



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 8



The U.S. Army Regional Environmental & Energy Office

May 2015

The **REGION 8 WESTERN REVIEW** publishes environmental and energy related developments for DoD/Army leaders and installation staff. Covering the six states in Federal Region 8, the *Western Review* gives early notice of legislative and regulatory activities relevant to DoD interests. The *Review* also helps installations meet ISO 14001 environmental management system requirements. Find out more about the Army Regional Environmental and Energy Offices [here](#). Click [here](#) to browse back issues of the *Western Review*. To read back issues of other Regional Office *Reviews*, click on a region of the REEO website's U.S. map and then select "Publications." To receive a copy of this electronic publication, send an [email request](#).

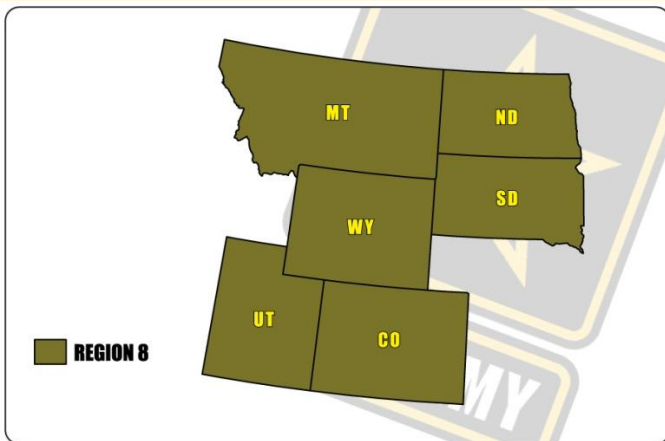


Table of Contents

Colorado.....	2
Montana.....	6
North Dakota.....	8
South Dakota.....	10
Utah.....	10
Wyoming.....	10
DoD Activity.....	11
Federal Activity.....	13
Professional Development.....	18
Staff Directory.....	23
Acronyms.....	24

Planning Assistance for Energy Projects

Communities interested in intervening when a commercial energy project could interfere with military activities now can [apply for planning assistance](#) from DoD's [Office of Economic Adjustment](#) (OEA) to limit potential conflicts with installations, ranges, training routes or special use airspace.

Under a Federal Funding Opportunity announced by OEA ([80 FR 18219](#)) states, counties, municipalities, tribal nations, and public entities are eligible for assistance to ensure an energy project does not jeopardize DoD's test, training, and military operations. Examples of conflicts with military activity include low-level flight obstructions caused by wind turbines or solar power towers, electromagnetic interference from high-voltage electrical transmission lines, and glint and glare from photovoltaic arrays and solar power towers near military airfields.

Proposals should support effective collaboration, early engagement and dialogue between DoD and energy developers to ensure energy projects proceed without interfering with military operations.

OEA is accepting proposals on a continuing basis. Cost sharing is required, with a minimum of 10% of the proposal's total proposed funding to come from non-federal sources.

Applicants will need to demonstrate how a grant would support local planning and stimulate cooperation between state and local adjustment planning efforts. Grants can be used to accomplish a variety of objectives, including:

- analysis and dissemination of information;
- timely consultation and cooperation among DoD, developers and state and local governments;
- resolution of regulatory issues impeding the siting of compatible energy projects;
- cost-effective strategies and action plans;
- effective cooperation and involvement of the public and private sector; and
- a clearinghouse to exchange information among federal, state and local efforts.

For more information, contact [Cyrena Chiles Eitler](#) or your regional coordinator.

Region 8

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



TOXICS

PHYSICAL PROTECTION OF RADIOACTIVE MATERIALS The Colorado Department of Public Health and Environment (CDPHE), Hazardous Material and Waste Management Division [is proposing](#) a new rule titled [Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material](#). The new rule, codified at Title 6 Colorado Code of Regulation (CCR) 1007-1 Part 22, is being initiated to maintain compatibility with the requirements of the U.S. Nuclear Regulatory Commission (NRC) and implement the requirements in Title 10 Code of Federal Regulation (CFR) Part 37. The proposed new rule addresses security requirements for certain radioactive materials licensees possessing Category 1 or Category 2 radioactive materials to protect the public against theft, diversion or unauthorized use. Category 1 and 2 radioactive materials are those materials that have been determined by national and international agencies to present a potential risk to national security and public health and safety due to the types and amounts of radioactivity involved. A public hearing is scheduled for 15 MAY 15. For more information, contact [James Jarvis](#) at (303) 692-3464.

WASTE

DEFINITION OF IGNITABILITY CDPHE [is proposing](#) to [replace obsolete references](#) contained in the definitions for an ignitable compressed gas and an oxidizer with the actual language from the referenced sections. The department is taking this action because copies of the referenced publication, a 1980 version of Department of Transportation (DOT) regulation 49 CFR 173.115, are difficult to obtain. The implementation and enforcement of the ignitability characteristic will not change. CDPHE is publishing the original definitions within the rule text to ease the burden on the regulated community. The rule amends [6 CCR 1007-3 Part 261](#). A public hearing is scheduled for 19 MAY 15. For more information, contact [Brandy Valdez Murphy](#) at (303) 692-3467.

DEFINITION OF REACTIVITY CDPHE [is proposing](#) to add a cross-reference to the definition of a reactive waste in 6 CCR 1007-3 Part 261.23. The [amendments](#) add a cross reference to 49 CFR 173.53. A public hearing is scheduled for 19 MAY 15. For more information, contact [Brandy Valdez Murphy](#) at (303) 692-3467.

FEES CDPHE [is proposing](#) to amend 6 CCR 1007-3 to reflect annual Solid and Hazardous Waste Commission [fees for fiscal year 2015-2016](#). The amount of the fees remains unchanged. A public hearing is scheduled for 19 MAY 15. For more information, contact [Brandy Valdez Murphy](#) at (303) 692-3467.

PAINT STEWARDSHIP PROGRAM CDPHE [is proposing](#) amendments to the state's Paint Stewardship Program. The [amendments](#) are in response to [Senate Bill 29 \(2014\)](#), which requires the Solid and Hazardous Waste Commission to set a paint stewardship program plan fee, revised plan fee, or annual report fee. CDPHE is proposing to add new

Section 1.1.7 (Paint Stewardship Program Fees) and to make conforming amendments to Section 1.2 (Definitions). A public hearing is scheduled for 19 MAY 15. For more information, contact [Brandy Valdez Murphy](#) at (303) 692-3467.

WATER

DRINKING WATER REGULATIONS CDPHE [adopted revisions](#) to Colorado Primary Drinking Water Regulations, Regulation 11. The revisions affect the Revised Total Coliform Rule, the Storage Tank Rule, the Backflow Prevention and Cross Connection Control Rule, and the Water Hauler Rule. The final rules were effective 30 APR 15. For more information, contact [Steve Scherma](#) at (303) 692-3406.

