers. These resources can be used to assist agencies with meeting the requirements in EO 13563.

ENERGY

SENATE BILL 1971: THE NEXUS FOR ENERGY AND WATER SUSTAINABILITY Vast amounts of water are used every day to produce fuels and cool power plants. Water is critical for electricity production and movement. At the same time, electricity is needed to treat, transport, and convey water across the country. These inseparable links create the [energy-water nexus](#). U.S. Senators Ron Wyden (D-Oregon) and Lisa Murkowski (R-Alaska) introduced legislation recognizing the important connection between energy and water. [Senate bill 1971](#) would create a subcommittee within the nation Science Technology Committee to coordinate and streamline federal activities related to management of the energy-water nexus. The bill also calls for the Office of Management and Budget to submit to the relevant congressional committees a so-called "cross-cut" budget to detail various expenditures across the federal government related to energy-water activities and to assist coordination and streamlining efforts.

DOE TO PUSH FOR TALLER WIND TOWERS The Department of Energy (DOE) [announced \\$2 million in research funding](#) to develop wind turbines taller than the average height of existing, utility-scale wind turbines installed in the United States (approximately 300 feet). The department aims to promote development of turbines with a height of 328 feet to 393 feet because research shows that taller turbines take advantage of the stronger, more consistent winds available at greater heights. While utility-scale wind turbines in operation today average 90 meters, projects supported by this funding will engineer design concepts for fabricating and installing turbine and tower systems with a minimum hub height of 120 meters. The department believes that deployment of wind turbines with a hub height up to 140 meters will unlock an additional 1,800 gigawatts in wind power resource potential across an area roughly the size of Texas.

WIND ENERGY'S IMPACT ON WILDLIFE In response to the Department of Interior's Powering Our Future initiative, the U.S. Geological Survey (USGS) has [begun investigating](#) how to assess the impacts of wind energy development on wildlife at a national scale. The first step in understanding the impact of wind energy development is to determine where the wind turbines are located. Prior to this study, there was no publicly available national-level data set of wind turbines. While existing maps showed turbines locations in a few states, they did not show individual turbines, or provide information about those turbines (e.g., height, blade length, or energy producing capacity). To remedy the lack of information, USGS created a publicly available [national dataset](#) and [interactive mapping application](#) of wind turbines. The next step is to use the mapping tool to create a methodology to assess wind energy impacts. Once developed, the methodology will be peer-reviewed and tested, then published for others to understand and use.

ACTIVE POWER CONTROLS ON WIND TURBINES IMPROVE GRID RELIABILITY DOE's National Renewable Energy Laboratory (NREL) completed a comprehensive study to understand how wind power technology can assist the power grid by controlling the active power output being placed onto the electric grid. Power system resources have traditionally been adjusted around wind to support a reliable and efficient system. The research that led to this report challenges that concept. The study, [Active Power Controls from Wind Power: Bridging the Gaps](#), finds that wind power can support the power system by adjusting its power output to enhance system reliability. Additionally, the study finds that it often could be economically beneficial to provide active power control, and potentially damaging loads on

turbines from providing this control is negligible. Active power control helps balance load with generation at various times, avoiding erroneous power flows, involuntary load shedding, machine damage, and the risk of potential blackouts.

ENERGY MAP The U.S. [Energy Information Administration](#) (EIA) [mapping tool](#) allows users to view the location of individual oil and gas wells across the country. By checking "oil and gas wells" in the mapping system's "Layers/Legend" drop-down menu, users can see the location of drill sites in the Marcellus, Bakken, Eagle Ford and other domestic energy plays. When combined with the map's satellite view, the well plots guide users to bird's-eye views of oil and gas operations. Many of the sites appear as clearings amid forests or farmland. The map is also searchable by address, allowing users to find wells near their homes or near certain ecological features. Other viewable features on the EIA map include solar power plants, biomass facilities, petroleum refineries and coal mines.

