



U.S. ARMY

# Western Review of Legislative & Regulatory Actions Region 9



The U.S. Army Regional Environmental & Energy Office

July 2014

The **WESTERN REGION 9 REVIEW** provides current information on natural resource, energy, and environmental issues relevant to Department of Defense interests in the 4 states and territories that comprise Federal Region 9. 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 9 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](mailto:nancy.l.reese2.ctr@mail.mil).



## Table of Contents

Arizona.....	2
California.....	2
Hawaii and Pacific Islands.....	12
Nevada.....	13
DoD Activity.....	14
Federal Activity.....	15
Professional Development.....	21
Staff Directory.....	26
Acronyms.....	27

### AWARD MEMORIALIZES LAND CONSERVATION LEADER

A [new conservation award](#) memorializing the contributions of [Nancy Natoli](#), former director of the DoD’s Readiness and Environmental Protection Integration (REPI) program, has been announced. The award recognizes individuals, teams, or organizations that have taken existing undersized land conservation opportunities and modified them for unexpected or outsized results, or identified and implemented new land conservation opportunities. Nominations will be considered for on-going or completed work, or for cumulative accomplishments for people, teams, or organizations that have:

- Improved the land protection movement through conservation or natural resource protection;
- Leveraged resources through innovative finance 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.

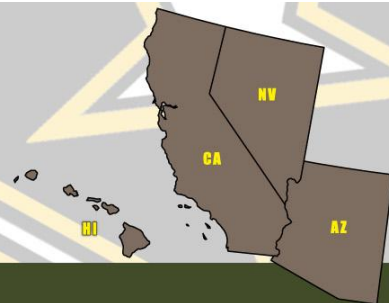
Additional consideration will be given for:

- Direct or indirect benefits to DoD’s REPI program or the individual training, testing or operational mission at any DoD installation.
- Direct or indirect benefits or multiplies efforts of any federal land protection program.

The Nancy Natoli Élan Award for Innovation in Land Conservation criteria and nomination form may be found [here](#). Nominations for the inaugural 2014 award are due by 18 JUL 14. The award winner will receive a framed, United States flag that was flown over the Pentagon and an accompanying statement of recognition. For more information, contact Peter Stangel at (404) 915-2763 or visit the U.S. Endowment for Forestry and Communities [website](#).

# Region 9

For more information on any state issues in Region 9, contact [Tim Kilgannon](#), Region 9 Environmental Coordinator (303) 844-0953.



## *AIR*

**MARICOPA COUNTY: SEPs** The Maricopa County Air Quality Department [issued a substantive policy statement](#) to inform the public of the department's approach to enforcement by establishing a framework within which to govern the use of supplemental environmental projects (SEPs) in lieu of penalties assessed through an enforcement action. The policy statement provides procedures and standards for determining whether a SEP is appropriate and feasible, and a mechanism for developing a library of pre-approved concepts for SEPs. For more information, contact [Jo Crumbaker](#) at (602) 506-6705.

**PINAL COUNTY: SIP REVISIONS** The Pinal County Air Quality Control District [is proposing](#) amendments to the district portion of the Arizona State Implementation Plan (SIP). The amendments address EPA's limited disapproval ([77 FR 66398](#)) of the Arizona SIP infrastructure requirements for the 1997 8-hour ozone and 1997 and 2006 fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS). Comments were due 7 JUL 14. For more information, contact [Scott DiBiase](#) at (520) 866-6929.

## *LEGISLATIVE DEVELOPMENTS*

The [2014 Arizona legislative session](#) began 13 JAN 14 and adjourned 24 APR 14. For information about legislation in 2014, refer to the [May 2014](#) edition of the Review.



## *AIR*

**CLEAN AIR VEHICLE DECAL PROGRAM** The California Department of Motor Vehicles [is proposing](#) to amend its Clean Air Vehicle Decal program. The [amendments](#) would allow auto dealers to affix clean air vehicle decals to qualifying vehicles and expand the list of qualifying vehicles to include transitional zero emission vehicles (TZEVs). The drivers of vehicles with a clean air decal are allowed to use high occupancy vehicle (HOV) lanes regardless of the number of vehicle occupants. Comments are due 4 AUG 14. For more information, contact [Randi Calkins](#) at (916) 657-6469.

**AIR TOXICS HOT SPOTS PROGRAM GUIDANCE MANUAL** The California Office of Health Hazard Assessment (COEHHA) released a draft [Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments](#) for public comment. The draft guidance manual was developed by COEHHA and the California Air Resources Board (CARB) for use implementing the [Air Toxics Hot Spots Program](#). Comments are due 4 AUG 14. For more information, contact [David Siegel](#) at (916) 322-5624.

**SAN DIEGO: AIR TOXICS HOT SPOTS REPORT** The San Diego County Air Pollution Control District [announced](#) a public meeting to receive comments on the [2013 Air Toxic Hot Spots Program Report](#). The Air Toxics Hot Spots program requires facilities that emit toxic substances to provide local air pollution control districts with information to support development of effective strategies to reduce potential risks to the public from exposures to toxic chemicals. The report summarizes the Hot Spots program elements, the status of the program in San Diego County, stationary and mobile emission estimates, emission reduction efforts, results of local health risk assessments, status of public notifications, and risk reduction plans. The public workshop is scheduled for 21 JUL 14. For more information, contact Archi dela Cruz at (858) 586-2732.

**BAY AREA: FEES** The Bay Area Air Quality Management District [adopted increases](#) to fees in Regulation 3 (Fees). The fee increase ranges from 2-15%. The [final rule](#) was effective 1 JUL 14. For more information, contact [Joe Slamovich](#) at (415) 749-4681.

**SANTA BARBARA: ARCHITECTURAL COATINGS RULE** The Santa Barbara County Air Pollution Control District [adopted new Rule 323.1](#) (Architectural Coatings). The intent of the new rule is to reduce volatile organic compound (VOC) emissions from coatings used in the painting of buildings and other structures, and solvents used in association with architectural coating operations. Rule 323.1 will replace existing Rule 323. The new rule lowers VOC content limits for various coating categories in existing Rule 323 and adds new categories with VOC limits. It includes a provision to address coatings manufactured prior to the rule effective date. In addition, the rule addresses solvents used in cleaning application equipment, surface preparation, and cleanup associated with architectural coating operations. It sets the solvents' VOC content limit at 25 grams per liter. The final rule is effective 1 JAN 15. For more information, contact [Doug Grapple](#) at (805) 961-8883.

**SOUTH COAST: OFF-ROAD VEHICLE NOX EMISSIONS** South Coast Air Quality Management District [is proposing](#) to amend Rule 2449 (Control of Oxides of Nitrogen (NOx) Emissions from Off-Road Diesel Vehicles). The amendments are intended to achieve additional reductions of NOx emissions from in-use, off-road, diesel-fueled vehicles. They would implement the Surplus Off-Road Opt-In for NOx (SOON) provision of Title 13 California Code of Regulation (CCR) Section 2449 (In-Use Off-Road Diesel Vehicle Regulation). Comments were due 1 JUL 14. A [public hearing](#) was held 11 JUL 14. For more information, contact [Randall Pasek](#) at (909) 396-2251.

**SOUTH COAST: REDUCTION OF MOTOR VEHICLE EMISSIONS** The South Coast Air Quality Management District [adopted](#) Amended Rule 2202 (On-Road Motor Vehicle Mitigation Options), Rule 2202 (Implementation Guidelines), Rule 301 (Permitting and Associated Fees), and Rule 311 (Air Quality Investment Program (AQIP)). [Rule 2202](#) addresses the use of emission reduction credits (ERCs) and short-term emission reduction credits (STERCs). The implementation guidelines clarify the use of emission credits, including ERCs and STERCs. Rule 301 amendments add fees and Rule 311 amendments adjust the AQIP annual fee. The final rules were effective 6 JUN 14. For more information, contact [Ernest Lopez](#) at (909) 396-3305.

## ***HAZARDOUS MATERIALS***

**HAZMAT TRANSPORTATION** The California Highway Patrol [adopted amendments](#) to state rules for the transport of hazardous materials. The amendments align the California General Hazardous Materials Regulations with national transportation requirements. The [final rule](#) is effective 1 OCT 14. For more information, contact Joshua Clements at (916) 843-3400.

## ***NATURAL RESOURCES***

**TAKE OF RARE PLANTS** The California Fish and Game Commission [is proposing](#) to add a new rule governing the take of rare plants under California's Native Plant Protection Act. Although the California Department of Fish and Game may permit the take of threatened and endangered plants under the California Endangered Species Act (CESA) and other statutes, the department does not have the ability to permit take of rare plants. The proposed rule would allow the department to permit take of rare plants using the same procedures and subject to the same conditions relating to

incidental take permits. The proposed regulation is intended to provide a means to allow activities that are now prohibited because they involve rare plants. Comments are due 31 JUL 14. A public hearing is scheduled for 26 AUG 14. For more information, contact Craig Martz at (916) 653-4674.