LEGISLATIVE DEVELOPMENTS

The [Colorado 2015 legislative session](#) began 14 JAN 15 and adjourned 6 MAY 15. An * indicates the first time a bill appears in the 2015 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				
HB 1134 <i>Representative Don Coram (R)</i> Proposes to extend an exemption from emission testing for heavy-duty diesel vehicles for an additional two years (to the sixth model year) for certain heavy-duty vehicles that are model year of 2014 or newer.	✓	✓	✓	To Governor
SB 92 <i>Senator John Cooke (R)</i> Proposes to require that any plan by the Department of Public Health and Environment to reduce carbon emissions (in accordance with pending federal regulations) be approved by the Colorado Public Utilities Commission. Requires the plan to meet specified requirements and restrictions.	✓			
ENERGY				
HB 1118 <i>Representative Timothy Dore (R)</i> Proposes to define hydroelectricity as a renewable energy resource for the purpose of the state renewable energy standard.	✓			
HB 1219 <i>Senator Beth McCann (D)</i> Proposes to modify the enterprise zone investment tax credit for renewable energy projects. Modifies how certain renewable energy tax credits are calculated.	✓	✓	✓	
* HB 1377 <i>Representative Dominick Moreno (D)</i> Proposes to amend law governing cooperative electric associations. Allows electric co-ops to meet retail distributed generation requirements from small wind, small hydroelectric, geothermal, and biomass.	✓	✓		
SB 44 <i>Representative Ray Scott (R)</i> Proposes to amend state renewable energy standard mandates. Reduces the amount of renewable energy that retail electric providers must generate from recycled energy and renewable energy resources. Applies to investor-owned electric providers and cooperative electric associations.	✓	✓		

<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 46 <i>Senator Kevin Grantham (R)</i> Proposes to allow electric utilities to triple-count renewable energy from "retail distributed generation" (e.g., rooftop solar panels) for the purpose of meeting state renewable energy standard mandates. Allows cooperative electric associations to use purchases from community solar gardens to meet the renewable energy standard.	✓	✓	✓	Enacted
*SB 212 <i>Senator Kevin Grantham (R)</i> Proposes to extend a deadline related to use of a multiplier for solar electric energy generation to meet the renewable energy portfolio standards. Extends the 1 JUL 15 deadline to 31 DEC 16 for municipally owned electric utilities.	✓	✓	✓	
LAND USE				
SB 232 <i>Senator Randy L. Baumgardner (R)</i> Proposes to create the federal land management commission. Requires the commission to conduct a study to address the transfer of public lands in Colorado from the federal government to the state in contemplation of Congress turning over the management and control of those public lands to the state.	✓			
NATURAL RESOURCES				
SB 22 <i>Senator Ellen Roberts (R)</i> Proposes to transfer funds to the state wildfire risk reduction grant program and to make changes to the program. Loosens restrictions on the grant program and expands applicability.	✓	✓		
OTHER				
HB 1145 <i>Representative Robert Rankin (R)</i> Proposes to implement required changes to Colorado's nuclear radiation regulatory program. The changes are necessary to maintain delegation of authority.	✓	✓	✓	Enacted
SB 21 <i>Senator Randy Baumgardner (R)</i> Proposes to repeal the interstate pest control compact that was adopted by Colorado in 2007 to coordinate and fund interstate pest control efforts.	✓	✓	✓	Enacted
WASTE				
SB 76 <i>Senator Kevin Grantham (R)</i> Proposes to allow the disposal of cathode ray tubes, including electronic devices that contain them at hazardous waste disposal sites. Current law generally prohibits land disposal of electronic devices, including cathode ray tubes.	✓			
WATER				
HB 1013 <i>Representative Don Coram (R)</i> Proposes to implement pilot projects to lower the water table near Gilcrest/LaSalle and Sterling in areas that are experiencing damaging high groundwater levels. Addresses state engineer review of augmentation plans.	✓	✓	✓	
HB 1016 <i>Representative Don Coram (R)</i> Proposes to encourage more precipitation harvesting pilot projects. Increases the type of projects that may be conducted.	✓	✓	✓	

<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>
HB 1038 <i>Representative Jeni Arndt (D)</i> Proposes to amend rules governing beneficial use of irrigation water rights. Creates a more flexible change in use system.	✓	✓		
HB 1093 <i>Representative Timothy Dore (R)</i> Proposes to repeal rules requiring water-efficient indoor plumbing.	✓			
HB 1166 <i>Representative Lori Saine (R)</i> Proposes to create a tributary groundwater monitoring network in the South Platte River Alluvial Aquifer. Tributary groundwater is groundwater that is influenced by or influences nearby surface water.	✓	✓	✓	To Governor
HB 1249 <i>Representative KC Becker (D)</i> Proposes to amend fees associated with water pollution control. Amends fees charged for the discharge of pollutants. Reorganizes existing fees into five new sectors and adds three new fees for activities associated with pesticide application.	✓	✓	✓	
HB 1259 <i>Representative Daneya Esgar (D)</i> Proposes to allow residential rain barrels to collect precipitation from rooftops, under certain conditions.	✓	✓		
SB 8 <i>Senator Ellen Roberts (R)</i> Proposes to address water demand management. Requires the Colorado Water Conservation Board to develop and implement a training program for state water managers. Promotes improved water demand management and water conservation.	✓	✓	✓	Enacted
SB 10 <i>Senator Mary Hodge (D)</i> Proposes to repeal a law that, effective 1 JUL 15, would have changed withdrawal requirements for the Dawson aquifer.	✓	✓	✓	Enacted
SB 55 <i>Senator Mary Hodge (D)</i> Proposes to permit the use of a "tail ditch" to return variable amounts of water to a stream. Prohibits the state engineer from requiring the delivery of a minimum amount of water to the stream, except as required by a court decree.	✓	✓	✓	Enacted
SB 64 <i>Representative Jerry Sonnenberg (R)</i> Proposes to prohibit the federal government from imposing conditions on a water right in exchange for permission to use federal land.	✓	✓		
SB 84 <i>Senator Mary Hodge (D)</i> Proposes to prohibit a judge from reducing the quantification of a water right's actual historical use in a change of water right.	✓			
SB 183 <i>Senator Mary Hodge (D)</i> Proposes to address water rights. Prohibits reconsideration or requantification of the historical consumptive use if the historical consumptive use has already been quantified in a previous change decree.	✓	✓	✓	To Governor

<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 212 <i>Senator Jerry Sonnenberg (R)</i> Proposes to address stormwater and water rights. Specifies that management activities associated with stormwater detention and infiltration facilities and post-wildland fire facilities do not injure water rights.	✓	✓	✓	
SB 224 <i>Senator Jerry Sonnenberg (R)</i> Proposes to amend existing requirements for a permit to drill a well. Exempts certain types of dewatering wells from permit requirements.	✓			



AIR

AIR QUALITY RULES The Montana Department of Environmental Quality [adopted amendments](#) to the Administrative Rules of Montana (ARM) [17.8.101](#), [17.8.103](#), [17.8.201](#), [17.8.202](#), [17.8.204](#), and [17.8.230](#) pertaining to definitions, incorporation by reference and availability of referenced documents, ambient air monitoring, and the repeal of ARM 17.8.206 pertaining to methods and data. The final rules were effective 17 APR 15. For more information, contact [Elois Johnson](#).