OTHER

EPEAT CLARIFICATION: ELECTRONIC DEVICES The Council on Environmental Quality released a [memorandum](#) that provides answers to frequently asked questions concerning the types of electronic devices covered by the electronic product environmental assessment tool (EPEAT).

THREATENED AND ENDANGERED SPECIES

MIGRATORY BIRD TREATY ACT, PESTICIDE MOU EPA announced the availability of the draft Memorandum of Understanding (MOU) between the EPA, Office of Pesticide Programs (OPP) and the U.S. Fish and Wildlife Service (FWS) regarding implementation of EO 13186, [Responsibilities of Federal Agencies to Protect Migratory Birds](#) for public comment ([79 FR 6900](#)). The purpose of this MOU is to promote the conservation of migratory bird populations through enhanced collaboration between EPA's OPP and FWS regarding actions carried out by OPP. Comments are due 7 MAR 14.

NORTH AMERICAN WOLVERINE FWS reopened the public comment period on the [proposed rule](#) to list the distinct population segment (DPS) of [North American wolverine](#) (*Gulo gulo luscus*) living in the contiguous United States as threatened ([79 FR 6874](#)). Comments are due 6 MAY 14. The Service's final determination is scheduled to be published on or before 4 AUG 14. For more information, contact Jodi Bush at (406) 449-5225.

PROPOSED DELISTING: GRAY WOLF FWS reopened the public comment period for its [13 JUN 13](#) proposal to remove the [gray wolf](#) (*Canis lupus*) from the list of endangered and threatened wildlife but to maintain endangered status for the [Mexican wolf](#) (*Canis lupus baileyi*) by listing it as a subspecies ([79 FR 7627](#)). The gray wolf is known or believed to occur in California, Colorado, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, and Washington. Comments are due 27 MAR 14. For more information, contact FWS at (703) 358-2171.

PROPOSED DELISTING: MODOC SUCKER FWS is proposing to delist the Modoc sucker (*Catostomus microps*) from the federal list of endangered and threatened wildlife ([79 FR 8656](#)). If finalized as proposed, this action would also remove currently designated critical habitat for the species throughout its range. The Modoc sucker is found in Oregon and California. Comments are due 14 APR 14. For more information, contact Laurie Sada at (541) 885-8481.

FIVE-YEAR STATUS REVIEWS: SPECIES IN OREGON, PALAU, GUAM, NORTHERN MARIANAS FWS initiated five-year status reviews for five species in Oregon, Palau, Guam, and the Northern Marianas Islands ([79 FR 9263](#)). The species are the [Micronesian Megapode](#) (Palau, Northern Marianas Islands), the [Foskett speckled dace](#) (Oregon), the [Nesogenes rotensis](#) (Northern Marianas Islands), the [Osmaxylon mariannense](#) (Northern Marianas Islands), and the [Hayun lagu](#) (Guam, Northern Marianas Islands). Comments are due 21 APR 14. For contact information, refer to the Federal Register citation.

PROPOSED DELISTING: OREGON CHUB FWS is proposing to delist the [Oregon chub](#) (*Oregonichthys crameri*) from the federal list of endangered and threatened wildlife ([79 FR 7136](#)). This proposed rule, if made final, would remove the

currently designated critical habitat for the Oregon chub throughout its range. FWS is also announcing the availability of a draft post-delisting monitoring plan for the Oregon chub. The service is seeking information, data, and comments from the public regarding this proposal to delist the Oregon chub and on the draft post-delisting monitoring plan. Comments are due 7 APR 14. For more information, contact Paul Henson at (503) 231-6179.

STATUS AND CRITICAL HABITAT: SLICKSPOT PEPPERGRASS FWS is requesting additional public comment on its [8 OCT 09 final rule](#) listing [slickspot peppergrass](#) (*Lepidium papilliferum*) as threatened ([79 FR 8416](#)). In a related action, FWS is reopening the public comment period on its [proposed rule](#) designating slickspot peppergrass critical habitat ([79 FR 8402](#)). Slickspot peppergrass is a plant species found in southwest Idaho. Comments on the listing and critical habitat designation are due 14 MAR 14. For more information, contact FWS at (208) 378-5243.

