



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 8



The U.S. Army Regional Environmental & Energy Office

March 2014

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



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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.

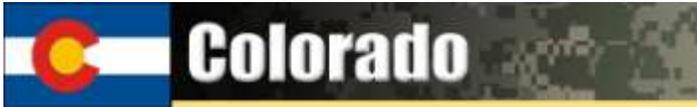
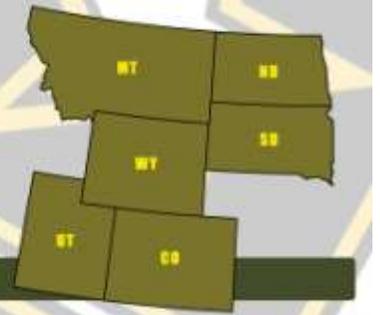
An interactive case map shows information on concluded enforcement actions and cases from FY13. The map shows civil enforcement actions taken by EPA, criminal cases prosecuted by the agency, and cases in which EPA provided significant support to cases prosecuted under state criminal law. Users can then 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 8

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



HAZARDOUS MATERIAL

HAZARDOUS AND NUCLEAR MATERIAL TRANSPORTATION The Colorado Department of Public Safety [adopted amendments](#) to rules governing the permitting, routing, and transportation of hazardous and nuclear materials in the state. This rulemaking amends Title 8 Colorado Code of Regulation (CCR) 1507-25, effective 1 APR 14. For more information, contact [Joshua Downing](#) at (303) 273-1910.

NATURAL RESOURCES

PRESCRIBED BURNING The Colorado Department of Agriculture adopted a [permanent rule](#) that establishes requirements for a prescribed burning program in the state. The permanent rule is effective 17 MAR 14. This action is being taken in response to [Senate Bill \(SB\) 13-083](#), which requires the state to develop a prescribed burning program. For more information, contact [Melissa Lineberger](#) at (303) 239-5879.

WASTE

WATER AND WASTEWATER FACILITY OPERATOR CERTIFICATION The Colorado Department of Public Health and Environment (CDPHE) [is proposing](#) revisions to [Regulation 100](#) (5 CCR 1003-2). The [revisions](#) make corrections and clarifications, and streamline the regulation by reorganizing and combining like requirements. Comments are due 14 APR 14. A public hearing is scheduled for 29 APR 14. For more information, contact [Jackie Whelan](#) at (303) 692-3617.

WATER

PRIMARY DRINKING WATER REGULATIONS CDPHE [adopted amendments](#) to the Colorado Primary Drinking Water regulations. The amendments repeal the prior rule (5 CCR 1003-1), adopt a new Regulation 11 (5 CCR 1002-11), restructure the entire regulation, and make changes to improve readability. The [final rule](#) was effective 1 MAR 14. For more information, contact [Jennifer Miller](#) at (303) 692-3587.

LEGISLATIVE DEVELOPMENTS

The Colorado 2014 legislative session began 8 JAN 14 and adjourns 7 MAY 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Colorado Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
SB 35 <i>Senator Ted Harvey (R)</i> Proposes to repeal SB 252 (2013). Reduces costs of compliance with state renewable energy standards and eliminates requirements for cooperative electric corporations.	✓			Failed
LAND USE				
HB 1150 <i>Representative Robert Rankin (R)</i> Proposes to create the Division of Federal Land Coordination in the Department of Local Affairs to address federal land decisions in Colorado that affect state and local governments. The chief coordinator is required to form a federal land coordination task force to study certain federal land decisions.	✓			Failed
*HB 1210 <i>Representative Cheri Gerou (R)</i> Proposes to require a county or state agency that owns state forest, range, or wildland areas to enter into an intergovernmental agreement addressing harm caused by wildfires.	✓	✓		
SB 52 <i>Senator Larry Crowder (R)</i> Proposes to address actions taken by county commissioners to mitigate the effects of windblown soil and/or erosion. Expands the list of consultants county commissions can consult with and lifts the cap on treatment costs.	✓	✓	✓	In concurrence
NATURAL RESOURCES				
*HB 1267 <i>Representative Randy Fischer (D)</i> Proposes to broaden the exception that allows introduction of black-footed ferrets on private land under a "safe harbor" agreement. Allows a political subdivision of the state to introduce black-footed ferrets on its own land if done so under a safe harbor agreement with the U.S. Fish and Wildlife Service.	✓			
OTHER				
*SB 142 <i>Senator Gail S. Schwartz (D)</i> Proposes to eliminate Department of Agriculture inspections of public water systems and wastewater treatment works that store pesticides if the facility is also subject to equivalent inspections by the Department of Public Health and Environment.	✓	✓		
WASTE				
SB 29 <i>Senator Linda Newell (D)</i> Proposes to require that each producer of architectural paint being sold in the state participate in a paint stewardship program that establishes standards and practices for the collection, transportation, reuse, recycling, and disposal of postconsumer architectural paint.	✓	✓		