LEGISLATIVE DEVELOPMENTS

The [Montana 2015 legislative session](#) began 5 JAN 15 and adjourned 28 APR 15.

<i>Montana Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
HB 340 <i>State Representative Tom Burnett (R)</i> Proposes to require the state to fine the federal government for fires on certain federal lands that contribute to exceedance of air quality standards.	✓			Failed upon adjournment
SB 102 <i>Senator Duane Ankney (R)</i> Proposes to revise air quality fee structure laws. Allows the Department of Environmental Quality to collect and use registration fees to administer the air quality permitting program. Allows local air quality departments to collect and use registration fees to administer air quality permitting programs.	✓	✓	✓	Enacted
SB 236 <i>Senator Roger Webb (R)</i> Proposes to restrict authority to regulate carbon emissions to the state legislature. Requires the Department of Environmental Quality to develop a state plan to address greenhouse gas emissions. Requires legislative approval of the plan.	✓			Failed upon adjournment
ENERGY				
HB 192 <i>Representative Art Wittich (R)</i> Proposes to increase the cap on net metering.	✓			Failed upon adjournment

<i>Montana Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
HB 401 <i>Representative Steve Fitzpatrick (R)</i> Proposes to revise the definition of eligible renewable resource for administering the renewable energy portfolio standard. Allows low-emission, nontoxic biomass to qualify as an eligible renewable resource at any facility regardless of megawatt capacity.	✓			Failed upon adjournment
HB 485 <i>Representative Art Wittich (R)</i> Proposes to revise net metering laws. Addresses how unused kilowatt hour credits may be used.	✓			Failed upon adjournment
SB 343 <i>Senator Roger Webb (R)</i> Proposes to revise net metering laws. Requires public utilities to install meters. Establishes criteria for net metering. Requires a monthly service charge for customer-generators.	✓			Failed upon adjournment
LAND USE				
SB 215 <i>Senator Jennifer Fielder (R)</i> Proposes to revise public land laws. Prohibits future sale of land granted or transferred to the state.	✓			Failed upon adjournment
HB 160 <i>State Representative Willis Curdy (D)</i> Proposes to prohibit exploding targets on state owned or administered lands.	✓			Failed upon adjournment
NATURAL RESOURCES				
HB 194 <i>Representative Alan Redfield (R)</i> Proposes to revise bison laws. Requires a forage analysis as part of a management plan before wild buffalo or bison are released or transplanted onto private or public land in Montana.	✓	✓	✓	Enacted
HB 329 <i>Representative Jeffrey Welborn (R)</i> Proposes to revise laws related to state lands. Establishes an interagency weed abatement pilot project to fund weed control on state land in coordination with nearby landowners.	✓			Failed upon adjournment
HB 510 <i>Representative Alan Redfield (R)</i> Proposes to facilitate improved land and resource management of public lands. Establishes duties for the Department of Natural Resources and Conservation and the Department of Fish, Wildlife, and Parks.	✓	✓	✓	Enacted
SB 261 <i>Senator Bradley Hamlett (D)</i> Proposes to enact the Montana Sage-Grouse Stewardship Act. Establishes the Montana sage-grouse oversight team. Establishes the sage-grouse stewardship account. Allows for compensatory mitigation. Addresses conservation easements. Requires reporting.	✓	✓	✓	Enacted
OTHER				
HB 239 <i>Representative Jeff Essmann (R)</i> Proposes to define the term "regulated asbestos-containing material."	✓			Failed upon adjournment
WASTE				
SB 136 <i>Senator Bradley Hamlett (D)</i> Proposes to revise hazardous waste fees. Limits fees on waste resulting from remediation activities.	✓	✓	✓	Enacted

<i>Montana Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
SB 355 <i>Senator Duane Ankney (R)</i> Proposes to address cleanup and remediation of contaminated sites. Establishes the Montana Brownfields Revitalization Act. Addresses the use of federal money at petroleum tank cleanup sites. Addresses the use of federal grant money for cleanup activities.	✓	✓	✓	Enacted
WATER				
HB 270 <i>Representative Tom Richmond (R)</i> Proposes to revise water discharge laws regarding nutrients. Requires compliance schedules to meet nutrient levels.	✓	✓	✓	Enacted
SB 112 <i>Senator Duane Ankney (R)</i> Proposes to require the state to develop total maximum daily loads for certain waters.	✓	✓	✓	Enacted
SB 159 <i>Senator Duane Ankney (R)</i> Proposes to develop water quality standards for tributaries of Rosebud Creek, the Tongue River, the Powder River, and the Little Powder River.	✓			Failed upon adjournment
SB 203 <i>Senator Bradley Hamlett (D)</i> Proposes to revise exempt well laws. Revises the exceptions to permit requirements for ground water developments. Establishes criteria for exempted uses.	✓			Failed upon adjournment
SB 268 <i>Senator Diane Sands (D)</i> Proposes to revise rules governing stormwater drainage sumps. Requires stormwater infiltration systems for new subdivisions.	✓			Failed upon adjournment
SB 325 <i>Senator Jim Keane (D)</i> Proposes to address water quality standards. Prohibits state standards from being more restrictive than naturally occurring conditions. Revises the process for reclassifying water quality standards.	✓	✓	✓	Enacted
SB 361 <i>Senator Bradley Hamlett (D)</i> Proposes to address water rights. Clarifies who has a standing in water proceedings. Defines terms.	✓	✓	✓	Enacted



LEGISLATIVE DEVELOPMENTS

The [North Dakota 2015 legislative session](#) began 6 JAN 15 and adjourned 29 APR 15.