**PROPOSITION 65: ETHYLENE GLYCOL** COEHHA [extended](#) the public comment period for its proposal to list ethylene glycol under Proposition 65. The public comment period was extended to 27 JUN 14. For more information, contact [Cynthia Oshita](#) at (916) 445-6900.

## **WASTE**

**TRASH CONTROL** The State Water Resources Control Board [is proposing](#) amendments to statewide water quality control plans to control trash (referred to as the proposed trash amendments). Specifically, the board is proposing to adopt the trash amendments into the forthcoming Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California (ISWEBE Plan), and the Water Quality Control Plan for Ocean Waters of California (Ocean Plan). The action is intended to provide for a consistent statewide approach to controlling trash discharges into waters of the state. A public workshop is scheduled for 16 JUL 14. Comments are due 5 AUG 14. For more information, contact [Johanna Weston](#) at (916) 327-8117.

## **WATER**

**HEXAVALENT CHROMIUM IN DRINKING WATER** The California Department of Public Health [adopted](#) a final drinking water maximum contaminant level (MCL) for hexavalent chromium (CrVI). The final rule establishes an MCL of 10 micrograms per liter ( $\mu\text{g/L}$ ), also referred to as 10 parts per billion (ppb) of CrVI for public drinking water systems. The final rule was effective 1 JUL 14. For more information, visit the department's [CrVI MCL website](#).

**NEW RULE: GROUNDWATER REPLENISHMENT USING RECYCLED WATER** The California Department of Public Health [adopted](#) an emergency regulation that establishes the process for groundwater replenishment using recycled water. This action implements requirements in [22 CCR 13562.5](#). These regulations are not subject to review by the California Office of Administrative Law, and will remain in effect until revised by the department. For more information, contact Linda Cortez at (916) 440-7807.

**DRINKING WATER SYSTEM PERMIT** The California State Water Resources Control Board [is requesting](#) public comment on a draft resolution granting a regulatory exception from specified state water quality standards for mandatory discharges from drinking water systems that result from compliance with state and federal requirements. The board is also requesting public comment on a Draft Statewide National Pollutant Discharge Elimination System (NPDES) permit for discharges from drinking water systems. The hearing is scheduled for 5 AUG 14. The board will subsequently consider adoption of the draft resolution and draft statewide permit on 23 SEP 14. For more information, contact [Renan Jauregui](#) at (916) 341-5505.

**GENERAL ORDER: DISCHARGES TO LAND FROM SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS** The California State Water Resources Control Board [scheduled a public hearing](#) to receive comments on two issues: CARB's proposed General Waste Discharge Requirements for Discharges to Land By Small Domestic Wastewater Treatment Systems (General Order) and an associated California Environmental Quality Act (CEQA) Initial Study/Negative Declaration (Negative Declaration). The board may adopt the General Order and Negative Declaration at the end of the hearing. The General Order, which would be effective state wide, would be used by regional water boards to streamline permitting of small domestic wastewater treatment systems (having an average flow rate up to 100,000 gallons per day). It will allow the use of recycled water consistent with 22 CCR. Affected wastewater treatment systems may include septic tanks, activated sludge treatment facilities, and pond facilities. The public hearing is scheduled for 23 SEP 14. Comments are due 25 JUL 14. For more information, contact [Timothy O'Brien](#) at (916) 341-6904.

**UNIFIED PROGRAM SURCHARGE ASSESSMENT FOR ABOVEGROUND PETROLEUM STORAGE** California [adopted](#) adjustments to surcharges assessed under the unified hazardous waste and hazardous materials management regulatory program

([Unified Program](#)) . The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. The surcharge is an assessment on each entity regulated under the Unified Program. The state adopted a yearly assessment of \$26.00 applicable to each tank facility regulated under the Aboveground Petroleum Storage Act (APSA) program. The APSA assessment will be part of the Unified Program state surcharge and will become effective immediately upon final publication in the California Regulatory Notice Register, applicable to fiscal year 2014/2015.

**STORAGE TANKS IN FLOOD ZONES** The California Occupational Safety and Health Standards Board [adopted](#) amendments that align section 8 CCR Section 5605 with equivalent federal standards regarding precautionary measures for installation of underground and above ground storage tanks in flood zones. The final rule is effective 1 OCT 14. For more information, contact the [standards board](#).

## LEGISLATIVE DEVELOPMENTS

The [2014 California legislative session](#) began 5 JAN 14 and adjourns 30 NOV 14. \*\* indicates the topic of the bill has changed significantly.

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<b>AIR / CLIMATE CHANGE</b>				
** <a href="#">AB 147</a> <i>Assemblyman Manuel Perez (D)</i> This bill previously addressed dust mitigation in the Salton Sea. The bill has been amended to address the penal code. The bill topic no longer falls within the scope of the Review. It will not appear again.	✓	✓		
<a href="#">AB 278</a> <i>Assemblyman Mike Gatto (D)</i> Proposes to change how the California Air Resources Board scores low carbon fuels. Requires the board to consider specific issues including deforestation, environmental law in place for the fuel's origin, and disruptions in food supply or costs.	✓	✓		
<a href="#">AB 1639</a> <i>Assemblywoman Shannon Grove (R)</i> Proposes to specify how monies collected for the Greenhouse Gas Reduction Fund may be spent. Specifies that monies should be expended to achieve the maximum technologically feasible and cost-effective reduction in greenhouse gas emissions.	✓			Failed
<a href="#">AB 1970</a> <i>Assemblyman Richard S. Gordon (D)</i> Proposes to create the Community Investment and Innovation Program, supported by the Greenhouse Gas Reduction Fund.	✓			
<a href="#">AB 2050</a> <i>Assemblyman Bill Quirk (D)</i> Proposes to amend requirements for the scoping plan developed per the Global Warming Solutions Act of 2006. Requires specific elements be included in the scoping plan. Establishes the Scoping Plan Advisory Council.	✓	✓		
<a href="#">AB 2083</a> <i>Assemblywoman Beth Gaines (R)</i> Proposes to make changes to rules relating to state mandated greenhouse gas emission reductions.	✓			

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<a href="#">AB 2348</a> <i>Assemblyman Mark Stone (D)</i> Proposes to establish the Natural Resources Climate Improvement Program to assist in the development and implementation of integrated natural resources projects that maximize greenhouse gas emissions reductions or sequestration. Authorizes expenditures from the Greenhouse Gas Reduction Fund.	✓			
<a href="#">SB 605</a> <i>Senator Ricardo Lara (D)</i> Proposes to require the California Air Resources Board, when updating the greenhouse gas scoping plan, to include specified criteria. Requires all greenhouse gas emissions reductions be achieved within the state in areas that are most impacted by greenhouse gases and other pollutants.	✓	✓		
<a href="#">SB 1122</a> <i>Senator Fran Pavley (D)</i> Proposes to appropriate monies from the Greenhouse Gas Reduction Fund for programs to support the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans within a developed area.	✓			
<a href="#">SB 1125</a> <i>Senator Fran Pavley (D)</i> Proposes to repeal requirements in the Global Warming Solutions Act for the Air Resources Board to report on greenhouse gas reduction timetables.	✓			
<a href="#">SB 1156</a> <i>Senator Darrell Steinberg (D)</i> Proposes to impose a carbon tax of an unspecified amount per ton of carbon dioxide equivalent emissions on suppliers of fossil fuels.	✓			
<b>ENERGY</b>				
<a href="#">AB 407</a> <i>Assemblyman V. Manuel Perez (D)</i> Proposes to address renewable energy sources in the Salton Sea. Requires the State Energy Resources Conservation and Development Commission to develop renewable energy resources in and around the Salton Sea Known Geothermal Resource Area and the Geysers Geothermal Field.	✓	✓		
** <a href="#">AB 1014</a> <i>Assemblyman Das Williams (D)</i> This bill previously addressed the Green Tariff and Shared Renewable Generation program. The bill has been amended to address gun violence and the penal code. The bill topic no longer falls within the scope of the Review. It will not appear again.	✓	✓		
<a href="#">AB 1624</a> <i>Assemblyman Richard S. Gordon (D)</i> Proposes to authorize the Public Utilities Commission to collect funds for the self generation program. Requires electrical corporations to administer the program for distributed energy resources.	✓	✓		
<a href="#">AB 1763</a> <i>Assemblyman Henry T. Perea (D)</i> Proposes to make changes to existing requirements related to California State Energy Resources Conservation and Development Commission forecasts.	✓	✓		
<a href="#">AB 1935</a> <i>Assemblywoman Nora Campos (D)</i> Proposes to require Public Utilities Commission to study and submit a report to the Legislature and the Governor on the impacts of clean distributed energy resources on the state's distribution and transmission grid.	✓	✓		

