



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 10



The U.S. Army Regional Environmental & Energy Office

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The **REGION 10 Western Review** publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the four states in Federal Region 10, the *Western Review* gives early notice of legislative and regulatory activities relevant to DOD interests. The Review also helps installations meet ISO 14001 environmental management system requirements.

Find out more about the Army Regional Environmental and Energy Offices [here](#). Click [here](#) to browse back issues of the *Western Review*. To read back issues of other Regional Office Reviews, click on a region of the REEO website's U.S. map and then select "Publications." To receive a copy of this electronic publication, send an [email request](#).

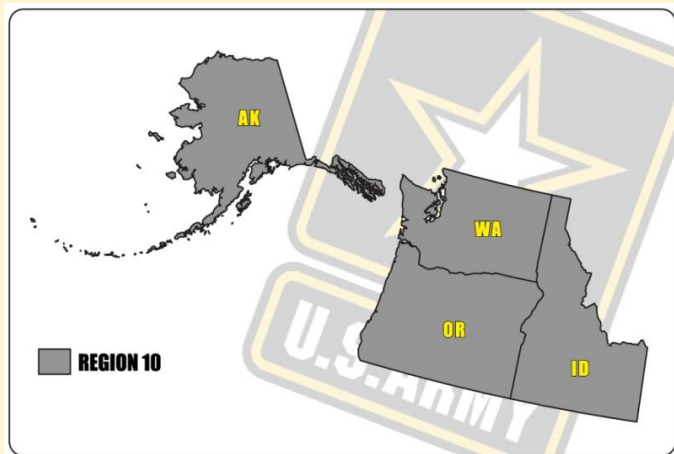


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Landfills to Control Methane Emissions

The Environmental Protection Agency (EPA) is proposing two new rules to reduce emissions of landfill gas and its components, including methane from new and existing municipal solid waste (MSW) landfills. According to EPA, MSW landfills are the third-largest source of human-related methane emissions in the U.S., accounting for 18% of methane emissions in 2013. Under the proposed rules, new, modified, and existing landfills would begin collecting and controlling landfill gas at emission levels nearly a third lower than current requirements. Both actions are part of the President's [Climate Action Plan – Strategy to Reduce Methane Emissions](#).

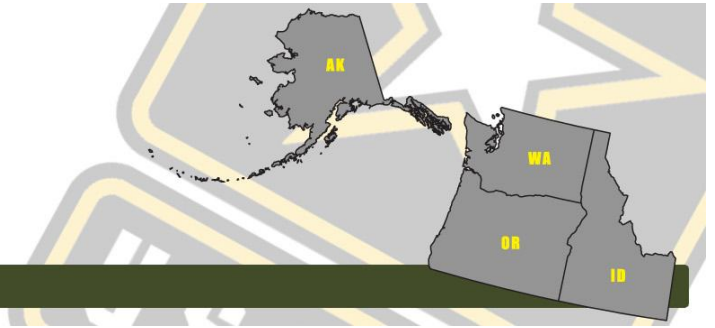
In the first rule, *Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills*, EPA is [proposing](#) to lower the threshold at which an *existing* landfill must install controls to limit emissions of landfill gas ([80 FR 52099](#)). The proposed rule would update the MSW [emission guidelines](#). It incorporates new data and information received in response to an earlier proposed rulemaking and addresses other regulatory issues, including surface emissions monitoring, wellhead monitoring, and the definition of landfill gas treatment system.

In the second rule, *Standards of Performance for Municipal Solid Waste Landfills*, EPA is [proposing](#) to lower the landfill gas emission rate threshold at which *new and modified* MSW landfills must install controls ([80 FR 52162](#)). This supplemental proposal would amend the standards of performance for MSW landfills. It modifies a [2014](#) proposal by further lowering proposed emission threshold at which controls would be required. EPA is requesting comment specifically on whether this lower threshold is appropriate and on the number of facilities that may become subject to the new requirements.

For more information, click [here](#) to view proposed rules and associated fact sheets, or [here](#) for a news article. Comments on both proposals are due 26 OCT 15.

Region 10

For more information or to comment on any state issues in Region 10, contact [Park Haney](#), Army Regional Coordinator, Region 10, (303) 844-0957.



REGION 10 LEGISLATIVE WRAP-UP

In 2015, the REEO-W monitored 663 bills in the four states that comprise EPA Region 10. Bills that may be of interest to or impact DOD installations are summarized below.

Alaska The Alaska Legislature adjourned on 17 APR 15. The state held two special sessions, the last of which adjourned 11 JUN 15.

AK HB 1 (signed on 11 MAY 15) declares the Arctic Policy of Alaska. The bill states that it is the policy of the state to “enhance the security of the Arctic region of the state and, thereby, the security of the entire state, including efforts to ...coordinate with the federal government for an increase in United States Coast Guard presence, national defense obligations, and levels of public and private sector support...”.

Possible Impact: Indicates state support for presence and growth of the military. Could be basis for support of military activities in Arctic region.