<i>Colorado Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
WATER				
HB 1002 <i>Representative Dave Young (D)</i> Proposes to create a natural disaster fund and direct the state to award grants to local governments (including local governments accepting grants on behalf of non-profit public water systems) for design, construction, improvement, renovation, or reconstruction of wastewater treatment works or public drinking water systems damaged by a natural disaster.	✓			
HB 1026 <i>Representative Randy Fischer (D)</i> Proposes to create a more flexible change-in-use system for water court proceedings. Allows an applicant who seeks an alternative irrigation system to apply for a change in beneficial use without designating the specific beneficial use to which the water will be applied.	✓	✓		
HB 1028 <i>Representative Jerry Sonnenberg (R)</i> Proposes to specify conditions under which U.S. Government water rights are forfeited.	✓	✓		
HB 1160 <i>Representative Diane Mitsch Bush (D)</i> Proposes to exempt sludge waste vehicles operated by a city, county, municipal utility, or special district from wheel and axle load restrictions. Authorizes the issuance of an annual fleet permit for 2- or 3-axle group vehicles with divisible loads.	✓	✓		
* HB 1184 <i>Representative Edward Vigil (D)</i> Proposes to amend rules for conservancy district board of directors. Makes changes to rules governing the Pueblo Conservancy District Board of Directors.	✓	✓		
* HB 1218 <i>Representative Randy Fischer (D)</i> Proposes to allow the use of surface water to replace or augment out-of-priority groundwater depletions without filing an application for a change of water right if certain conditions are met.	✓			
SB 72 <i>Senator Greg Brophy (R)</i> Proposes to specify that the state engineer and water judges must treat all out-of-priority groundwater depletions occurring in water district 1 through 7 or 64 in water division 1 that accrued on or before 12 SEP 13, as having been fully replaced.	✓			Failed
SB 115 <i>Senator Ellen Roberts (R)</i> Proposes to require the Colorado Water Conservation Board to hold a hearing on a draft state water plan within each basin roundtable, update the plan based on public comments, and present the draft plan to the water resources review committee.	✓			
SB 134 <i>Senator Mary Hodge (D)</i> Proposes to repeal certain water quality control fund and statutory schedule of fees and to create new funds. Identifies who must pay into the funds and what services the funds will cover. Provides the Water Quality Commission with certain rulemaking authorities.	✓			Failed

<i>Colorado Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
*SB 145 <i>Senator Mary Hodge (D)</i> Proposes to allow local governments to consider tap fee reductions for new developments that implement water efficiency and conservation measures.	✓			
*SB 147 <i>Senator Scott W. Renfroe (R)</i> Proposes to authorize a study to evaluate impacts of groundwater pumping on surface stream flows. Studies South Platte River and South Platte alluvial aquifer.	✓			



AIR

INCORPORATION BY REFERENCE The Montana Department of Environmental Quality (MDEQ) is [proposing](#) to adopt the current editions of federal and state statutes, regulations, and rules incorporated by reference into state air quality rules codified at [Administrative Rules of Montana \(ARM\) 17.8.102](#). This action would adopt revisions to federal laws and regulations published in the 2012 edition of the U.S. Code as it exists on 31 DEC 13, the 1 JUL 13 edition of the Code of Federal Regulations (CFR), and revisions to Montana administrative rules in effect on 30 JUN 13. A public hearing is scheduled for 20 MAR 14. Comments are due 27 MAR 14. For more information, contact [Elois Johnson](#) at (406) 444-2630.