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<a href="#">AB 2229</a> <i>Assemblyman Steven Bradford (D)</i> Proposes to require the Public Utilities Commission and the DoD to identify all achievable cost-effective electricity and natural gas efficiency savings at military bases/facilities. Establishes targets.	✓	✓		
<a href="#">AB 2334</a> <i>Assemblyman Adam Gray (D)</i> Proposes to require the Public Utilities Commission to develop an economic pilot program to encourage new business activity at 3 former military bases. Requires the pilot program to run for 7 years and provide discounted rates to new and existing eligible businesses.	✓			
<a href="#">AB 2363</a> <i>Assemblyman Bill Quirk (D)</i> Proposes to specify methods for calculating costs for renewable energy.	✓	✓		
<a href="#">AB 2390</a> <i>Assemblyman Al Muratsuchi (D)</i> Proposes to develop a Low Carbon and Renewable Fuels Credit Reserve to facilitate the development of renewable and low carbon transportation fuel projects in California.	✓			
** <a href="#">AB 2649</a> <i>Assemblyman Kevin Mullin (D)</i> This bill previously proposed to authorize a military installation to exceed the one megawatt net metering capacity limit for "eligible-customer generators." The bill has been amended to define an independent generation facility as a military installation and to address interconnection by an independent generation facility to the utility electric grid.	✓	✓		
** <a href="#">SB 1078</a> <i>Senator Hannah-Beth Jackson (D)</i> This bill previously proposed to require independent system operators (nonprofit energy corporations) to use "cost-effective demand side and renewable energy resources" to meet the needs of the state's electricity consumers. The bill has been amended. It now addresses actions needed to achieve any post-2020 greenhouse gas emissions reductions, if adopted.	✓			
<a href="#">SB 1139</a> <i>Senator Ben Hueso (D)</i> Proposes to amend rules for grants and loans to facilitate development of geothermal energy.	✓	✓		
<a href="#">SB 1195</a> <i>Senator Alex Padilla (D)</i> Proposes to repeal requirements related to electrical restructuring. Repeals provisions related to reporting, calculation of energy credits, cost recovery plans, peak load, determination of rates, and recovery of certain employee costs.	✓	✓		
<b>LAND USE</b>				
<a href="#">AB 1799</a> <i>Assemblyman Richard S. Gordon (D)</i> Proposes to amend financial requirements associated with conservation easements. Eliminates certain financial requirements for credit worthy governmental and nonprofit organizations.	✓			
<a href="#">AB 1961</a> <i>Assemblywoman Susan Eggman (D)</i> Proposes to require each county with significant agricultural land resources to develop a sustainable farmland strategy.	✓			

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<b>SB 1289</b> <i>Senator Jean Fuller (R)</i> Proposes to transfer additional state lands near the Johnson Valley Off-Highway Vehicle Recreation Area for off-highway vehicle recreation.	✓			
<b>NATURAL RESOURCES</b>				
<b>AB 1514</b> <i>Assemblywoman Lorena Gonzalez (D)</i> Proposes to authorize the Department of Fish and Wildlife to enter into an agreement to prepare a natural community conservation plan. Provides for management and conservation of wildlife species, including those not listed as endangered or threatened. Authorizes a person or local, state, or federal agency to undertake natural community conservation planning.	✓			
<b>AB 2193</b> <i>Assemblyman Richard S. Gordon (D)</i> Proposes to enact the Habitat Restoration and Enhancement Act. Creates a fund to be used for habitat restoration. Establishes fees.	✓	✓		
<b>AB 2409</b> <i>Assemblyman Ken Cooley (D)</i> Proposes to allow the Department of Fish and Wildlife to enter into land use contracts with public agencies to conserve waterfowl habitat.	✓			
<b>AB 2417</b> <i>Assemblyman Adrin Nazarian (D)</i> Proposes to exempt recycled water distribution systems from California Environmental Quality Act requirements.	✓	✓		
<b>AB 2629</b> <i>Assemblyman Richard Bloom (D)</i> Proposes to expedite the review and approval process for certain conservation or mitigation banks where the proponent already has a federally approved conservation or mitigation bank for the species.	✓			
<b>SB 1184</b> <i>Senator Fran Pavley (D)</i> Proposes to require the San Francisco Bay Conservation and Development Commission to protect San Francisco Bay area residents from potential inundation and flooding from sea level rise by preparing a regional resilience strategy for adapting to rising sea levels.	✓			
<b>SB 1194</b> <i>Senator Ben Hueso (D)</i> Proposes to state the intent of the Legislature to reduce plastic debris in the marine environment, reduce financial burdens for reducing plastic pollution, and provide resources for local pollution prevention and infrastructure projects.	✓			
<b>OTHER</b>				
<b>AB 2117</b> <i>Assemblyman K.H. Katcho Achadjian (R)</i> Proposes to eliminate a requirement related to noise in land use planning requirements.	✓	✓		
<b>AB 2341</b> <i>Assemblywoman Sharon Quirk-Silva (D)</i> Proposes to add a reporting process requiring local educational agencies to report the enrollment of pupils of military families, with the intent of removing barriers to educational success due to frequent moves.	✓	✓		



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<a href="#">AB 2545</a> <i>Assemblywoman Bonnie Lowenthal (D)</i> Proposes to make changes to laws governing allegations of sexual assault by members of the military. Addresses access to the victims' compensation fund.	✓	✓		
<a href="#">AB 2657</a> <i>Assemblyman Richard Bloom (D)</i> Proposes to limit the application of specified anticoagulant pesticides in "environmentally sensitive" areas.	✓	✓		
<a href="#">SB 1117</a> <i>Senator Bill Monning (D)</i> Proposes to revise information that the Department of Pesticide Regulation is required to post on its website. Expands the ability of the department to continue to authorize the use certain pesticides that have migrated to groundwater.	✓	✓		
<a href="#">SB 1421</a> <i>Senator Jean Fuller (R)</i> Proposes to amend funding for construction at public elementary and secondary schools. Provides matching funding to schools that are located on U.S. military bases and eligible for federal construction funding assistance.	✓	✓		
<b>WASTE</b>				
<a href="#">AB 467</a> <i>Assemblyman Mark Stone (D)</i> Proposes to require the California State Board of Pharmacy to license a surplus medication collection and distribution intermediary to facilitate the connection of participating entities under the unused medication repository and distribution program. Prohibits the intermediary from taking possession, custody, or control of dangerous drugs and devices, and authorizes him or her to charge specified fees for the costs of services.	✓	✓	✓	Signed by Governor
<a href="#">AB 1594</a> <i>Assemblyman Das Williams (D)</i> Proposes to amend requirements for city, county, and regional agency integrated waste management plans. Amends requirements pertaining to source reduction and recycling elements in these plans. Authorizes rules governing the use of green material as alternative daily cover under certain conditions.	✓	✓		
<a href="#">AB 1826</a> <i>Assemblyman Wesley Chesbro (D)</i> Proposes to require local jurisdictions to implement an organic waste recycling program. Authorizes fees for generators of organic wastes.	✓	✓		
<a href="#">AB 1966</a> <i>Assemblyman Jim Patterson (R)</i> Proposes to require the Department of Toxic Substances Control to periodically update its references to the EPA document SW 846 <i>Test Methods for Evaluating Solid Waste, Physical/Chemical Methods</i> in state hazardous waste regulations.	✓			
<a href="#">AB 2251</a> <i>Assemblywoman Mariko Yamada (D)</i> Proposes to specify that advertisements reflect beverage container deposit/redemption costs in accordance with the state bottle bill.	✓	✓		
<a href="#">AB 2666</a> <i>Assemblyman Tom Daly (D)</i> Proposes to amend the term "person" as used in the Electronic Waste Recycling Act of 2003, to exclude the United States and its agencies and instrumentalities.	✓			