TOXICS

COAST GUARD DRAFT POLICY LETTERS: LNG USED AS FUEL, LNG MARINE FUEL BUNKERING The US Coast Guard [announced](#) the availability of two draft policy letters for which it seeks public comment. The [first draft policy](#) letter provides voluntary guidance for liquefied natural gas (LNG) fuel transfer operations on vessels using natural gas as fuel in U.S. waters and the training of personnel on those vessels. The letter applies to vessels equipped to receive LNG for use as fuel, but not to vessels carrying LNG as cargo that use boil-off gas as fuel. The [second draft policy](#) letter discusses voluntary guidance and existing regulations applicable to vessels and waterfront facilities conducting LNG marine fuel transfer (bunkering) operations. Comments were due 10 MAR 14. For more information, contact [Ken Smith](#) at (202) 372-1413.

WITHDRAWN: CARGO TANK MOTOR VEHICLE LOADING AND UNLOADING OPERATIONS The Pipeline and Hazardous Materials Safety Administration (PHMSA) withdrew its [11 MAR 11](#) proposed rulemaking for additional regulations associated with cargo tank motor vehicle (CTMV) loading or unloading operations ([79 FR 10461](#)). As an alternative to new regulatory requirements, PHMSA will be issuing a guidance document to provide best practices for CTMV loading and unloading operations. The agency will also conduct research to better understand the wide range of human factors that contribute to hazardous materials incidents including those associated with CTMV loading and unloading operations. The rule has been withdrawn, effective 25 FEB 14. For more information, contact Dirk Der Kinderen at (202) 366-8553.

RADIATION PROTECTION STANDARDS FOR NUCLEAR POWER OPERATIONS EPA issued an Advance Notice of Proposed Rulemaking (ANPR) on potential approaches for updating its [Environmental Radiation Protection Standards for Nuclear Power Operations](#) codified in Title 40 Code of Federal Regulation (CFR) Part 190 ([79 FR 6509](#)). The ANPR notes several issues for consideration, including that national and international guidance on radiation protection have had three significant revisions since 40 CFR Part 190 was issued. Additionally, ground water contamination has been identified at a number of nuclear power plants and nuclear fuel cycle facilities. The existing standard contains release limits that address air as the primary exposure pathway. EPA is considering whether, and if so, how to develop a groundwater provision. Comments are due 4 JUN 14. For more information, contact [Brian Littleton](#) at (202) 343-9216 or visit the [agency's rulemaking website](#).

WASTE

HAZARDOUS WASTE MANAGEMENT IN THE RETAIL SECTOR EPA [released](#) a notice of data availability for hazardous waste management in the retail sector ([79 FR 8926](#)). The agency is responding to issues the retail industry identified in implementing hazardous waste regulations. The notice provides stakeholders the opportunity to help EPA better understand their operations and to identify options for possible further action. The agency seeks comment on existing data regarding retail hazardous waste and suggestions for improving hazardous waste regulations for retail operations. It also seeks information regarding:

- Episodic generation;
- Retail stores' programs for handling hazardous waste;

- Hazardous waste training for employees;
- Aerosol cans;
- Transportation and reverse logistics;
- Reverse logistics centers;
- Sustainability efforts undertaken by retail facilities.

Comments are due 15 APR 14. For more information, contact [Richard Huggins](#) at (703) 308-0017.

E-MANIFEST EPA issued a final rule establishing new requirements for use of electronic manifests (e-Manifests) to track off-site shipments of hazardous waste from a generator's site to the site of the receipt and disposition of the hazardous waste ([79 FR 7517](#)). This final rule also implements certain provisions of the Hazardous Waste Electronic Manifest Establishment Act, Public Law 112-195, which directs EPA to establish a national e-Manifest system, and to impose reasonable user service fees. Upon completion of the e-Manifest system, the electronic manifest documents authorized by this final regulation will be available to manifest users as an alternative to the paper manifest forms. Users who elect to opt out of the electronic submittal to the e-Manifest system may continue to use paper manifests. Finally, this regulation specifies that final e-Manifest requirements will be implemented in all states on the same effective date for the national e-Manifest system. This final rule is effective as a final agency action on 6 AUG 14. However, the implementation and compliance date for these regulations will be delayed until such time as the e-Manifest system is shown to be ready for operation and the schedule of fees for manifest related services has been announced.