WATER

NUTRIENT STANDARDS FOR SURFACE WATERS MDEQ is proposing to adopt new Department Circular DEQ-12A (DEQ-12A), which contains base numeric nutrient standards for total nitrogen and total phosphorus, and to incorporate new DEQ-12A into state surface water quality classifications and the nondegradation rules. The Montana Board of Environmental Review is also proposing rule amendments pertaining to definitions and a low flow for base numeric nutrient standards appropriate for the design of disposal systems. A public hearing is scheduled for 24 MAR 14. Comments are due 1 APR 14. For more information, contact [Elois Johnson](#) at (406) 444-2630.

NUTRIENT STANDARDS VARIANCES MDEQ is proposing a new Rule 1 to allow certain dischargers to be granted variances from base numeric nutrient standards. The proposed rule incorporates proposed [Department Circular DEQ-12B](#) (DEQ-12B). The rule would allow a discharger to apply for a variance from a nutrient standard after the board adopts numeric nutrient standards. This action is being taken in conjunction with a proposed nutrient standards rulemaking. The intent is to allow certain dischargers additional time to comply with the adopted standards. A public hearing is scheduled for 24 MAR 14. Comments are due 1 APR 14. For more information, contact [Carrie Greeley](#).

TMDL: KOOTENAI-FISHER PROJECT AREA MDEQ released the [Kootenai-Fisher Project Area Metals, Nutrients, Sediment, and Temperature TMDLs and Water Quality Improvement Plan](#) for public comment. The document describes metals, nutrients, sediment, and temperature water quality impairments in Big Cherry, Bristow, Lake, Libby, Quartz, Raven, Snowshoe, Stanley, and Wolf creeks in the Kootenai and Fisher River watersheds in Lincoln County, and establishes total maximum daily loads (TMDLs) for these waters. It also outlines a strategy for improving water quality in order to meet Montana's surface water quality standards. Comments were due 4 MAR 14. For more information, contact [Christina Staten](#) at (406) 444-2836.

TMDL: SILVER BOW AND CLARK FORK MDEQ announced public meetings to provide information and accept written comments on water quality improvement plans for Silver Bow Creek and the Clark Fork River. The [Silver Bow Creek & Clark Fork River Metals TMDLs](#) document describes water quality impairments related to metals in Silver Bow and Deer Lodge counties for Silver Bow Creek, and in Deer Lodge, Powell, Granite, Missoula, and Mineral counties for the Clark Fork River. The document provides TMDLs for these waterbodies and outlines a strategy to meet Montana's surface water quality standards. Comments are due 24 MAR 14. For more information, contact [Jordan Tollefson](#) at (406) 444-5341.

TMDL: LITTLE BLACKFOOT MDEQ released the draft [Little Blackfoot Watershed Metals TMDL Addendum](#) for public comment. This document addresses streams not meeting water quality standards due to metals impairment that were not addressed in the 2011 Little Blackfoot River Watershed TMDLs and Framework Water Quality Improvement Plan. Comments were due 26 FEB 14. For more information, contact [Peter Brumm](#) at (406) 457-5029.

PUBLIC WATER SUPPLY AND PUBLIC SEWAGE SYSTEM PLANS MDEQ is proposing amendments to its rules for onsite subsurface wastewater treatment and planning requirements for public water supplies/public sewage systems. The department is proposing amendments to the Administrative Rules of Montana (ARM) [17.36.345](#) and [ARM 17.38.101](#). The amendments would update various department circulars by reference, and revise planning requirements for public water and sewage systems. A public hearing was held 7 MAR 14. Comments are due 13 MAR 14. For more information, contact [Elois Johnson](#) at (406) 444-2630.