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<p><a href="#">SB 712</a>  <i>Senator Ricardo Lara (D)</i>  Proposes to require the California Department of Toxic Substances Control to take final action on an application for a hazardous waste facilities permit submitted by a facility operating under interim status on or before 1 JAN 86, by either issuing a final permit or a final denial. Requires the department to issue a final decision by 31 DEC 15.</p>	✓	✓		
<p><a href="#">SB 812</a>  <i>Senator Kevin De Leon (D)</i>  Proposes to amend the permit application process for facilities that treat, store, or dispose of hazardous waste. Addresses interim hazardous waste permits.</p>	✓	✓		
<p><a href="#">SB 1261</a>  <i>Senator Hannah-Beth Jackson (D)</i>  Proposes to increase fees from hazardous material and hazardous waste activities to fund emergency response costs. Makes changes to hazardous material business plan requirements. Revises information that must be included in business plans. Makes changes to certain exemptions from the business plan requirement for remote unstaffed locations. Shortens the review/re-submittal period for business plans from once every three years to every year. Requires business plans be publicly available.</p>	✓	✓		
<b>WATER</b>				
<p><b>**<a href="#">AB 155</a></b>  <i>Assemblyman Luis Alejo (D)</i>  This bill previously addressed the Salinas River Management Program. The bill has been amended. It now proposes to construct a tunnel to connect Lake San Antonio and Lake Nacimiento, with the intent to maximize water storage, supply, and groundwater recharge.</p>	✓	✓		
<p><a href="#">AB 282</a>  <i>Assemblyman Bob Wieckowski (D)</i>  Proposes to increase the fee to store petroleum in an underground storage tank by \$0.006 per gallon until 2016.</p>	✓	✓		
<p><a href="#">AB 371</a>  <i>Assemblyman Rudy Salas (D)</i>  Proposes to allow the Kern County Board of Supervisors to regulate or prohibit by ordinance, in a manner more stringent than state or federal law, the land application of sewage sludge in unincorporated areas under the county's jurisdiction.</p>	✓	✓		
<p><a href="#">AB 467</a>  <i>Assemblyman Mark Stone (D)</i>  Proposes to require the state board, in expending moneys from the Freshwater Protection Fund, to prioritize programs that provide drinking water solutions for disadvantaged and severely disadvantaged communities.</p>	✓	✓	✓	Signed by Governor
<p><a href="#">AB 687</a>  <i>Assemblyman Roger Hernandez (D)</i>  Proposes to amend regulations related to the Department of Water and direct transactions between electricity suppliers and end users. Adds requirements related to cleanup of contaminated groundwater.</p>	✓	✓		
<p><a href="#">AB 1445</a>  <i>Assemblyman Dan Logue (R)</i>  Proposes to create the Safe, Clean, and Reliable Drinking Water Supply Act of 2014 to authorize the issuance of bonds to finance a safe drinking water and water supply reliability program.</p>	✓			
<p><a href="#">AB 1632</a>  <i>Assemblywoman Kristin Olsen (R)</i>  Proposes to make changes to the water rights beneficial uses program.</p>	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">AB 1671</a> <i>Assemblyman Jim Frazier (D)</i> Proposes to prohibit the state from constructing water facilities as part of a specified water conveyance system unless authorized by the legislature.	✓			
<a href="#">AB 1707</a> <i>Assemblyman Scott Wilk (R)</i> Proposes to make changes to state laws governing state and regional water quality control boards and implementation of the national pollutant discharge elimination system permitting program. Requires certain documentation regarding proposed rules be posted on the Water Board website.	✓	✓		
<a href="#">AB 1807</a> <i>Assemblyman Brian Dahle (R)</i> Proposes to make technical changes to laws governing state and regional water quality control board management of federal and state discharge permit programs.	✓			
<a href="#">AB 1808</a> <i>Assemblyman Brian Dahle (R)</i> Proposes to make technical changes to the California State Drinking Water Act.	✓			
<a href="#">AB 2049</a> <i>Assemblyman Brian Dahle (R)</i> Proposes to change requirements related to water treatment facilities. Limits the use of point-of-entry and point-of-use treatment (in lieu of centralized treatment) to water systems with less than 500 service connections.	✓	✓		
<a href="#">AB 2179</a> <i>Assemblyman Adam Gray (D)</i> Proposes to require the state board to establish standards and goals for achieving water use efficiency, in conjunction with the University of California, Merced.	✓			
<a href="#">AB 2189</a> <i>Assemblyman Adam Gray (D)</i> Proposes to make changes to groundwater replenishment districts and replenishment assessments. Addresses public notice and public hearing requirements.	✓			
<a href="#">AB 2269</a> <i>Assemblyman Frank Bigelow (R)</i> Proposes to make changes to requirements for integrated regional water management plans.	✓			
<a href="#">AB 2403</a> <i>Assemblyman Anthony Rendon (D)</i> Proposes to modify the definition of water to include recycled water and stormwater intended for water service. Makes legislative findings.	✓	✓	✓	Signed by Governor
<a href="#">AB 2432</a> <i>Assemblyman Rudy Salas (D)</i> Proposes to make technical changes to state rules governing drinking water and public water systems.	✓			
<a href="#">AB 2446</a> <i>Assemblywoman Marie Waldron (R)</i> Proposes to make changes to rules for recycled water.	✓	✓		
<a href="#">AB 2619</a> <i>Assemblywoman Beth Gaines (R)</i> Proposes to prohibit provisions related to operation and/or maintenance of "fishways" associated with dams during critically dry years.	✓			

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1<sup>st</sup> House</i>	<i>Passed 2<sup>nd</sup> House</i>	<i>Status</i>
<a href="#">AB 2680</a> <i>Assemblyman Adrin Nazarian (D)</i> Proposes to make amendments to legislative findings and declarations in the Porter-Cologne Water Quality Control Act.	✓			
<a href="#">AB 2725</a> <i>Assemblywoman Cheryl Brown (D)</i> Proposes to promote urban waterway restoration. Adds a requirement for the Department of Water Resources to release information about urban waterway restoration with its releases of other California Water Plan data. Specifies urban waterway restoration as a beneficial use.	✓			
<a href="#">AB 2737</a> <i>Committee On Environmental Safety And Toxic Materials</i> Proposes to collect data on drinking water quality in schools and communities in Fresno, Imperial, and Monterrey counties. Evaluates nitrite and arsenic levels in drinking water in disadvantaged communities.	✓			
<a href="#">SB 104</a> <i>Committee On Budget And Fiscal Review</i> Proposes to establish fees for violations of water use permits, unauthorized water use/transfer, and water trespass during drought/dry years.	✓	✓	✓	Signed by Governor
<a href="#">SB 985</a> <i>Senator Fran Pavley (D)</i> Proposes to require a county or district stormwater resource plan to identify opportunities to use existing publicly owned lands to capture and reuse stormwater.	✓	✓		
<a href="#">SB 1168</a> <i>Senator Fran Pavley (D)</i> Proposes to enact the Sustainable Groundwater Management Act. Authorizes the development of a sustainable groundwater management plan.	✓	✓		
<a href="#">SB 1259</a> <i>Senator Fran Pavley (D)</i> Proposes to amend requirements related to maintenance and operation of flood control facilities in the Central Valley. Addresses dam siltation.	✓	✓		
<a href="#">SB 1319</a> <i>Senator Fran Pavley (D)</i> Proposes to amend the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. Requires the California oil spill contingency plan to consider additional elements, including physical and chemical properties of transported oil.	✓	✓		
<a href="#">SB 1420</a> <i>Senator Lois Wolk (D)</i> Proposes to add a reporting element to water management plans developed by water suppliers. Requires reporting of water loss.	✓	✓		



## **LEGISLATIVE DEVELOPMENTS**

The [2014 Hawaii legislative session](#) began 15 JAN 14 and adjourned 1 MAY 14.

In addition, the [Guam 32<sup>nd</sup> legislative session](#) began 14 JAN 13 and adjourns 31 DEC 14. \* indicates the first time a bill appears in the 2014 Review.

[BCOR 11-32](#) proposes to create the Guam Coral Reef Protection Act. The act includes notification provisions for any person who damages corals and provides for civil and other penalties. Introduced 10 JAN 13.

\*[BCOR 337-32](#) proposes to require petroleum underground storage tanks be removed within 120 days after submittal of a notice of intent for permanent closure. Increases fees. Introduced 9 MAY 14.

\*[BCOR 339-32](#) proposes to establish a commercial recycling program. Introduced 12 MAY 14.

[RCOR 186-32](#) proposes to request the United States permanently station a Terminal High Altitude Area Defense (THAAD) system and Patriot Missile Defense System on Guam. Introduced 15 JUL 13.

[RCOR 189-32](#) proposes to adopt Zero Waste as a guiding principle for sustainable materials management and to adopt a Zero Waste Plan for Guam to preserve the Lanyon landfill. Introduced 17 JUL 13.

[BLS 279-32](#) proposes that Guam EPA conduct a one-year pilot project demonstrating the ability of Guam to develop a beneficial use for discarded glass bottles. Introduced 20 FEB 14, Passed 9 MAY 14, [Vetoed](#) 9 MAY 14.



## **AIR**

**AMBIENT AIR QUALITY STANDARDS** The Nevada Environmental Commission (NSEC) [adopted amendments](#) that [align](#) state standards with federal NAAQS. The amendments revise the nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and PM<sub>2.5</sub> standards in the Nevada Standards column of Nevada Administrative Code (NAC) [445B.22097](#). This action was taken in response to an EPA determination that the Nevada SIP is deficient in its implementation of the 2006 PM<sub>2.5</sub> NAAQS. EPA also [determined](#) the state must address the 2010 one-hour NO<sub>2</sub> and SO<sub>2</sub> standards. The amendments were effective 23 JUN 14.

## **NATURAL RESOURCES**

**SAGE-GROUSE COMPETITIVE GRANT FUND** The Nevada Department of Conservation and Natural Resources [established](#) a Sage-Grouse Habitat Competitive Grant Fund. This action amends Chapter 548.120 Section 7 NAC. The adopted regulation establishes a sage-grouse grant program for qualified conservation districts in Nevada that have sage-grouse habitat or potential sage-grouse habitat within their boundaries and projects that directly benefit those populations. The final rule was effective 23 JUN 14. For more information, contact Joe Locurto at (775) 684-8600.