<i>North Dakota Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
SB 2372 <i>Senator Jessica K. Unruh (R)</i> Proposes to prohibit the Department of Health from requiring installation or operation of emission reduction equipment that received federal, state, or local funding.	✓	✓	✓	Enacted
ENERGY				
HB 1334 <i>Representative Mark Owens (R)</i> Proposes to impose fees for electric vehicles.	✓	✓		Failed upon adjournment
LAND USE				
NATURAL RESOURCES				
HB 1197 <i>Representative Curt Hofstad (R)</i> Proposes to prohibit the purchase of a conservation easement with public funds.	✓	✓	✓	Enacted
SB 2311 <i>Senator Larry Luick (R)</i> Proposes to amend state rules related to protection of human burial sites. Provides for penalties.	✓	✓		Failed upon adjournment
OTHER				
WASTE				
HB 1113 <i>Government And Veterans Affairs</i> Proposes to amend rules governing land used for the disposal of radioactive material. Amends rules related to licensing and confidentiality of radioactive material records. Provides for penalties.	✓	✓	✓	Enacted
HB 1114 <i>Energy And Natural Resources</i> Proposes to address resource recovery from solid waste.	✓	✓	✓	Enacted
WATER				
HB 1061 <i>Legislative Management</i> Proposes to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to the water topics overview committee.	✓	✓	✓	Enacted
HB 1175 <i>Representative Keith Kempenich (R)</i> Proposes to create new rules governing dredge permits.	✓	✓		Failed upon adjournment
HB 1269 <i>Representative Marvin Nelson (D)</i> Proposes to provide for rules on navigable waters by the state water commission and certain enforcement.	✓			Failed upon adjournment



NATURAL RESOURCES

INVASIVE SPECIES The South Dakota Department of Agriculture [adopted amendments](#) adding the Japanese beetle and tarragon to the local noxious weed and declared pest list. The [final rule](#) is effective 18 MAY 15.

LEGISLATIVE DEVELOPMENTS

The [South Dakota 2015 legislative session](#) began 13 JAN 15 and adjourned 30 MAR 15. For information about legislation in 2015, refer to the [April 2015](#) edition of the Review.



TOXICS

RADIATION CONTROL The Utah Department of Environmental Quality (UDEQ) [adopted amendments](#) to state radiation control rules codified at [R313-38-3](#) (Licenses and Radiation Safety Requirements for Well Logging – Clarifications and Exceptions). The amendments align state requirements with federal standards in 10 CFR and make housekeeping corrections. The final amendments were effective 17 MAR 15. For more information, contact [Spencer Wickham](#) at (801) 536-0082.

CATEGORY 1 AND CATEGORY 2 QUANTITIES OF RADIOACTIVE MATERIAL UDEQ [adopted](#) new rule R313-37, which establishes standards for the physical protection of significant quantities of radioactive materials possessed by a Utah radioactive material licensee. The rulemaking aligns state rule with federal requirements in [10 CFR 37](#). The final rule is effective 29 JUN 15. For more information, contact [Philip Griffin](#) at (801) 536-4261.

LEAKING SOURCES UDEQ [adopted amendments](#) to rule [R313-15-1208](#) (Reports of Leaking or Contaminated Sealed Sources). The amendments align state requirements with 10 CFR. The final rule was effective 17 MAR 15. For more information, contact [Spencer Wickham](#) at (801) 536-0082.

LEGISLATIVE DEVELOPMENTS

The [Utah 2015 legislative session](#) began 16 JAN 15 and adjourned 12 MAR 15. For information about legislation in 2015, refer to the [April 2015](#) edition of the Review.



LEGISLATIVE DEVELOPMENTS

The [Wyoming 2015 legislative session](#) began 13 JAN 15 and adjourned 6 MAR 15. For information about legislation in 2015, refer to the [April 2015](#) edition of the Review.

Department of Defense Activity

ARMY REGULATION

ACQUISITION AND SALE OF UTILITIES SERVICE The Army updated Army Regulation (AR) [420-41](#) *Acquisition and Sale of Utilities Service*. The AR establishes Department of Army policies, responsibilities, and mandatory procedures for the acquisition and sale of utilities and related services for continental United States Army facilities. The update is considered a major revision. Effective 3 APR 15, the revision:

- Updates responsibilities for the acquisition of utilities services and the sale of utilities and related services to conform to Army Installation Management Transformation;
- Updates general Army policies for acquiring and selling utilities and services;
- Incorporates energy related statutes and executive order requirements related to the purchase of utility services from renewable energy, demand response pricing and environmental concerns;
- Identifies considerations for acquiring utilities services from renewable resource projects through energy power purchase agreements;
- Updates approval threshold levels for acquisition contracts and adds guidance on waivers or deviations from service related regulations and guidance;
- Provides guidance on the sale of electricity from alternate energy and cogeneration production facilities;
- Provides guidance on preparing, executing and administering solicitations and contracts for acquiring utility services;
- Provides guidance on acquisition utility contract rate changes;
- Establishes the Army Utilities Services Acquisition and Sale Specialist Training and Certification Program;
- Removes the reproducible utilities-sale-instrument formats from the regulation and prescribes additional special provision forms for hot water service, fuel oil service, compressed air service, ice service, chilled water service and liquefied propane gas service;
- Updates and expands the unit cost rates for the sale of utilities and related services;
- Provides guidance on recovering incremental costs associated with privatizing an Army utility system and recovering energy savings performance or utility energy services contracting costs; and
- Provides guidance on using utility sale meters.

NATURAL RESOURCES

SENTINEL LANDSCAPES: FORT HUACHUCA AND NAS PATUXENT RIVER The Department of Agriculture, Department of Interior (DOI), and DoD [designated](#) as Sentinel Landscapes [Fort Huachuca](#), Arizona and [Naval Air Station \(NAS\) Patuxent River-Atlantic Test Ranges](#), Maryland. The collaborative Sentinel Landscape Partnership supports efforts to promote working lands, protect wildlife habitat, and ensure military readiness at military bases across the country. At Fort Huachuca, the U.S. Forest Service (FS), Natural Resources Conservation Service (NRCS), Fish and Wildlife Service (FWS), and DoD are working with local, state, and federal partners to discourage incompatible land development, preserve native grassland and working ranches, and ensure the availability of scarce groundwater resources for the entire region. At NAS Patuxent River, partners are working together to ensure that the lands in and around the Navy's premier aircraft research, development, test, and evaluation area continue to support working farms, high-priority fishing and recreational opportunities and sustain more than 260 rare plants and animals. For more information on the Sentinel Landscapes Partnership, including fact sheets, visit www.sentinellandscapes.org.