LEGISLATIVE DEVELOPMENTS

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



AIR

AIR QUALITY RULES AND SIP REVISIONS The North Dakota Department of Health (NDDOH) [adopted](#) revisions to its plan for commercial/solid waste incinerators and the North Dakota State Implementation Plan (SIP). The revisions implement federal standards, clarify existing rules, exempt certain minor sources from fees, and incorporate a federal reference method for determining visible emissions. In addition, the department adopted a final plan for controlling emissions from commercial and industrial solid waste incinerators. The plan is applicable to commercial/industrial solid waste incinerators, industrial/commercial/institutional boilers, and electric utility steam generators. The final rule is effective 1 APR 14. For more information, contact NDDOH at (701) 328-5188.

WATER

TRIENNIAL REVIEW NDDOH [adopted](#) amendments to the Standards of Water Quality for Waters of the State, (Chapter 33-16-02.1). This action completes the department's triennial review of the state's standards of water quality. The final rule is effective 1 APR 14. For more information, contact the department at (701) 328-5210.

WATER APPROPRIATIONS The North Dakota State Engineer and State Water Commission [are proposing](#) amendments to water appropriations rules. This action would amend North Dakota Administrative Code Articles 89-03 (Water Appropriations), 89-06 (Funding from the Resources Trust Fund), 89-07 (Atmospheric Resource Board), 89-10 (Sovereign Lands), and 89-11 (Drought Disaster Livestock Water Supply Project Assistance Program). A public hearing is scheduled for 27 MAR 14. Comments are due 7 APR 14. For more information, contact the [commission](#).

LEGISLATIVE DEVELOPMENTS

North Dakota does not hold a regular legislative session in 2014.



LEGISLATIVE DEVELOPMENTS

The [South Dakota 2014 legislative session](#) began 14 JAN 14 and adjourns 31 MAR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>South Dakota Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
SB 93 <i>Senator Mike Vehle (R)</i> Proposes to define liquid natural gas, revise certain provisions regarding the collection of the motor fuel tax, and apply the motor fuel tax to all fuels used to propel a motor vehicle.	✓	✓	✓	Awaiting transmittal to Governor
LAND USE				
HB 1043 <i>Committee On Transportation</i> Proposes to revise and repeal certain provisions regarding the regulation of aeronautics.	✓	✓	✓	Awaiting transmittal to Governor
HB 1083 <i>Representative Betty Olson (R)</i> Proposes to restrict the term of conservation easements.	✓			
*SB 169 <i>Senator Corey Brown (R)</i> Proposes to provide for access to and use of public waters on public and private property and to protect private property rights for the citizens of South Dakota.	✓			
NATURAL RESOURCES				
OTHER				
*HB 1160 <i>Representative Kathy Tyler (D)</i> Proposes to revise provisions and requirements relating to certain environmental complaints.	✓			
WASTE				
WATER				
*HB 1222 <i>Representative Kathy Tyler (D)</i> Proposes to specify penalties for the use of fraudulent information in certain applications relating to federal water pollution control requirements.	✓			



TOXICS

RADIOACTIVE MATERIAL LICENSING: RENEWAL PERIOD AND FEES The Utah Department of Commerce [adopted amendments](#) that change the renewal interval for certain existing radioactive material licenses from five years to ten years. The rule allows flexibility to shorten the renewal interval if warranted. Because annual fees are higher than new/renewal fees, this rulemaking has the potential to increase the total amount paid in fees over the ten-year period. This rulemaking amends Utah rule R313-22-34. The final rule was effective 14 FEB 14. For more information, contact [Gwyn Galloway](#) at (801) 536-4258.