## **WASTE**

**NEW SOLID WASTE FACILITY FEES** NSEC [is proposing](#) to establish new fees for landfill disposal facilities. The new fee structure would apply to:

- Application fees for obtaining a permit or approval to operate a new solid waste facility;
- Annual permit fees applicable to certain Class I and Class III disposal sites; and
- Fees related to requests to modify an existing permit.

NSEC is currently scheduled to consider the new fees at its [8 OCT 14 regulatory meeting](#).

**REVISED HAZARDOUS WASTE FACILITY FEES** NSEC [is proposing](#) to revise existing fees applicable to facilities that treat, store, or dispose of hazardous waste. This action would:

- Revise and increase fees;
- Change permit review fees from the existing hourly basis to a flat fee structure; and
- Clarify that annual permit fees apply to facilities where a remedial action plan has been permitted pursuant to Title 40 Code of Federal Regulation (CFR) Part 270 Subpart H.

NSEC is currently scheduled to consider the new fees at its [8 OCT 14 regulatory meeting](#).

## ***LEGISLATIVE DEVELOPMENTS***

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

# Department of Defense Activity

## ***ENERGY***

**ARMY DIRECTIVE FOR ADVANCED UTILITY METERING** The Secretary of the Army signed Army Directive [2014-10](#) (Advanced Metering of Utilities). The directive sets policy and assigns responsibilities for installing advanced meters on utility systems at Army installations. It establishes standards and milestones for installation of advanced metering for electricity, natural gas, steam, and water. It also requires the Office of Assistant Chief of Staff for Installation Management (OACSIM) to develop, within nine months, a meter data management plan that describes how the Army plans to cost-effectively deploy advanced metering systems and how it intends to use the meter data to manage energy and water use. The plan will include all utility meters and provide guidance on prioritization.

**COMMITTEE SUGGESTS POWER PURCHASE AGREEMENTS COULD SUPPORT REGIONAL PROJECTS** The Senate Armed Services Committee issued a [report](#) suggesting the DoD should build on its use of power purchase agreements (PPAs) at individual installations and consider regional initiatives. The report acknowledged DoD's achievements in using PPAs to purchase renewable energy under long-term, competitive prices while shifting operational costs to power suppliers. The report notes that the authority for DoD to enter into PPAs comes from Title 10 U.S. Code Section 2922a ([10 USC 2922a](#)) and that authority is not restricted to individual installations. The report, S. 113-176, which accompanied Senate Bill 2410 is available from the [committee website](#).

**EPEAT LIST EXPANDED** DoD, General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) issued an interim final rule expanding the Federal Acquisition Regulation (FAR) for Electronic Product Environmental Assessment Tool (EPEAT)-registered products ([79 FR 35859](#)). The FAR now includes televisions and imaging equipment (i.e., copiers, digital duplicators, facsimile machines, mailing machines, multifunction devices, printers, and scanners). The interim final rule was effective 24 JUN 14. Comments submitted by 25 AUG 14 will be considered in the formulation of a final rule. For more information, contact Edward Chambers at (202) 501-3221.

## ***NATURAL RESOURCES***

**CORRECTION: AIR FORCE NEPA PROCESS** The Air Force made technical corrections to its Environmental Impact Analysis Process, codified at [32 CFR 989 \(79 FR 35286\)](#). The rule describes the Air Force process for compliance with the National Environmental Policy Act (NEPA) and Executive Order (EO) [12114](#) (Environmental Effects Abroad of Major Federal Actions). This final rule was effective 20 JUN 14. For more information, contact Jack Bush at (703) 614-0237.

# Federal Activity

**SEMIANNUAL REGULATORY AGENDA** Federal agencies have released their semiannual regulatory agendas ([79 FR 34115](#)). The agendas update the public on regulations and major policies currently under development. For information about policies under development, visit the [reginfo.gov](#) website and click on the current agenda and plan under the Unified Agenda tab, then select the agency of interest to view ongoing rule updates.

## AIR

**NONATTAINMENT CLASSIFICATION AND SIP DEADLINES FOR PM2.5 NAAQS** In response to a court remand, the Environmental Protection Agency (EPA) issued a final rule that affects areas in nonattainment for the 1997 and 2006 PM2.5 NAAQS. In 2013, the D.C. Circuit Court determined that the EPA should be implementing its PM2.5 standards under different Clean Air Act (CAA) requirements than those the EPA had been following. These standards, found in [CAA, Title I, Part D, Subpart 4](#), require the EPA to classify areas based on the severity of their PM2.5 pollution. The rule takes final action on the classifications. The rule sets a deadline of 31 DEC 14 for states to submit any remaining attainment-related SIPs. For more information, contact Mia South at (919) 541-5550, visit [EPA's website for PM2.5](#), or view this [factsheet](#).

**INTEGRATED REVIEW PLAN: NAAQS FOR NO2** EPA released a final integrated review plan for the primary NO<sub>2</sub> NAAQS ([79 FR 36801](#)). The document contains the plans for review of the air quality criteria for health for NO<sub>x</sub> and primary NAAQS for NO<sub>2</sub>. The primary NO<sub>2</sub> NAAQS provide for the protection of public health from exposure to NO<sub>x</sub> in ambient air. For more information, contact [Beth Hassett-Sipple](#) at (919) 541-4605 or visit EPA's [NO<sub>2</sub> standards website](#).

**ARIZONA SIP: MARICOPA PM10 NONATTAINMENT AREA** EPA approved revisions to the Arizona SIP applicable to the Maricopa County (Phoenix) coarse particulate (PM10) nonattainment area ([79 FR 33107](#)). The revisions consist of the *Maricopa Association of Governments 2012 Five Percent Plan for PM10 for the Maricopa County Nonattainment Area* and the *2012 Five Percent Plan for the Pinal County Township 1 North, Range 8 East Nonattainment Area* (collectively, the 2012 Five Percent Plan). EPA approved the 2012 Five Percent Plan, effective 10 JUL 14. The plan includes many of the most stringent dust control measures in the country. For more information, contact [Doris Lo](#) at (415) 972-3959 or view the district [announcement](#).

## CLIMATE CHANGE

**SUPREME COURT RULES ON EPA REGULATION OF GHG** On June 23, 2014, the U.S. Supreme Court issued its decision in *Utility Air Regulatory Group v. EPA* ([No. 12-1146](#)). The Court said that EPA may not treat greenhouse gases (GHGs) as an air pollutant for purposes of determining whether a source is a major source required to obtain a permit under the Prevention of Significant Deterioration (PSD) program or Title V. The Court also said that PSD permits that are otherwise required (based on emissions of other pollutants) may continue to require limitations on GHG emissions based on the application of Best Available Control Technology (BACT). EPA is currently evaluating the implications of the Court's decision and awaiting further action by the U.S. Courts. As the agency seeks to understand the full impact of the decision on PSD and Title V permitting regulations, it will provide relevant guidance and information on GHG permitting requirements through [this website](#).

**GAO REVIEW OF DoD CLIMATE CHANGE ADAPTATION** The Government Accountability Office (GAO) conducted a review of DoD's actions to adapt its U.S. infrastructure to the challenges of climate change and issued a report ([GAO-14-446](#)). For this report, GAO reviewed DoD documents on climate change, infrastructure planning, and funding processes; interviewed cognizant officials; and visited or contacted 15 sites in various regions and from each military department. What GAO found is that installation officials rarely propose climate change adaptation projects because the services'

processes for approving and funding military construction projects do not include climate change adaptation in the criteria used to rank potential projects. As a result, installation planners may believe that climate change adaptation projects are unlikely to successfully compete with other military construction projects for funding. GAO recommends that DoD develop a plan and milestones for completing climate change vulnerability assessments of installations; provide information to installation planners clarifying actions that should be taken to account for climate change in planning documents; and clarify the processes used to compare military construction projects for funding, to include consideration of potential climate change impacts. DoD concurred with GAO's recommendations.

**CARBON EMISSION GUIDELINES FOR EXISTING STATIONARY EGUS** EPA is proposing new rules that would require states to reduce GHG emissions from existing fossil fuel-fired utility electric generating units (EGUs) ([79 FR 34829](#)). The proposal is part of EPA's plan to reduce power plant carbon dioxide (CO<sub>2</sub>) emissions by approximately 30% below 2005 levels by 2030. In this action, EPA is proposing guidelines states would use to develop state-specific goals and plans to achieve those goals. EPA is also proposing state-specific rate-based goals for CO<sub>2</sub> emissions from the power sector. Comments are due 16 OCT 14. Public hearings are scheduled for the week of 28 JUL 14 in Atlanta, Georgia, Denver, Colorado, Washington, D.C., and Pittsburg, Pennsylvania. For more information, contact [Amy Vasu](#) at (919) 541-0107 or view this [fact sheet](#).

**CARBON EMISSION GUIDELINES FOR MODIFIED STATIONARY EGUS** EPA is proposing new rules that would require states to reduce GHG emissions from modified and reconstructed fossil fuel-fired utility EGUs ([79 FR 34959](#)). Specifically, EPA is proposing standards to limit emissions of CO<sub>2</sub> from affected modified and reconstructed electric utility steam generating units and natural gas-fired stationary combustion turbines. Comments are due 16 OCT 14. Public hearings are scheduled for the week of 28 JUL 14 in Atlanta, Georgia, Denver, Colorado, Washington, D.C., and Pittsburg, Pennsylvania. For more information, contact [Amy Vasu](#) at (919) 541-0107 or view this [fact sheet](#).