BENEFICIAL USE: COAL ASH EPA [released](#) its evaluation of the two largest beneficial uses of encapsulated coal combustion residuals (CCR or coal ash): use in concrete as a substitute for portland cement, and the use of flue gas desulfurization gypsum as a substitute for mined gypsum in wallboard. EPA's evaluation concluded that the beneficial use of encapsulated CCRs in concrete and wallboard is appropriate because they are comparable to virgin materials or below the agency's health and environmental benchmarks. These two uses account for nearly half of the total amount of coal ash that is beneficially used. Currently, state environmental agencies are primarily responsible for regulating beneficial use. Beneficial use of coal combustion residuals is currently excluded from federal regulation under EPA's [May 2000 regulatory determination](#).

GAO REPORT: MARAD SHIP DISPOSAL The Government Accountability Office (GAO) issued a report addressing [U.S. Maritime Administration](#) (MARAD) ship disposal program ([GAO-14-223](#)). The report recommends improvements to MARADs contracting process. Additionally, GAO noted that MARAD's strategic plan has not been kept updated. For more information, contact [Marie A. Mak](#) at (202) 512-4841.

WATER

TOTAL COLIFORM RULE: MINOR CORRECTIONS AND REVISIONS EPA issued a direct final rule making minor typographical corrections and text revisions to the Total Coliform Rule ([79 FR 10665](#)). This action corrects typographical errors related to recordkeeping and state primacy requirements. This action also includes edits to final rule language that are intended to improve the understanding of the rule and avoid confusion. The final rule is effective 18 APR 14 unless EPA receives adverse comment by 28 MAR 14. For more information, contact [Sean Conley](#) at (202) 564-1781.

UNIFORM NATIONAL DISCHARGE STANDARDS FOR ARMED FORCES VESSELS EPA and DoD are proposing performance standards for certain discharges incidental to the normal operation of a vessel of the Armed Forces into the navigable waters of the United States, the territorial seas, and the contiguous zone ([79 FR 6117](#)). The proposed standards are designed to be consistent with the effluent limitations included in the recently issued National Pollutant Discharge Elimination System (NPDES) general permit for discharges incidental to the normal operation of a non-military vessel. The proposed rule would amend 40 CFR Part 1700 to establish performance standards for 11 of the [discharges incidental to the normal operation of a vessel of the Armed Forces](#) for which it is reasonable and practicable to require

a marine pollution control device (MPCD). The 11 discharges addressed by the proposal are the following: Aqueous film-forming foam (AFFF); chain locker effluent; distillation and reverse osmosis brine; elevator pit effluent; gas turbine water wash; non-oily machinery wastewater; photographic laboratory drains; seawater cooling overboard discharge; seawater piping biofouling prevention; small boat engine wet exhaust; and welldeck discharges. Comments are due 4 APR 14. For more information, contact [Katherine Weiler](#) (EPA) at (202) 566-1280 or [Mike Pletke](#) (Navy) at (703) 695-5184.

FARM BILL PRESERVES EPA POLICIES FOR LOGGING ROADS The [2014 Farm Bill](#) (Agricultural Act of 2014), Section 12313 preserves EPA's current policies for limiting stormwater discharges from forest roads under the Clean Water Act (CWA). EPA's policy, spelled out in its [December 2012](#) rule, clarified that a NPDES permit is not required for stormwater discharges from logging roads. The final Farm Bill builds on the December 2012 rule by specifying that EPA may not require a permit for stormwater runoff from forest roads, "nor directly or indirectly require any State to require a permit" for such discharges. However, the bill does contain language that logging roads can still be treated as "point sources" of pollution for other purposes, including CWA section 404 permits for dredge-and-fill activity, as well as permitting for non-stormwater discharges.