WATER

LARGE UNDERGROUND WASTEWATER DISPOSAL SYSTEMS The Utah Department of Environmental Quality (UDEQ) [is proposing](#) to repeal and replace its rules ([R317-5](#)) governing large underground disposal systems for domestic wastewater discharges. Such systems include those with discharges that exceed 5,000 gallons per day, and all other domestic wastewater discharges not covered under the definition of an "onsite wastewater disposal system" in rule [R317-1-1.13](#). This action would replace old language and awkward organization with newer concepts and technologies, and align the rule organization with in-state rules for onsite wastewater systems ([R317-4](#)). Comments are due 17 MAR 14. For more information, contact [Judy Etherington](#) at (801) 536-4344.

TRIENNIAL REVIEW UDEQ is inviting public comment on water quality standards revisions to be considered during the 2014 water quality standards triennial review. As part of the three-year water quality standards review cycle, the department is soliciting input from the public and interested parties regarding standards topics to be considered during the review of [R317-2](#). A public hearing was held 3 MAR 14. Comments are due 18 MAR 14. For more information, contact [Chris Bittner](#) at (801) 536-4371.

WATER QUALITY STANDARDS: BLUE CREEK RESERVOIR AND BLUE CREEK UDEQ [is proposing](#) revisions to adopt a site specific total dissolved solids standard for Blue Creek Reservoir and Blue Creek. State rules ([R317-2-7](#)) allow for site-specific standards where natural or unalterable conditions prevent attainment of statewide water quality standards. A public hearing was held 5 MAR 14. Comments are due 4 APR 14. For more information, contact [Judy Etherington](#) at (801) 536-4344.

LEGISLATIVE DEVELOPMENTS

The [Utah 2014 legislative session](#) began 27 JAN 14 and adjourns 13 MAR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Utah Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
HB 61 <i>Representative Patrice Arent (D)</i> Proposes to enact the Clean Air Retrofit, Replacement, and Off-Road Technology Program, and amend the Clean Fuels and Vehicle Technology Program Act.	✓	✓		

<i>Utah Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 121 <i>Representative Rebecca P. Edwards (R)</i> Proposes to authorize the Division of Air Quality to create rules that are more stringent than corresponding federal regulations if the additional rules provide added protections to public health and the environment.	✓			
HB 271 <i>Representative Lee Perry (R)</i> Proposes to amend rules for motor vehicle air pollution control devices.	✓	✓		
* HR 5 <i>Representative Johnny Anderson (R)</i> Proposes to urge the state to use biodiesel.	✓			
* SB 64 <i>Senator Luz Robles (D)</i> Proposes to modify regulations related to incineration of medical waste. Extends statute of limitations for violations, repeals provisions prohibiting regulations more stringent than federal rule, increases civil penalties, and prohibits incineration of medical waste in certain areas.	✓			
* SB 164 <i>Senator Gene Davis (D)</i> Proposes to repeal provisions prohibiting the Division of Air Quality from adopting rules relating to the federal Clean Air Act that are more stringent than corresponding federal regulations.	✓			
* SB 196 <i>Senator Todd Weiler (R)</i> Proposes to prohibit incineration of medical waste near residential areas.	✓			
* SCR 9 <i>Senator David Hinkins (R)</i> Proposes to urge EPA to issue greenhouse gas new source performance standards for fossil fuel fired electric generating units and provide separate standards for coal fueled units.	✓			
ENERGY				
* HB 125 <i>Representative Roger Edward Barrus (R)</i> Proposes to enact the Electrical Transmission Facility Siting Study Act. Requires the Public Service Commission to conduct a study related to an electrical transmission facility. Requires a person who intends to construct an electrical transmission facility within the state to provide certain notice to the Public Service Commission.	✓			
HB 240 <i>Representative Jim Nielson (R)</i> Proposes to increase the tax rate for motor and special fuels.	✓			
HB 266 <i>Representative Jim Nielson (R)</i> Proposes to increase the tax rate for a variety of motor and special fuels.	✓			
SB 45 <i>Senator Jerry Stevenson (R)</i> Proposes to prohibit the Military Installation Development Authority from levying the energy tax under certain conditions.	✓	✓		
SB 89 <i>Senator Stephen H. Urquhart (R)</i> Proposes to add the U.S. military to the list of potentially exempt customers of independent power producers and to delete the current install deadline of 31 DEC 15.	✓	✓		