**REVIEW OF PRESIDENT OBAMA'S CLIMATE ACTION PLAN** The Congressional Research Service (CRS) prepared [a report](#) to Congress summarizing President Obama's Climate Action Plan and actions taken to date, including quotes from speeches, Executive Orders issued, and proposed/final regulatory actions to limit carbon emissions. The report also includes a discussion of climate impacts related to the proposed Keystone XL pipeline, and a list of possible issues for Congress to explore.

## ***CERCLA***

**STANDARDS AND PRACTICES FOR ALL APPROPRIATE INQUIRIES** EPA is proposing to amend the standards and practices for conducting all appropriate inquiries under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) ([79 FR 34480](#)). In this action, EPA is proposing to remove the reference to ASTM International's E1527-05 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) from the All Appropriate Inquiries rule. Comments are due 17 JUL 14. For more information, contact [Patricia Overmeyer](#) at (202) 566-2774.

## ***ENERGY***

**GEOTHERMAL DATA** The Department of Energy (DOE) launched the [National Geothermal Data System](#), an online open-source platform to facilitate the discovery and use of geothermal data, enabling researchers to speed geothermal energy development. The online tool will allow access to quantifiable, technical data in digital format, breaking down barriers to development and deployment of geothermal energy. The public data platform encompasses thousands of databases, geologic maps, and reports. It draws from digitized records that were previously unavailable in an effort to aid discovery of new data on geologic features, faults, seismicity, heat flow, geochemistry, drilling, and temperatures at various depths and in specific geographic areas.

**GRID-CONNECTED BUILDINGS AND EQUIPMENT** DOE is soliciting public comment on a draft framework for the physical characterization of grid-connected commercial and residential buildings end-use equipment and appliances ([79 FR 32542](#)). A [public meeting](#) was held 11 JUL 14. For more information, contact [Joseph Hagerman](#) at (202) 586-4549.



## ***NATURAL AND CULTURAL RESOURCES***

**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS** The Department of Interior (DOI) confirmed the interim final rule published [5 JUL 11](#), which removed the definition of Indian tribe from regulations implementing the Native American Graves Protection and Repatriation Act (NAGPRA), because the definition is inconsistent with the statutory definition of that term ([79 FR 33482](#)). The action confirms the 5 JUL 11 rule without change. DOI rules implementing NAGPRA expanded the definition of Indian tribe to include any Alaska Native corporation. In July 2010, GAO issued a report ([GAO-10-768](#)) noting the inconsistency and the uncertainties created by the expanded definition and made recommendations that DOI reassess whether Alaska Native Claims Settlement Act (ANCSA) corporations should be considered as eligible entities. DOI's action confirms that Alaska Native corporations have been removed from the definition of Indian tribe in NAGPRA implementing regulations. The final rule was effective 11 JUN 14. For more information, contact [Sherry Hutt](#) (202) 354-1479.

**GOVERNMENT TO GOVERNMENT RELATIONSHIP WITH NATIVE HAWAIIANS** DOI is soliciting comment on whether to propose an administrative rule that would facilitate the reestablishment of a government-to-government relationship with the Native Hawaiian community ([79 FR 35296](#)). DOI is seeking comments solely on five threshold questions:

- Should the Secretary [of the Interior] propose an administrative rule that would facilitate the reestablishment of a government-to-government relationship with the Native Hawaiian community?
- Should the Secretary assist the Native Hawaiian community in reorganizing its government, with which the United States could reestablish a government-to-government relationship?
- If so, what process should be established for drafting and ratifying a reorganized Native Hawaiian government's constitution or other governing document?
- Should the Secretary instead rely on the reorganization of a Native Hawaiian government through a process established by the Native Hawaiian community and facilitated by the state of Hawaii, to the extent such a process is consistent with federal law?
- If so, what conditions should the Secretary establish as prerequisites to federal acknowledgment of a government-to-government relationship with the reorganized Native Hawaiian government?

Comments are due 19 AUG 14. For more information, contact [John Strylowski](#) at (202) 208-3071.

**NOAA TO EVALUATE COASTAL PLANS: MARIANAS ISLANDS** The National Oceanic and Atmospheric Administration (NOAA) will evaluate the performance of the commonwealth of the Northern Marianas Islands coastal management program ([79 FR 33910](#)). Evaluation of a coastal management program requires findings concerning the extent to which a state has met the national objectives, adhered to its coastal management program document, and adhered to the terms of financial assistance awards funded under the Coastal Zone Management Act (CZMA). A public meeting is scheduled for 5 AUG 14. For more information, contact [Carrie Hall](#) at (301) 563-1135.

**PROPOSED EXPANSION: PACIFIC REMOTE ISLANDS MARINE NATIONAL MONUMENT** The White House [announced](#) new plans to expand the preservation of marine areas in the Pacific Ocean. [Under the proposal](#), the Pacific Remote Islands Marine National Monument could be expanded from almost 87,000 square miles to nearly 782,000 square miles, adjacent to seven islands and atolls controlled by the United States. The designation would include waters up to 200 nautical miles offshore from the territories. The proposal for the protected marine area is expected to go into effect later this year after a public comment period.

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

**COMMENT PERIOD EXTENDED: CRITICAL HABITAT DEFINITIONS AND REGULATIONS** The Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) extended the public comment period for their 12 MAY 14 proposed amendments to definitions and regulations regarding critical habitat under the Endangered Species Act (ESA) ([79 FR 36284](#)). The [proposed amendment to definitions](#) would revise the term destruction or adverse modification (50 CFR Part 402.02). The [proposed rule to revise regulations](#) for designating critical habitat would clarify procedures for

designating and revising critical habitat by making minor edits to the scope and purpose, adding and removing some definitions, and clarifying the criteria for designating critical habitat. Comments are due 9 OCT 14. For more information about the proposed revised definition of destruction or adverse modification of critical habitat, contact Patrice Ashfield (FWS) at (703) 358-2171 or Cathryn Tortorici (NMFS) at (301) 427-8405. For more information about the proposed revised regulations for designating critical habitat, contact Douglas Krofta (FWS) at (703) 358-2527 or Marta Nammack (NMFS) at (301) 427-8469.

**COMMENT PERIOD EXTENDED: POLICY FOR CRITICAL HABITAT EXCLUSIONS** FWS and NMFS extended the public comment period for their [12 MAY 14](#) proposed draft policy regarding implementation of ESA Section 4(b)(2) ([79 FR 36330](#)). The draft policy on exclusions from critical habitat provides the services' position on how they consider partnerships and conservation plans, conservation plans permitted under ESA Section 10 (i.e., incidental take), tribal lands, national security and homeland security impacts and military lands, federal lands, and economic impacts in the exclusion process. The draft policy is meant to complement the amendments to service regulations regarding impact analyses of critical habitat designations. It is intended to clarify expectations regarding critical habitat and provide for a credible, predictable, and simplified critical habitat exclusion process. Comments are due 9 OCT 14. For more information, contact Douglas Krofta (FWS) at (703) 358-2527 or Marta Nammack (NMFS) at (301) 427-8469.

**FWS EAGLE TAKE PROGRAM** FWS announced it will hold five public scoping meetings to inform its decision to prepare either an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) in conjunction with an evaluation of its eagle management objectives ([79 FR 35564](#)). Under the current management approach, permitted take of bald eagles is capped at 5% estimated annual productivity for bald eagles. Because FWS lacked data, it set take thresholds for golden eagles at zero for all regional populations. The decision to prepare an EA or EIS will be contingent on the complexity of issues identified during and following the scoping phase of the NEPA process. Meetings are scheduled for July and August 2014. Comments are due 22 SEP 14. For more information, contact [Eliza Savage](#) at (703) 358-2329 or visit the FWS [Migratory Bird Program website](#).

**VOLUNTARY GUIDELINES TO PREVENT INTRODUCTION AND SPREAD OF AQUATIC INVASIVE SPECIES** FWS released voluntary guidelines to prevent the introduction and spread of aquatic invasive species from [recreational activities](#) and [water gardening](#) ([79 FR 32308](#)). The voluntary guidelines are intended for use by agencies and organizations to inform the public and industry about the risks associated with everyday activities that may spread aquatic invasive species. The intent of this information is to encourage the public and industry to take precautions to limit the spread of aquatic invasive species. For more information, contact [Laura Norcutt](#) or visit the Aquatic Nuisance Species Taskforce [website](#).