NANCY NATOLI ÉLAN AWARD FOR INNOVATION IN LAND CONSERVATION This annual award recognizes individuals, teams, or organizations, which, in Nancy's spirit, have taken existing, undersized land conservation opportunities and super-charged them for unexpected or oversized results, or identified and implemented new land conservation opportunities. [Nominations](#), due 19 JUN 15, will be considered for on-going or completed work, or for cumulative accomplishments over time for people, teams, or organizations that have:

- Improved the land protection movement through conservation or natural resource protection;
- Leveraged resources through innovative financing to implement projects with limited funding;
- Taken projects with limited utility and found connections that make them more useful, efficient, or beneficial to multiple stakeholders;
- Embodied Nancy Natoli's fundamental approach to land conservation: intellectual curiosity and integrity; drive to leverage multiple efficiencies to "protect the most land at the least cost"; passion for innovation in land conservation and conservation finance; and acknowledgement of the benefit of collaboration across varying agencies, governments, organizations and groups to identify and attain common goals.

FY 2014 SECRETARY OF THE ARMY ENVIRONMENTAL AWARDS Four Army National Guard installations, two arsenals, and two teams received [Fiscal Year \(FY\) 2014 Secretary of the Army Awards](#) for their environmental program achievements. Winners will represent the Army in the Secretary of Defense Environmental Awards Program later this year. Winning accomplishments include streamlined compliance with historic property requirements and exceptional historic preservation projects, creative approaches to eliminate or reduce land-use constraints, and development of environmentally friendly replacement chemicals and improved designs for handheld fire extinguishers in Army rotary wing aircraft. They also include exemplary environmental management systems and compliance assurance programs, decreased costs and innovative treatment process for an environmental restoration project, and reducing conflicts between conservation and training goals via the Army Compatible Use Buffer program, as well as reduced energy usage and increased and improved recycling programs. FY 2014 Secretary of the Army award winners are:

- Natural Resource Conversation (Large Installation category) - Camp Blanding, Florida Army National Guard
- Cultural Resource Management (Small Installation category) - Picatinny Arsenal, New Jersey
- Environmental Quality (Industrial category) - Missouri Army National Guard
- Sustainability (Non-industrial category) - Fort Indiantown Gap, Pennsylvania Army National Guard
- Environmental Restoration - Northeast Cape FUDS Team, U.S. Army Corps of Engineers, Alaska
- Cultural Resource Management (Team or Individual category) - Redstone Arsenal, Alabama
- Sustainability (Team or Individual category) - Minnesota Army National Guard
- Environmental Excellence in Weapons System Acquisition (Small Program category) - Redstone Arsenal Aviation Weapon Systems IPT

SUSTAINABILITY

HOUSE ARMED SERVICES SUBCOMMITTEE SEEKS NET ZERO EVALUATION The House Armed Services' Readiness Subcommittee is directing the Government Accountability Office (GAO) to report on the successes achieved to date from DoD Net Zero initiatives along with areas for improvement. According to report language attached to the panel's portion of the fiscal 2016 defense authorization bill, the report should address:

- To what extent DoD has developed an integrated net zero strategy for energy, water and waste management at its installations
- What impact net zero initiatives have on maintaining mission capability
- What challenges installations have encountered implementing net zero initiatives
- What lessons have been learned from the initiative, and how those lessons are being shared and optimized

- What have been the costs and benefits of net zero initiatives
- How successful the military departments and installations have been in implementing the net zero initiative.

The report would be due May 15, 2016. The subcommittee's portion of the authorization bill is available on the [committee website](#).

Federal Activity

AIR

SEWAGE SLUDGE INCINERATION UNITS The Environmental Protection Agency (EPA) is proposing a Federal Implementation Plan (FIP) specifying emission guidelines for existing sewage sludge incineration units located in states that do not have an approved state plan implementing [federal](#) (March 2011) emission guidelines ([80 FR 23401](#)). States were required to submit emission guidelines for sewage sludge incineration units by March 2013. Western states potentially affected by this proposed rule include Alaska, American Samoa, Arizona, California, Guam, Hawaii, Utah, Montana, Nevada, and Washington. Comments are due 11 JUN 15. For more information, contact [Amy Hambrick](#) at (919) 541-0964.

REFRIGERATION SUBSTITUTES AND VENTING PROHIBITION EPA approved five flammable refrigerants as acceptable substitutes in several end-uses: household refrigerators and freezers, stand-alone retail food refrigeration equipment, very low temperature refrigeration, non-mechanical heat transfer, vending machines, and room air conditioning units ([80 FR 19453](#)). The five refrigerant substitutes are: difluoromethane (also known as hydrofluorocarbon (HFC)-32), ethane, isobutane, propane, and the hydrocarbon blend R-441A. EPA also exempted four hydrocarbon refrigerant substitutes (ethane, isobutane, propane, and R-441A) from the Clean Air Act (CAA) Section 608 prohibition on venting, release, or disposal. The final rule was effective 11 MAY 15. For more information, contact [Margaret Sheppard](#) at (202) 343-9163.

MATS AND THE UTILITY NSPS EPA denied the remaining issues in 23 petitions it received for reconsideration of the 16 FEB 12 rule, titled [National Emission Standards for Hazardous Air Pollutants \(NESHAP\) From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance \(NSPS\) for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units](#), which is commonly referred to as the mercury air toxics (MATs) rule and NSPS rule ([80 FR 24218](#)). The denial of reconsideration was effective 30 APR 15. For more information, contact [Jim Eddinger](#) at (919) 541-5426.

MONTANA SIP: GREAT FALLS EPA approved a revision to the Montana State Implementation Plan (SIP) that addresses maintenance of the carbon monoxide National Ambient Air Quality Standards (NAAQS) for a second 10-year period beyond the original redesignation ([80 FR 17331](#)). EPA also approved an alternative monitoring strategy for the Great Falls carbon monoxide maintenance area. The final rule was effective 1 MAY 15. For more information, contact [Adam Clark](#) at (303) 312-7104.

MONTANA SIP: GREAT FALLS EPA is proposing to make two separate determinations regarding the Libby, Montana, nonattainment area for 1997 fine particulate matter (PM_{2.5}) NAAQS ([80 FR 19935](#)). First, EPA is proposing to determine that the Libby nonattainment area attained the 1997 annual PM_{2.5} NAAQS by the applicable attainment date of April 2010. Second, EPA is proposing that the Libby nonattainment area has continued to attain the 1997 annual PM_{2.5} NAAQS. Based on the second determination, EPA is also proposing to suspend certain nonattainment area planning obligations. These determinations do not constitute a redesignation to attainment. Comments are due 14 MAY 15. For more information, contact [Crystal Ostigaard](#) at (303) 312-6602.