<i>Utah Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 99 <i>Senator Scott K. Jenkins (R)</i> Proposes to require a specified percentage of state motor vehicles used for transportation be alternative fuel or high efficiency. Establishes a deadline.	✓	✓	✓	In concurrence
*SB 208 <i>Senator Curtis S. Bramble (R)</i> Proposes to amend provisions related to net metering. Modifies definitions, requires customers to provide certain equipment, and makes technical changes.	✓			
LAND USE				
*HB 135 <i>Representative Johnny Anderson (R)</i> Proposes to increase certain sales and fuel taxes with proceeds to be deposited in the Transportation Fund.	✓			
*HB 220 <i>Representative Gage Froerer (R)</i> Proposes to amend provisions related to land use. Makes changes to regulations governing the land use authority and plat filings.	✓	✓		
NATURAL RESOURCES				
*HJR 16 <i>Representative Dixon Pitcher (R)</i> Proposes to amend the constitution to enact a provision relating to the assessment of land that is subject to a conservation easement. Specifies that land subject to a conservation easement be assessed based on its value for agricultural use. Requires voter approval.	✓			
OTHER				
*SB 139 <i>Senator Wayne A. Harper (R)</i> Proposes to modify vehicle registration fees. Establishes higher registration fees for motor vehicles fueled by natural gas, electricity, and hybrid electric motors.	✓	✓		
WASTE				
*HB 138 <i>Representative Steven Eliason (R)</i> Proposes to modify provisions related to the Division of Environmental Response and Remediation. Relates to funding mechanisms and cleanup requirements.	✓			
WATER				
HB 49 <i>Representative Kay L. McIff (R)</i> Proposes to address water rights change applications.	✓			
HB 298 <i>Representative Carol Spackman Moss (D)</i> Proposes to exempt owners of certain ditch systems from specified water conveyance facility management plan requirements.	✓			



LEGISLATIVE DEVELOPMENTS

The [Wyoming 2014 legislative session](#) began 10 FEB 14 and adjourned 7 MAR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Wyoming Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
LAND USE				
* HB 164 <i>Representative David R. Miller (R)</i> Proposes to specify the boundaries of the Wind River Indian Reservation.	✓			
* SB 82 <i>Select Natural Resource Funding Committee</i> Proposes to provide funding for large projects developed under the Wyoming Wildlife and Natural Resources Funding Act. Requires conservation easements to include the state as a third party beneficiary.	✓	✓	✓	Awaiting transmittal to Governor
NATURAL RESOURCES				
* HB 102 <i>Representative Tim Stubson (R)</i> Proposes to create a sage-grouse implementation team. Specifies team membership and duties.	✓	✓		
OTHER				
WASTE				
HB 34 <i>Joint Minerals, Business And Economic Development Interim Committee</i> Proposes to modify requirements for municipal solid waste landfill engineered containment systems or performance based design standards. Makes changes to grant and loan programs.	✓	✓	✓	Awaiting transmittal to Governor
WATER				
* HB 72 <i>Select Water Committee</i> Proposes to authorize studies of and other actions related to water development projects.	✓	✓		
SB 66 <i>Select Water Committee</i> Proposes to address water development projects. Authorizes construction of dam and reservoir projects and makes appropriations.	✓	✓		
* SB 110 <i>Senator John J. Hines (R)</i> Proposes to authorize certain change of place of use for a water rights holder, under certain conditions.	✓			

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.

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, *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 (NOx) 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](#).