**CRITICAL HABITAT: CANADA LYNX DPS** FWS reopened the public comment period on its [26 SEP 13](#) proposed revised designation of critical habitat for the contiguous U.S. distinct population segment (DPS) of the [Canada lynx](#) (*Lynx canadensis*) ([79 FR 35303](#)). The 26 SEP 13 revision would designate critical habitat for the DPS in northern Maine (unit 1), northeastern Minnesota (unit 2), northwestern Montana and northeastern Idaho (unit 3), north-central Washington (unit 4), and southwestern Montana and northwestern Wyoming (unit 5). Comments are due 21 JUL 14. For more information, contact Jodi Bush at (406) 449-5225.

**NEW MEXICO JUMPING MOUSE** FWS determined threatened status for the [New Mexico jumping mouse](#) (*Zapus hudsonius luteus*), which is found in Arizona, Colorado, and New Mexico ([79 FR 33119](#)). In addition, the service announced it will publish critical habitat designation for the species as soon as possible. The final status rule was effective 10 JUL 14. For more information, contact Wally Murphy at (505) 346-2525.

**STATUS AND CRITICAL HABITAT DESIGNATION: WEBBER'S INVESIA** FWS issued final rules designating the plant [Webber's invesia](#) (*Ivesia webberi*) as threatened ([79 FR 31878](#)) and designating critical habitat ([79 FR 32125](#)). Approximately 2,170 acres in Plumas, Lassen, and Sierra counties in northeastern California and in Washoe and Douglas counties in northwestern Nevada fall within the boundaries of the critical habitat designation. The final rules were effective 3 JUL 14. For more information, contact Edward Koch at (775) 861-6300.

**BI-STATE DPS OF GREATER SAGE-GROUSE** FWS extended the public comment period for its proposed designation of critical habitat for the [bi-state DPS of greater sage-grouse](#) (*Centrocercus urophasianus*) (79 FR 31901). The comment period was extended an additional month, to 3 JUL 14. On 8 APR 14, the service reopened the public comment period on its 28 OCT 13 proposal to [list](#) the bi-state DPS as threatened and [designate](#) critical habitat. The comment period for the proposed listing, which is not a part of this extension, closed 9 JUN 14. For more information, contact Edward Koch at (775) 861-6300.

**HUMBOLT MARTEN** FWS is preparing a 12-month finding in response to a petition to list the current classification of [Humbolt Marten](#) (*Martes caurina humboldtensis*) as threatened or endangered (79 FR 35509). The service also intends to conduct an evaluation of potential DPSs of martens in coastal northern California and coastal Oregon relative to the full species classification level. The American marten occurs in forested habitats throughout boreal North America, reaching its southernmost extent in the Sierra Nevada of California and the southern Rocky Mountains of New Mexico. The Humboldt marten, one of three distinct subspecies of American marten, can be found in coastal northwestern California. The 12-month finding is scheduled for publication by 1 APR 15. Comments are due 7 AUG 14. For more information, contact Bruce Bingham at (707) 822-7201.

**OREGON SPOTTED FROG** FWS reopened the public comment period on its [29 AUG 13](#) proposed designation of critical habitat for the [Oregon spotted frog](#) (*Rana pretiosa*) (79 FR 34685). The service is proposing changes to four of the proposed critical habitat units based on new information. The Oregon spotted frog is found in California, Oregon, and Washington. Comments are due 16 JUL 14. For more information, contact Ken Berg at (360) 753-9440.

**HUMPBACK WHALE: CENTRAL NORTH PACIFIC** NMFS, in response to a [petition](#), is conducting a status review of the [Central North Pacific population of humpback whale](#) (*Megaptera novaeangliae*) to determine whether it should be considered a DPS and whether to delist the DPS (79 FR 36281). The Central North Pacific population of humpback whale, which is also referred to as the Hawaiian stock of humpback whale, breed in Hawaii and migrate to waters near Alaska and British Columbia to feed. Comments are due 29 JUL 14. For more information, contact Aleria Jensen at (907) 586-7638.

## ***TOXICS***

**DLA PCB IMPORT EXEMPTION: FINAL DIRECT RULE WITHDRAWN** EPA withdrew its [2 APR 14 direct final rule](#) that would have allowed the Defense Logistics Agency (DLA) to import foreign-manufactured polychlorinated biphenyls (PCBs) from Japan beginning on 1 JUL 14 (79 FR 33867). An [accompanying proposed rule](#) was not withdrawn. A public hearing to receive public comment on the proposed rule was held 8 JUL 14. For more information, contact [William Noggle](#) at (703) 347-8769 or visit this [EPA website](#).

**SAFER SUBSTITUTES FOR FLAME RETARDANTS** EPA released a [final report](#) on alternatives to the flame retardant hexabromocyclododecane (HBCD) and an updated draft report on alternatives to the flame retardant pentabromodiphenyl ether (pentaBDE). These alternatives were identified through EPA's [Design for the Environment \(DfE\) Alternatives Assessment Program](#). For more information, contact Emma Lavoie or visit EPA's [website](#) for flame retardant chemicals.

**TCE RISK ASSESSMENT** EPA [released](#) its final risk assessment for trichloroethylene (TCE). The final TCE risk assessment was developed as part of the agency's Toxic Substances Control Act (TSCA) Work Plan, which identified chemicals for review and assessment of potential health risks those chemicals may pose. The assessment identifies health risks from TCE exposure to consumers from using spray products and workers using TCE as a degreaser/dry cleaning agent. A workshop on potential TCE degreaser alternatives is scheduled for 29-30 JUL 14. For additional information, visit EPA's [website for TSCA work plan chemicals](#).

**HEALTH OF HONEY BEES AND OTHER POLLINATORS** The President released a [memorandum](#) addressing federal efforts to enhance the health of pollinators, including honey bees, native bees, birds, bats, and butterflies (79 FR 35901). The memorandum establishes a Pollinator Health Task Force, co-chaired by the Department of Agriculture and EPA, and

including DoD and other agency heads. The task force will develop a National Pollinator Health Strategy, with explicit goals and a Pollinator Research Action Plan. Task force member agencies will develop plans to enhance pollinator habitat, and subsequently implement, as appropriate, such plans on managed lands and facilities. Task force member agencies will incorporate pollinator health as a component of all future restoration and reclamation projects. Consistent with law and the availability of appropriations, DoD will support habitat restoration projects for pollinators and direct military service installations to use, when possible, pollinator-friendly native landscaping and minimize use of pesticides harmful to pollinators through integrated vegetation and pest management practices. The U.S. Army Corps of Engineers (USACE) will incorporate conservation practices for pollinator habitat improvement on the 12 million acres of lands and waters at resource development projects across the country, as appropriate. The Council on Environmental Quality and GSA will revise respective guidance documents for designed landscapes and public buildings to incorporate, as appropriate, pollinator-friendly practices into site landscape performance requirements to create and maintain high quality habitats for pollinators. Future landscaping projects at all federal facilities will, to the maximum extent appropriate, use plants beneficial to pollinators.

**STREAMSIDE NO-SPRAY BUFFER ZONES** EPA is requesting comment on a proposed injunction that would reinstitute streamside no-spray buffer zones to protect endangered or threatened Pacific salmon and steelhead in California, Oregon, and Washington ([79 FR 32723](#)). The no-spray buffer zones would extend 300 feet from salmon supporting waters for aerial applications of five pesticides and 60 feet for ground applications. The no-spray buffer zones would apply to specific pesticides (carbaryl, chlorpyrifos, diazinon, malathion, and methomyl). The same buffer zones are currently in place for other pesticides, in accordance with an earlier injunction issued in 2004 ([WTC, et al v EPA](#)). The pesticide buffer zones would remain in place until the completion of EPA's ESA consultations with NMFS. Comments were due 7 JUL 14. For more information, contact [Anita Pease](#) at (703) 305-7695.

## **WASTE**

**DEFINITION OF HAZARDOUS WASTE** EPA published a correction to [40 CFR 261.3](#) to clarify that the [rebuttable presumption](#) does not apply to certain metalworking oils/fluids containing chlorinated paraffins and to certain used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units ([79 FR 35290](#)). The final rule was effective 20 JUN 14.

## **WATER**

**WESTERN GOVERNORS SIGN PACT TO PROVIDE DROUGHT INFORMATION TO STATES** The Western Governors' Association (WGA) [signed](#) a memorandum of understanding (MOU) with NOAA that renews and strengthens collaboration on drought and flood preparedness. The purpose of the [MOU](#) is to improve the development, coordination, and dissemination of drought and extreme weather data, information, and analysis in support of resource management decisions in Western states. The parties to the MOU will work to ensure that collection and sharing of crucial drought, flooding, and extreme weather-related data and information are improved and sustained. This may include soil moisture monitoring in the Missouri River Basin and snowpack monitoring in the Mountain West and coastal watersheds.

**MS4 PERMIT COMPENDIUM OF STATE PERMITTING APPROACHES** EPA released a [MS4 Permit Compendium](#) of state municipal separate storm sewer system (MS4) permitting approaches. To develop the compendium, EPA reviewed all state and EPA-issued individual and general MS4 permits issued up to June 2014. The review focused on MS4 permitting approaches that incorporated retention-based post-construction standards. It also focused on permitting approaches that directly implement total maximum daily loads (TMDLs) through numeric requirements or pollutant-specific management measures, or a combination of both. The compendium, which presents examples of different permitting approaches, is divided into two major sections. Section A provides examples of permits that implement post-construction performance and/or design standards. Section B presents different permitting approaches to address impaired waters and TMDLs. Some permits appear in more than one category. For more information, visit EPA's [Stormwater MS4 website](#).