CLIMATE CHANGE

U.S. GHG EMISSIONS AND SINKS The U.S. saw a 2% increase in greenhouse gas (GHG) emissions in 2013 from 2012 levels, but a 9% drop in emissions since 2005, according to the EPA's 20th [Inventory of US Greenhouse Gas Emissions and Sinks](#). The increase in total national GHG emissions between 2012 and 2013 was due to increased energy consumption across all sectors in the US economy and greater use of coal for electricity generation. This year, EPA is publishing key data in a new, online [GHG Inventory Data Explorer tool](#), which allows users to view, graph, and download data by sector, year, and GHG. By sector, power plants were the largest source of emissions, accounting for 31% of total GHG emissions. The transportation sector was the second largest source, at 27%. Industry and manufacturing were the third largest source, at 21%. For more information about the inventory, [click here](#).

DISASTER PREPAREDNESS FUNDING TIED TO CLIMATE CHANGE PLANNING The Federal Emergency Management Agency (FEMA) announced it will approve disaster preparedness funds only for states whose governors approve hazard mitigation plans that address climate change. Beginning in March 2016, states seeking preparedness money will have to assess how climate change threatens their communities. Governors will have to sign off on hazard mitigation plans. While some states, including New York, have already started incorporating climate risks in their plans, most have not because FEMA's 2008 guidelines did not require it. States are required to update their plans every five years to be eligible for the agency's mitigation funding. For more information, view this [fact sheet](#), the [State Mitigation Plan Review Guide](#), or visit FEMA's [website](#) for hazard mitigation planning.

HOT ANNOTATED VERSION OF EO 13693 The General Services Administration (GSA) posted a "hot annotated" version of Executive Order (EO) 13693, *Planning for Federal Sustainability in the Next Decade*, on its [Sustainable Facilities Tool \(SFTool\) website](#). Hot annotated means that the text of the EO has been supplemented with numerous active hyperlinks cross referencing sections of the EO, and accessing additional references, resources, federal programs, and agencies. Links to the text of all superseded memoranda and EOs are included. Separately, there are links in the introductory box to the full text of the EO, and to a PDF that compares the goals and requirements of EO 13693 with previous EOs.

ENERGY

ePROJECTBUILDER FOR ENERGY SAVINGS PERFORMANCE CONTRACTING The Department of Energy's (DOE's) Federal Energy Management Program (FEMP) launched [eProject Builder](#) (ePB), a secure web-based data entry and tracking system for energy savings performance contract (ESPC) projects. ePB is a free service developed and managed by the University of California/Lawrence Berkeley National Laboratory. ePB enables energy service companies and their customers to:

- Upload and track ESPC project information
- Generate basic project reports
- Benchmark new ESPC projects against historical project data.

ePB 1.0 currently supports Mozilla Firefox version 10.0.7 or higher and Google Chrome version 30 or higher. Security and stability issues prevent ePB from supporting Internet Explorer. However, future versions of ePB will support Internet Explorer. Users must also have installed Microsoft Excel 14.0 (2010/2011) or higher to be able to use the upload template functionality.

ENERGY-WATER NEXUS TOOLKIT The International Association of Plumbing and Mechanical Officials and the U.S. Chamber of Commerce Foundation Corporate Citizenship Center released a [toolkit](#) to help companies make informed decisions about projects intended to increase energy efficiency or reduce water use. The toolkit addresses the energy-water nexus, or the interrelatedness of energy and water projects. The document provides a brief overview of the energy-water nexus, including the history, issues, and risks. Much of the report offers practical and mechanical solutions to address energy-water nexus challenges, from new water management technologies to better ways to

control building climates. The toolkit includes more than 30 case studies and resources that show how to incorporate these tools and companies that have benefited greatly from their installation.

NATURAL RESOURCES

RESILIENT LANDS AND WATERS INITIATIVE DOI, EPA, and the National Oceanic and Atmospheric Administration (NOAA) [recognized four collaborative landscape partnerships](#) across the country where federal agencies will focus efforts with partners to conserve and restore important lands and waters and make them more resilient to a changing climate. Building on existing collaborations, these Resilient Lands and Waters partnerships – located in southwest Florida, Hawaii, Washington and the Great Lakes region – will help build resilience in regions vulnerable to climate change and related challenges. They will also showcase the benefits of landscape-scale management approaches and help enhance the carbon storage capacity of these natural areas. The Resilient Lands and Waters initiative is a key part of the Obama Administration’s [Climate and Natural Resources Priority Agenda](#), a comprehensive commitment across the Federal Government to support resilience of America’s vital natural resources. For more information about the partnerships, [click here](#).

FLOODPLAIN MANAGEMENT FEMA hosted a public meeting on 14 APR 15 to gather comments on its proposed [Revised Guidelines for Implementing EO 11988, Floodplain Management \(80 FR 19090\)](#). [EO 13690](#), issued 30 JAN 15, revised EO 11988 to require addition of two feet to the base floodplain for non-critical actions and three feet for critical actions. EO 11988 requires agencies to avoid, to the extent possible, the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid the direct or indirect support of floodplain development whenever there is a practicable alternative. The guidelines are advisory, providing broad guidance on EO implementation and offering a common point of reference allowing each agency to draft or update their own rules and regulations in consultation with the Water Resources Council, Federal Interagency Floodplain Management Task Force, FEMA, and the Council on Environmental Quality (CEQ).

SAGE-GROUSE HABITAT PROTECTION DOI [announced](#) it will fund more than \$4 million in projects in four states to protect intermountain West sagebrush habitat in an effort to protect sage-grouse from wildfire. The Bureau of Land Management (BLM) will use the money in Idaho, Nevada, Oregon, and Utah to counter wildfire threats, invasive grasses, and flammable juniper trees encroaching on native sagebrush habitat.

- Idaho: \$1.78 million to create fuel breaks along transportation corridors in the southwest part of the state that will help firefighters halt wildfires.
- Nevada: \$638,000 for projects that include mowing along roadways to reduce fire potential and of seeding native plants to prevent the spread of cheatgrass, an invasive species that increases risks for fires.
- Oregon: \$1.03 million for prescribed fires to take out juniper stands and plant native grasses. Juniper trees soak up the limited amount of water on which other plants depend.
- Nevada: \$638,000 to mow along roadways to reduce fire potential and to seed native plants to prevent the spread of invasive cheatgrass.

THREATENED AND ENDANGERED SPECIES

WITHDRAWN: BI-STATE DPS OF GREATER SAGE-GROUSE FWS withdrew its proposed rule to list the bi-State distinct population segment (DPS) of [greater sage-grouse](#) (*Centrocercus urophasianus*) in California and Nevada as threatened under the Endangered Species Act (ESA), its proposed special rule under ESA Section 4(d), and its proposed designation of critical habitat ([80 FR 22827](#)). According to FWS, the withdrawals are based on its conclusion that the threats to the DPS as identified in the proposed listing rule no longer are as significant as believed at the time the proposed rule was published. FWS now believes that the threats to the DPS and its habitat, given current and future conservation efforts, are reduced below the statutory definition of threatened or endangered. The October 2013 proposed rules to [list the bi-State DPS](#) as threatened and to [designate critical habitat](#) are withdrawn as of 23 APR 15.