COLORADO: SECOND TEN-YEAR PM10 PLAN EPA approved revisions to the Colorado SIP that address coarse particulate (PM10) NAAQS for the Telluride nonattainment area ([79 FR 8090](#)). The revisions address maintenance of the PM10 standard for a second ten-year period beyond the area's original redesignation to attainment for the PM10

NAAQS. In addition, EPA approved the revised maintenance plan's 2021 transportation conformity motor vehicle emissions budget for PM₁₀. The final rule is effective 13 MAR 14. For more information, contact [Crystal Ostigaard](#) at (303) 312-6602.

COLORADO SIP: CONSTRUCTION PERMIT AND PM_{2.5} EPA approved revisions to the Colorado SIP concerning construction permit processing fees and fine particulate (PM_{2.5}) emissions under the construction permit program ([79 FR 8632](#)). This action approved revisions to Colorado Regulation 3, Part A, Sections VI.D.1 and Regulation 3, Parts A, B, and D, respectively. The final rule is effective 17 MAR 14. For more information, contact Mark Komp at (303) 312-6022.

NORTH DAKOTA SIP EPA is proposing to approve revisions to the North Dakota SIP ([79 FR 10448](#)). The revisions to state air pollution control rules address general provisions, ambient air quality standards (sulfur dioxide [SO₂], NO_x, and lead), and permitting. Comments are due 27 MAR 14. For more information, contact [Gail Fallon](#) at (303) 312-6281.

SOUTH DAKOTA SIP: GHG PERMITTING EPA is proposing to partially approve and partially disapprove revisions to the South Dakota SIP that address the permitting of sources of greenhouse gases (GHGs) ([79 FR 8130](#)). The agency is proposing to approve revisions to the South Dakota Prevention of Significant Deterioration (PSD) program. The revisions incorporate by reference the federal *PSD and Title V Greenhouse Gas Tailoring Final Rule* emission thresholds. The agency is proposing to disapprove a related provision that would rescind the State's Tailoring Rule revision in certain circumstances. EPA will take separate action on an amendment to construction permits for new sources or modifications regarding permits for minor sources. Comments are due 13 MAR 14. For more information, contact [Jody Ostendorf](#) at (303) 312-7814.

UTAH SIP: SOURCE EMISSIONS DURING BREAKDOWNS EPA approved changes to [Utah Rule R307-107](#), which pertains to source emissions during breakdowns ([79 FR 7067](#)). On 16 AUG 12, Utah submitted to EPA revisions to R307-107. EPA is approving these revisions because they correct SIP deficiencies concerning the treatment of excess emissions during malfunctions. This final approval eliminates requirements for EPA to promulgate a Federal Implementation Plan (FIP). The final rule was effective 10 MAR 14. For more information, contact [Adam Clark](#) at (303) 312-7104.

UTAH SIP: GHG EPA partially approved and partially disapproved revisions to the Utah SIP relating to regulation of GHGs under Utah's PSD program and other SIP provisions ([79 FR 7070](#)). The GHG-related SIP revisions are designed to align Utah's regulations with the GHG emission thresholds established in EPA's *PSD and Title V Greenhouse Gas Tailoring Final Rule*. In this action, EPA approved the GHG revisions (as relates to the PSD program) because the agency determined that this SIP revision, which is already adopted by Utah as a final effective rule, is in accordance with federal requirements. The final rule was effective 10 MAR 14. For more information, contact [Jody Ostendorf](#) at (303) 312-7814.

UTAH SIP: AIR QUALITY PERMITS EPA partially approved and partially disapproved revisions to the Utah SIP that were submitted 15 SEP 06 ([79 FR 7072](#)). The revisions contain new, amended, and renumbered rules in [R307](#) regarding the issuance of Utah air quality permits. In this action, the agency fully approved the 15 SEP 06 SIP revisions with exceptions. EPA disapproved Utah rules R307-401-7 (Public Notice), R307-401-9(b) and portions of (9)(c) (Small Source Exemption), R307-401-12 (Reduction in Air Contaminants), and R307-410-5 (Documentation of Ambient Air Impacts for Hazardous Air Pollutants). In addition, the agency issued a limited approval and limited disapproval of R307-410-6 (Stack Heights and Dispersion Techniques). The final rule was effective 10 MAR 14. For more information, contact [Kevin Leone](#) at (303) 312-6227.