**COMMENT PERIOD EXTENDED: AGRICULTURAL ACTIVITY PERMIT EXEMPTION** EPA and USACE extended the comment period for their [21 APR 14](#) proposal to exempt certain agricultural activities from Clean Water Act (CWA) Section 404 dredge and fill permits ([79 FR 34526](#)). The public comment period was extended to 7 JUL 14. For more information, contact [Damaris Christensen](#) (EPA) at (202) 566-2442 or [Stacey Jensen](#) (USACE) at (202) 761-5856.

**COMMENT PERIOD EXTENDED: DEFINITION OF WATERS OF THE U.S.** EPA and USACE extended the public comment period for the [proposed rule](#) titled *Definition of 'Waters of the United States' Under the Clean Water Act* published 21 APR 14 ([79 FR 35712](#)). Comments are due 20 OCT 14. For more information, contact [Donna Downing](#) (EPA) at (202) 566-2428 or [Stacey Jensen](#) (USACE) at (202) 761-5856.

**ALTERNATIVE TEST METHODS APPROVED FOR DRINKING WATER** EPA approved 21 alternative test methods for use in determining the compliance with national primary drinking water regulations ([79 FR 35081](#)). The final rule is effective 19 JUN 14. The new methods are listed along with other approved methods on EPA's website. For more information, contact [Glynda Smith](#) at (513) 569-7652, visit EPA's [website](#), or view this [fact sheet](#).

## *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.

**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](#) – 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](#) – 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](#) – 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. 2014 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.

**VARIOUS DATES: THROUGH AUGUST 2014.** [FOG Prevention Training for Rural Communities in the Pacific Northwest](#). The Pacific Northwest Pollution Prevention Resource Center (PPRC) is providing one day workshops for rural communities in Alaska, Idaho, Oregon, and Washington to reduce the harmful impacts of fats, oils, and grease (FOG) in sewers. For information about workshop locations, dates, and times, contact the [Pacific Northwest Pollution Prevention Resource Center](#).

**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.

**MILITARY MUNITIONS SUPPORT SERVICES - MMRP TOOLS** This is one of the monthly webinar sessions for the Military Munitions Support Services (M2S2) community. During this session, speakers will make presentations on a variety of topics relative to the latest updates on successful use of MMRP tools.

**PRELIMINARY ASSESSMENT AND SITE INSPECTION (PA/SI) WEBINAR SERIES** The CERCLA Education Center (CEC) is offering a nine-part Preliminary Assessment and Site Inspection (PA/SI) [webinar series](#) in June and July 2014. 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). If you are unable to make one of the sessions, archived versions will be made available at [www.clu-in.org](http://www.clu-in.org). The series includes:

- [Module 1: Overview of the Site Assessment Process under CERCLA](#). 30 JUN 14. This introductory module will provide an overview of key provisions of CERCLA and the response process established by the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). In addition, it will provide an overview of the purpose, scope, and requirements for performing a remedial PA and remedial SI at sites regulated under the Comprehensive Emergency Response and Cleanup Liability Act (CERCLA).
- [Module 2: Basics of Performing Site Assessments and Conducting the PA](#). 2 JUL 14. This module will provide an overview of the basics of performing site assessments including the purpose and scope of the different steps in the site assessment process and the roles and responsibilities of the different parties involved. It will identify and explain procedures for performing a remedial PA.



- [Module 3: Site Evaluation and Scoring Site Sources](#). 7 JUL 14. This module focuses on the specific elements of the scoring process that participants must understand to successfully apply the scoring model to a PA.
- [Module 4: PA Scoring Exercise: Groundwater Migration Pathway](#). 9 JUL 14. This module will review the groundwater migration pathway. Participants will review appropriate site information and the instructors will lead them through inputting the information into the Quickscore software.
- [Module 5: PA Scoring Exercise: Surface Water Migration Pathway](#). 11 JUL 14. This module will review the surface water migration pathway. Participants will review appropriate site information and the instructors will lead them through inputting the information into the Quickscore software.
- [Module 6: PA Scoring Exercise: Soil Exposure and Air Migration Pathways](#). 14 JUL 14. This module will review the soil exposure and the air migration pathways. Participants will review appropriate site information and the instructors will lead them through inputting the information into the Quickscore software.
- [Module 7: Conducting the SI, Overview of SI Strategies, and Site Sources](#). 21 JUL 14. This module will identify the step-by-step activities for conducting a remedial SI, including discussion of health and safety considerations for field activities, establishing data quality objectives and developing sampling strategies to obtain data for HRS scoring, validating data and preparing a final report to document the decision-making process. It will provide an overview on how to develop SI sampling strategies that consider and address the needs of the HRS.
- [Module 8: SI Sampling Strategies for Groundwater and Surface Water](#). 28 JUL 14. This module will provide an overview of SI sampling strategies for the groundwater migration pathway and the surface water migration pathway.
- [Module 9: SI Sampling Strategies for Soil and Air](#). 30 JUL 14. This module will provide an overview of SI sampling strategies for the soil exposure pathway and the air migration pathway.

\***ENERGY TRAINING FOR FEDS** FEMP is sponsoring, planning, and implementing the [Energy Exchange Training Event](#) in August 2015. The event will:

- Provide an effective and efficient forum to obtain valuable training
- Provide International Association for Continuing Education and Training (IACET) learning credits
- Facilitate the application of best practices
- Cover topics related to energy efficiency, renewable energy, transportation/fleet, water efficiency, and greenhouse gas management
- Demonstrate the connection between actions and impacts as related to energy consumption, sustainability, energy efficiency, and energy security
- Feature expertise from all levels of project and policy implementation to enable federal agencies to meet energy-related goals and provide energy leadership
- Satisfy training requirements mandated by and address requirements outlined in federal requirements and challenges.

\***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 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.

\* indicates the first time a professional development opportunity appears in the Review.

## *How the Regional Offices Work for You*

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

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

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

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

## *Staff Directory*

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# Acronyms

AAQS	ambient air quality standards
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
ADEQ	Arizona Department of Environmental Quality
ADWM	Arizona Department of Weights and Measures
ADWR	Arizona Department of Water Resources
AFB	Air Force Base
AGRRC	Arizona Governor's Regulatory Review Council
AQIP	Air Quality Improvement Program
ARNG	Army National Guard
ASTM	American Standard Test Method
ATSDR	Agency for Toxic Substances and Disease Registry
BACM	best available control measure
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
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CaRFG3	phase 3 California reformulated gasoline
CBAR	California Bureau of Automotive Repair
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CDPH	California Department of Public Health
CDPR	California Department of Pesticide Regulation
CDTSC	California Department of Toxic Substances Control
CDWR	California Department of Water Resources
CEC	California Energy Commission
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulation
CH <sub>4</sub>	methane
CNOR	candidate notice of review
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalent
COAL	California Office of Administrative Law
COE	Army Corps of Engineers
COEHHA	California Office of Environmental Health Hazard Assessment
CPUC	California Public Utilities Commission
CrVI	hexavalent chromium
CSWRCB	California State Water Resources Control Board
CVC	California Vehicle Code
CWA	Clean Water Act
CX	categorical exclusion
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	Department of Transportation
DSM	demand side management
DPS	distinct population segment

EA	environmental assessment
ECA	emission control area
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EPA	Environmental Protection Agency
EO	Executive Order
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
GEPA	Guam Environmental Protection Agency
GHG	greenhouse gas
GSA	General Service Administration
HAP	hazardous air pollutant
HAR	Hawaii Administrative Rule
HB	House Bill
HCFC	hydrochlorofluorocarbon
HCWRM	Hawaii Commission on Water Resource Management
HDA	Hawaii Department of Agriculture
HDLNR	Hawaii Department of Land and Natural Resources
HDOH	Hawaii Department of Health
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
MADL	maximum allowable dose level
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MERIT	Materials of Evolving Regulatory Interest Team
MOU	memorandum of understanding
MPA	marine protected area
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N <sub>2</sub> O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF <sub>3</sub>	nitrogen trifluoride
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO <sub>2</sub>	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System

NRC	Nuclear Regulatory Commission
NSEC	Nevada State Environmental Commission
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
PM2.5	particulate matter 2.5 microns in diameter or less
PM10	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RACT	reasonably available control technology
RCRA	Resource Conservation and Recovery Act
RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	state implementation plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
SO <sub>2</sub>	sulfur dioxide
SO <sub>x</sub>	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TiO <sub>2</sub>	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UFC	Unified Facilities Criteria
ug/m <sup>3</sup>	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WCI	Western Climate Initiative
WGA	Western Governors' Association
WRAP	Western Regional Air Partnership