EPA GUIDELINES FOR PERMITTING UNDERGROUND INJECTION OF FRACKING WASTE EPA released an [interpretive memorandum](#) and [technical recommendations](#) for implementing the underground injection control (UIC) program Class II requirements under the Safe Drinking Water Act for oil and gas hydraulic fracturing activities using diesel fuels ([79 FR 8451](#)). The documents are intended to alleviate uncertainty regarding the applicability of UIC Class II permitting requirements and the agency's interpretation of the term "diesel fuels." The agency is encouraging states to implement guidance for permitting hydraulic fracturing operations that use diesel fuels, urging them to permit operations that use the fuels or face challenges to their delegated authority to permit a host of underground injection activities in the oil and gas sector. For more information, contact [Ronald Bergman](#) at (202) 564-3823 or visit the [EPA website for hydraulic fracturing](#).

GAO STUDY: MONITORING UNREGULATED CONTAMINANTS IN DRINKING WATER GAO was asked to examine the EPA's unregulated contaminants monitoring rule (UCMR) program and issue findings ([GAO-14-103](#)). The UCMR program collects data on unregulated contaminants in the nation's drinking water. EPA uses these data and other information to make decisions on whether to regulate additional drinking water contaminants. It is currently in its third data collection cycle, UCMR3. GAO recommends that congress should consider amending the Safe Drinking Water Act to allow EPA to monitor for more than 30 contaminants under certain circumstances, and to adjust statutory time frames so UCMR data can inform regulatory determinations in the same cycle. GAO, among other things, recommends that EPA vary the monitoring frequency based on contaminant type. For more information, contact [J. Alfredo Gómez](#) at (202) 512-3841.

Professional Development

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

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- P2 opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);
- Access to free, FedCenter-sponsored courses:

- [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
- [Environmental Management Systems](#) (FedCenter membership required);
- [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental [conferences](#), meetings, [training](#), and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

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

USACE PROSPECT TRAINING USACE announces course availability for the FY14 PROSPECT (i.e., Proponent-Sponsored Engineer Corps 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, state, county and city employees and contractors. There are different registration processes for each entity.

NAVY AND ISEERB ENVIRONMENTAL TRAINING FY14 The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY14 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 FY14 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.

QUALIFIED RECYCLING PROGRAM RESIDENT COURSE TO BE REPLACED WITH DISTANCE LEARNING DoD's Qualified Recycling Program (QRP) 40-Hour Resident Course (WENV 160), which has been taught and managed by the Air Force Institute of Technology (AFIT), is being reformatted as a distance learning course. This action is being taken to accommodate budget restrictions on training and travel. The reformatted, web-based course will continue to offer the same opportunities for student involvement (e.g., group activities, assignments, discussions, etc.) as the resident course. Although reformatting the Qualified Recycling Course for distance learning is not yet complete, AFIT anticipates the web-based course will be offered several times in FY14. This action is part of a broader effort to increase distance-learning options. For more information, visit the [AFIT course website](#), or contact Mr. Tom Glardon at (937) 255-5654 ext 3538 (DSN 785-4645).

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

ONLINE TRAINING

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

- [Advanced Electric Metering in Federal Facilities](#) (3.5 hours, .40 CEUs)

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

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

- [Federal Guiding Principles Checklist](#) – 27 MAR 14 - This webcast will teach federal energy and sustainability professionals how to use the ENERGY STAR® measurement and tracking tool, Portfolio Manager, to help ensure compliance with the Guiding Principles for High Performance Sustainable Buildings required by Executive Orders 13423 and 13514. The focus is on the Guiding Principles for Sustainable Existing Buildings.
- [Portfolio Manager 101](#) – 18 FEB 14 – This webcast demonstrates the core functionality of EPA’s new Energy Star Portfolio Manager tool. Attendees will learn to navigate the new Portfolio Manager, add a property and enter details, enter energy and water consumption data, share properties, generate performance reports to assess progress, and respond to data requests.
- [Portfolio Manager 201](#) – 19 FEB 14 – This webcast will explore advanced functionalities of EPA’s Energy Star Portfolio Manager tool, including managing and tracking changes to property uses over time; using spreadsheet templates to update property data; setting goals and targets to plan energy improvements for properties; generating and using custom reports; and using the Sustainable Buildings Checklist.