UTAH SIP EPA is partially approving and partially disapproving revisions to the Utah SIP that were submitted on 20 SEP 99 ([79 FR 11325](#)). The agency is approving rule [R307-110-16](#) (Section IX, Control Measures for Area and Point Sources, Part G, Fluoride) and disapproving R307-110-29, (Section XXI, Diesel Inspection and Maintenance Program). In conjunction with its disapproval of R307-110-29, the agency is also disapproving the Utah Diesel Inspection and Maintenance Program, which Utah submitted as a revision to the SIP on 6 FEB 96 and that was incorporated by

reference in R307-110-29 as part of the 20 SEP 99 submittal. The final rule is effective 31 MAR 14. For more information, contact [Jody Ostendorf](#) at (303) 312-7814.

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 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 nearly 300 feet, projects supported by this funding will engineer design concepts for fabricating and installing turbine and tower systems with a minimum hub height of nearly 400 feet. The department believes that deployment of wind turbines with a hub height up to 460 feet 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 turbine 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.

HABITAT CONSERVATION PLAN, EIS FOR LESSER PRAIRIE CHICKEN IN SIX STATES FWS announced it intends to prepare an environmental impact statement (EIS) and Habitat Conservation Plan for preservation of the lesser prairie-chicken ([79 FR 7472](#)). The EIS and conservation plan are being developed in response to a proposed application for an

incidental take permit. The permit would cover take from activities associated with commercial energy development (construction, operation, and maintenance) and agriculture (farming, ranching) within portions of six states (Colorado, Nebraska, Kansas, New Mexico, Oklahoma, and Texas). Comments were due 10 MAR 14. In addition, FWS will hold scoping meetings within the affected area and will provide public notice on the [FWS Southwest Region website](#) at least two weeks in advance of the meetings.

DRAFT REVISED RECOVERY PLAN: WYOMING TOAD FWS [released](#) a draft revised [recovery plan](#) for the [Wyoming toad](#) (formerly *Bufo hemiophrys baxteri* now known as *Anaxyrus baxteri*) ([79 FR 7693](#)). The species, found only in Albany County, Wyoming, is classified as "extinct in the wild." Approximately 500 individuals are in captivity. Comments on the recovery plan are due 11 APR 14. For more information, contact the Wyoming toad recovery plan project leader at (307) 772-2374 x231.

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 40 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.

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

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

HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
INRMP	integrated natural resource management plan
ISEERB	Interservice Environmental Education Review Board
ITRC	Interstate Technology and Regulatory Council
JLUS	Joint Land Use Study
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
MACT	maximum achievable control technology
MBER	Montana Board of Environmental Review
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MDEQ	Montana Department of Environmental Quality
MDNRC	Montana Department of Natural Resources and Conservation
MERIT	Materials of Evolving Regulatory Interest Team
MGA	Midwestern Governors Association
MOU	memorandum of understanding
MMS	Minerals Management Service
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NDDOH	North Dakota Department of Health
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	nitrogen trifluoride
NHTSA	National Highway Transportation Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
NSPS	New Source Performance Standard
NSR	New Source Review
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
ORW	outstanding resource water
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PM	particulate matter
PM_{2.5}	particulate matter 2.5 microns in diameter or less
PM₁₀	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
RGGI	Regional Greenhouse Gas Initiative
RICE	Reciprocating Internal Combustion Engine

RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SDDENR	South Dakota Department of Environment and Natural Resources
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	State Implementation Plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TiO₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UDEQ	Utah Department of Environmental Quality
UDNR	Utah Department of Natural Resources
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
UPDES	Utah Pollutant Discharge Elimination System
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WCI	Western Climate Initiative
WDEQ	Wyoming Department of Environmental Quality
WGA	Western Governors' Association
WOSL	Wyoming Office of State Lands
WRAP	Western Regional Air Partnership