For more information, contact Edward Koch at (775) 861-6300 or [click here](#) to view a news release from the Western Governors' Association (WGA).

2014 SAGE-GROUSE INVENTORY AND INDEX OF CONSERVATION INITIATIVES WGA released the [2014 Sage-Grouse Inventory](#), highlighting conservation work undertaken by public, private and non-governmental groups during the past year across the 11-state range of the greater sage-grouse. The fourth annual inventory produced by the governors, through the WGA, has expanded its focus from previous years. In addition to state and local government conservation initiatives, the inventory includes reports from federal agencies, conservation districts, industry, and nonprofits. Some highlights:

- Colorado, Idaho, and Montana have collectively protected nearly 350,000 acres of greater sage-grouse habitat through purchase or conservation easements.
- Nevada Mining Association members have developed habitat conservation plans on 1.2 million acres.
- NRCS's [sage-grouse initiative](#), working with landowners, has reclaimed over 400,000 acres of sage-grouse habitat through conifer removal.

The governors also published the [2014 Sage-Grouse Appendix](#), which identifies all sage-grouse conservation initiatives reported by states and counties since 2011.

NORTHERN LONG-EARED BAT FWS listed the [northern long-eared bat](#) (*Myotis septentrionalis*) as a threatened species ([80 FR 17973](#)). FWS is also establishing an interim rule under ESA Section 4(d) to provide for the conservation of the northern long-eared bat. In the West, the bat is found in Montana, North Dakota, South Dakota, and Wyoming. The final and interim rules were effective 4 MAY 15. For more information, contact Lisa Mandell at (612) 725-3548.

BLACK FOOTED FERRET FWS, in coordination with Wyoming and other partners is proposing to reestablish additional populations of the [black-footed ferret](#) (*Mustela nigripes*), a federally listed endangered mammal, into occupied prairie dog habitat in Wyoming and to classify any reestablished population as a nonessential experimental population (NEP) ([80 FR 19263](#)). Comments are due 9 JUN 15. For more information, contact Mark Sattelberg at (307) 772-2374.

TOXICS

TSCA WORK PLAN PROBLEM FORMULATION AND INITIAL ASSESSMENT FOR 1,4-DIOXANE EPA announced the availability of a problem formulation and initial assessment document for 1,4-Dioxane prepared under the Toxic Substances Control Act (TSCA) Work Plan ([80 FR 23545](#)). The problem formulation and initial assessment examined likely exposure and hazard scenarios to workers and consumers in order to identify scenarios where further risk analysis may be necessary. The assessment [found](#) no risks to the general population from inhalation exposure and low risks to aquatic life. EPA plans to conduct additional risk analysis on potential worker and consumer exposures. Comments on the 1,4-Dioxane problem formulation and data assessment are due 29 JUN 15. For more information, contact [Stanley Barone](#) at (202) 564-1169 or [click here](#) to view the *TSCA Work Plan Chemical Problem Formulation and Initial Assessment*.

LEAD-BASED PAINT RENOVATOR CERTIFICATION EPA extended the certifications of certain renovators under the Lead Renovation, Repair, and Painting (RRP) rule ([80 FR 20444](#)). The agency extended the certifications of thousands of renovators that will otherwise expire before [EPA's proposed revisions to renovator certification requirements](#) can be finalized. The extensions only apply to renovators that fall under EPA's renovation program and not to renovators under authorized state programs. The final rule was effective 16 APR 15. For more information, contact [Marc Edmonds](#) at (202) 566-0758.

1-BROMOPROPANE ADDED TO RIGHT-TO-KNOW REPORTING EPA is proposing to add 1-Bromopropane to the list of toxic chemicals subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 and section 6607 of the Pollution Prevention Act (PPA) of 1990. 1-Bromopropane has been classified

by the National Toxicology Program in their 13th Report on Carcinogens as “reasonably anticipated to be a human carcinogen.” EPA believes that 1-Bromopropane meets the EPCRA Section 313(d)(2)(B) criteria because it can reasonably be anticipated to cause cancer in humans. Comments are due 15 JUN 15. For more information, contact [Daniel Bushman](#) at (202) 566-0743.

FINAL RISK ASSESSMENT: N-METHYLPYRROLIDONE EPA released the final risk assessment for N-Methylpyrrolidone (NMP) in paint and coating removal products. The final risk assessment indicates health risks to people, particularly pregnant women and women of childbearing age, who have high exposure to NMP through paint or coating removal products. EPA is considering a range of possible voluntary and regulatory actions to address risks from the use of NMP-containing paint and coating removal products and recommends finding safer paint/coating removal chemicals, or taking precautions that can reduce exposures, such as using the product outside, in a well-ventilated area, and wearing proper gloves and respiratory protection. For more information, [click here](#) to view the [final risk assessment for NMP](#), a [fact sheet](#), and more.

TOXICOLOGICAL PROFILES The Agency for Toxic Substances Disease Registry (ATSDR) announced the list of proposed substances that will be evaluated for its 29th set of toxicological profiles ([80 FR 17444](#)). ATSDR is accepting nominations of substances for profile development. Nominations were due 1 MAY 15. For more information, contact Commander [Jessilyn Taylor](#).

NANOSCALE MATERIALS: REPORTING AND RECORDKEEPING EPA is proposing to require reporting and recording keeping requirements for nanoscale materials ([80 FR 18330](#)). Specifically, EPA is proposing to require persons that manufacture, import, process, or intend to manufacture or process these nanoscale chemical substances to electronically report certain information, including the specific chemical identity, production volume, methods of manufacture and processing, exposure and release information, and existing data concerning environmental and health effects. The proposal involves one-time reporting for existing nanoscale materials and one-time reporting for new discrete nanoscale materials before they are manufactured or processed. Comments are due 6 JUL 15. For more information, contact [Jim Alwood](#) at (202) 564-8974.

SECURITY OF SPECIAL NUCLEAR MATERIAL The Nuclear Regulatory Commission (NRC) is making available a regulatory basis document to support a rulemaking potentially amending its regulations concerning the security of special nuclear material ([80 FR 22434](#)). The document supports NRC’s effort to enhance security of special nuclear material under [10 CFR Part 73](#). The commission is not seeking comment at this time. There will be an opportunity for formal public comment on the proposed rule when it is published in the Federal Register. NRC is making documents publicly available at www.regulations.gov, under Docket ID NRC-2014-0118. For more information, contact [Timothy Harris](#) at (301) 287-3594.