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

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

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

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

EPA NPDES TRAINING COURSES AND WORKSHOPS Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program. They are designed for permit writers,

dischargers, EPA officials, and other interested parties. Topics include vessel general permits, combined sewer overflows, energy management, green infrastructure, pesticides, pretreatment, sanitary sewer overflows, and stormwater.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs. 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 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. Visit the site often to view upcoming internet-based training events.

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

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

AREA SOURCE BOILER RULE VIDEO SERIES A new [EPA video series](#) explaining the Area Source Boiler Rule recently became available. The series 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. Upcoming compliance dates for the Area Source Boiler Rule include:

- 21 MAR 14—deadline for completing the initial tune-up for existing boilers, and
- 19 JUL 14—deadline for submitting the notification of compliance status (NOCS) for tune-ups.

***20 MAR 14. BIOFUELS: RELEASE PREVENTION, ENVIRONMENTAL BEHAVIOR, AND REMEDIATION.** This free [webinar](#) focuses on the differences between biofuels and conventional fuels specific to release scenarios, environmental impacts, characterization, and remediation. Participants will learn the differences in biofuel and petroleum behavior; become familiar with the biofuel supply chain, potential release scenarios and release prevention; be able to develop

an appropriate conceptual model for the investigation and remediation of biofuels; and select appropriate investigation and remediation strategies.

***21 MAY 14. PLACING UESC TASK ORDERS WITH THE GSA.** This free [webinar](#) provides a step-by-step approach to placing a utility energy service contract (UESC) task order under a U.S. General Services Administration (GSA) Areawide Contract. The training focuses on developing skills related to the acquisition plan, preliminary audit and findings, feasibility study and project proposal, contract for construction, construction and installation, performance assurance and acceptance, post-construction and commissioning.

How the Regional Offices Work for You

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

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

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

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Acronyms

ADEC	Alaska Department of Environmental Conservation
ADFG	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
ATSDR	Agency for Toxic Substances and Disease Registry
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAMR	Clean Air Mercury Rule
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH₄	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
COE	Corps of Engineers
CrVI	hexavalent chromium
CTED	Washington Department of Community, Trade, & Economic Development
CWA	Clean Water Act
CX	categorical exclusion
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	United States Department of Transportation
DPS	distinct population segment
EA	environmental assessment
ECA	emission control area
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EO	Executive Order
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
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	nitrogen trifluoride
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NSPS	New Source Performance Standard
NSR	New Source Review
OAR	Oregon Administrative Rules
ODA	Oregon Department of Agriculture
ODEQ	Oregon Department of Environmental Quality
OEQC	Oregon Environmental Quality Commission
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
P2	pollution prevention
PBDE	polybrominated diphenyl ethers

PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PHMSA	Pipeline and Hazardous Materials Safety Administration
PM	particulate matter
PM2.5	particulate matter 2.5 microns in diameter or less
PM10	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
REEO-W	Regional Environmental and Energy Office - Western
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	State Implementation Plan
SMP	Shoreline Management Plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TAC	toxic air pollutant
TiO₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WAC	Washington Administrative Code
WCI	Western Climate Initiative
WEFSEC	Washington Energy Facility Site Evaluation Council
WDC	Washington Department of Commerce
WDOE	Washington Department of Ecology
WDOH	Washington Department of Health
WGA	Western Governors' Association
WPCF	Water Pollution Control Facility
WRAP	Western Regional Air Partnership