WASTE

COAL ASH DISPOSAL EPA published a final rule regulating the disposal of coal combustion residuals (CCR) as solid waste under subtitle D of the Resource Conservation and Recovery Act (RCRA) ([80 FR 21301](#)). The rule establishes national minimum criteria for new and existing CCR landfills and surface impoundments and all lateral expansions of such CCR units. It addresses location restrictions, design and operating criteria, groundwater monitoring, corrective action, closure requirements, post closure care, and recordkeeping, notification, and internet posting requirements. The final rule is effective 14 OCT 15. For more information, contact Alexander Livnat at (703) 308-7251 or [click here](#) to view EPA’s coal ash website.

SUPERFUND RECORDKEEPING EPA is proposing to create a new system of records that would integrate the legacy Superfund data collection, reporting, and tracking modules into a single system, referred to as Superfund Enterprise Management System (SEMS) ([80 FR 21237](#)). SEMS is intended to improve operational effectiveness, reduce costs, streamline business processes, and enhance information management capabilities. Comments are due 27 MAY 15. For more information, contact Steven Wyman at (703) 603-8882.

WATER

CYANOTOXINS IN DRINKING WATER EPA held a public meeting 11 MAY 15 to receive public input on potential actions that states and public water systems can take to prepare for and respond to cyanotoxin health risks in drinking water (80 FR 23542). EPA is developing health advisories for two cyanotoxins: [microcystin](#) and [cylindrospermopsin](#). A health advisory is an estimate of acceptable drinking water levels for a contaminant based on health effects and other information and provides recommended analytical and treatment techniques. Health advisories are intended to assist federal, state, and local officials and public water system managers in achieving public health goals. A health advisory is not a legally enforceable standard under the Safe Drinking Water Act. For more information, contact [Hannah Holsinger](#) at (202) 564-0403.

EFFLUENT STANDARDS FOR OIL AND GAS EXTRACTION POINT SOURCES EPA is proposing a new regulation establishing pretreatment standards for onshore unconventional oil and gas extraction facilities discharging to publicly owned treatment works (POTWs) (80 FR 18557). Unconventional oil and gas extraction wastewater may contain constituents that are potentially harmful to human health and the environment. Because they are not typical of POTW influent wastewater, some extraction wastewater constituents can be discharged, untreated, from the POTW to the receiving stream; disrupt the operation of the POTW by inhibiting biological treatment; accumulate in biosolids, thus limiting their use; and facilitate the formation of harmful disinfection by-products. According to EPA, the proposed rule is intended to ensure current industry best practice is maintained over time. Comments are due 8 JUN 15. For more information, contact [Lisa Biddle](#) at (202) 566-0350.

ANALYSIS OF HYDRAULIC FRACTURING FLUID EPA [conducted an analysis](#) of chemicals and amounts of water used to hydraulically fracture oil and gas production wells in the United States as part of a study of the potential impacts of hydraulic fracturing for oil and gas on drinking water resources. On 30 MAR 15, EPA hosted a public webinar on its analysis of data. The webinar or slides are viewable at <http://www2.epa.gov/hfstudy/epa-analysis-fracfocus-10-data-webinar-presentation>.

WATER USE DOWN ACROSS THE U.S. A [report](#) by the nonprofit Pacific Institute demonstrates that water use in the United States declined in the five-year period ending in 2010. The nation saw reductions in all sectors, including agriculture; municipal and industrial; and thermoelectric power. The report reveals that nearly two-thirds of the reductions were in the thermoelectric power sector, the largest use of fresh and saline water in the United States. These water-use trends reveal overall improvements in the management of the nation's water. According to the report, although substantial progress has been made, current water use trends are not sustainable in the face of population growth and climate change.

Professional Development

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

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

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

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

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

FEDERAL TRAINING SOURCES

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

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

FedCenter also provides member assistance services such as:

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

ONLINE TRAINING: SCHEDULED EVENTS

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

- Management of Contaminated Sediments Sites (20 NOV 14)
- Waste to Energy Technologies (4 DEC 14)
- Energy Audits (18 DEC 14)
- DNAPL (Dense Non-Aqueous Phase Liquid) Source Zone Management (8 JAN 15)

- Sustainable Materials (22 JAN 15)
- Acoustic Methods for Underwater Munitions (5 FEB 15)
- Solar Technologies (19 FEB 15)
- Lead Free Electronics (5 MAR 15)
- Bioremediation Approaches at Chlorinated Solvent Sites (19 MAR 15)
- Resource Conservation and Climate Change (26 MAR 15)
- Blast Noise Measurements and Community Response (16 APR 15)
- Munitions Mobility (7 MAY 15)
- Managing Munition Constituents on Training Ranges (28 MAY 15)

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

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

ENERGY STAR WEBCASTS. Among the offerings:

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

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

READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM – Webinar Series The REPI Webinar Series is presented by DoD in partnership with the [Land Trust Alliance](#). This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of

conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted. Previously scheduled webinars are available anytime.

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

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

ONLINE TRAINING: AVAILABLE ANYTIME

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

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

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

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

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

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

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

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

DISTRIBUTED-SCALE RENEWABLE ENERGY PROJECTS: FROM PLANNING TO PROJECT CLOSEOUT This 2.5 hour webinar focuses on the planning and implementation of distributed-scale renewable energy projects (i.e., those smaller than 10 megawatts). The on-demand course outlines a detailed 10-step process from technology screening to project closeout. It explores online tools and resources for renewable energy projects on federal sites.

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

AVERT TUTORIAL This training provides an overview of EPA's Avoided Emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy (EE/RE) programs to displace electricity system-related SO₂, NO_x, and CO₂ emissions in the continental United States. The tool can be used to evaluate county, state and regional level emissions displaced by energy efficiency and renewable energy programs without the need for specialized resources or electricity system expertise.

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

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

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

CLASSROOM/INTERNET TRAINING SOURCES

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

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
CATEX	categorical exclusion
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
CH ₄	methane
CNOR	candidate notice of review
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
CrVI	hexavalent chromium
CSB	Chemical Safety Board
CWA	Clean Water Act
CWQCC	Colorado Water Quality Control Commission
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	Department of Transportation
DPS	distinct population segment
ECF	emission comparable fuel
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
N ₂ O	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
NF ₃	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
NO ₂	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
NSPS	New Source Performance Standard
NSR	New Source Review
OIE	Office of Energy Initiatives
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
PM ₁₀	particulate matter 10 microns in diameter or less
POP	persistent organic pollutant
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
RGGI	Regional Greenhouse Gas Initiative
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
SO ₂	sulfur dioxide
SO _x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
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/m ³	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

The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations. The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DoD is being developed, REEOs work with the other military Services to offer language to support or oppose the issue.

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

To be added to the Region 8 *Western Review* distribution list, email [Nancy Reese](#).