Oregon: The Oregon Legislature adjourned on 6 JUL 15.

OR SB 245 (signed on 6 JUL 15) modifies purposes for assessing, and authorized uses of, solid waste permit fees. Increases landfill permit fees and imposes new fees. Allows fees to be adjusted every two years.

Possible Impact: Installations may have to pay higher fees to dispose of their solid waste.

OR SB 412 (signed on 18 JUL 15) identifies upland placement of dredged material by port district as productive use of solid waste for Oregon Environmental Quality Commission rules.

Possible Impact: May allow upland placement of dredged material from U.S. Army Corps of Engineers (USACE) dredge and fill activities as a productive use of solid waste.

Washington The Washington Legislature adjourned on 10 Jul 15.

WA SB 5577 (signed on 25 APR 15) convenes a work group to identify issues associated with properly managing pharmaceutical wastes and recommend solutions to improve management of these wastes at the site of generation through treatment or disposal by commercial waste management facilities.

Possible Impact: Recommendations from the work group may impact installation medical facilities’ management of pharmaceutical waste. Representatives from medical facilities may want to participate in the work group.



AIR

AIR QUALITY MANAGEMENT: FEES The Alaska Department of Environmental Conservation (ADEC) [adopted amendments](#) to air quality permit administration fees, compliance fees, air quality emission fees, definitions, and cross references in Title 18 Alaska Administrative Code Chapter 50 ([18 ACC 50](#)). The amendments are based on the results of a study on permit administration fees, compliance fees, and emission fee rates. The amendments add a new category of coal-fired plants to the permit fee structure. The [final rule](#) was published 31 AUG 15, [effective](#) 26 SEP 15.

CLEANUP

SITE REMEDIATION: CLEANUP STANDARDS AND PROCEDURES ADEC [is proposing](#) to amend its regulations governing soil and groundwater remediation. The revisions would update soil and groundwater cleanup levels for listed compounds, allow the department to set site-specific alternative cleanup levels for listed compounds, and allow the department to develop site-specific cleanup levels for compounds not listed. In addition, the department is proposing to update its procedures for calculating risk and cleanup levels, and to make general housekeeping amendments. The rulemaking would amend [18 ACC 75](#). Comments are due 25 NOV 15.

WATER

2014/2016 INTEGRATED WATER QUALITY MONITORING AND ASSESSMENT REPORT ADEC [is requesting](#) water quality information to support the development of Alaska's 2014/2016 Integrated Water Quality Monitoring and Assessment Report. The biennial report describes the health of Alaska's waters, as required under sections 303(d) and 305(b) of the federal Clean Water Act (CWA), including a list of impaired waters in the state. Water quality related data is due 14 SEP 15.

ALASKA CONSTRUCTION GENERAL PERMIT ADEC [is proposing](#) to reissue the Alaska Pollutant Discharge Elimination System (APDES) Construction General Permit for discharges from large and small construction activities (AKR100000). The permit authorizes and sets conditions on the discharge of pollutants from large and small construction activities to waters of the U.S. It describes control measures that must be used to control the types and amounts of pollutants that can be discharged from construction activities. The department released a preliminary draft of the permit for public review and comment. To view the preliminary draft permit, click [here](#). To view a fact sheet, click [here](#). Comments on the preliminary permit are due 14 SEP 15. The formal 30-day comment period will be announced at a future date.

LEGISLATIVE DEVELOPMENTS

The [Alaska 2015 legislative session](#) began 20 JAN 15 and adjourned 17 APR 15. For information about legislation in 2015, refer to the [June 2015](#) edition of the *Review*.



AIR

AIR POLLUTION CONTROL: SOURCE TEST GUIDANCE MANUAL The Idaho Department of Environmental Quality (IDEQ) [is proposing](#) to revise the [Source Test Guidance Manual](#), which specifies recommended procedures for testing sources of air pollution in the state. The manual was last revised in 2008. The department is proposing to add two sections to the

manual regarding the measurement of condensable particulate matter and associated quality control issues and to make other conforming changes to reflect updates to its audit sample program and EPA's electronic report tool (ERT). Comments are due 1 OCT 15.

INCORPORATION BY REFERENCE IDEQ is proposing to adopt by reference federal air quality rules published in the Federal Register as of 1 JUL 15. The rulemaking aligns state rules with federal requirements by making three revisions:

- The greenhouse gas (GHG) definition of major source at Section 008 is now obsolete after the federal definition was vacated by the U.S. Supreme Court. This definition is being removed.
- The federal regulations incorporated by reference are updated by capturing revisions as of 1 JUL 15 (Section 107) and by removing two federal provisions that are no longer required (Sections 107.03.q. and 564).
- The permit to construct section (Section 200) is clarified to define a major source to include the prevention of significant deterioration (PSD) and nonattainment new source review definitions. The current rule implies that only the PSD definition applies. Idaho is required by federal law to implement both, as appropriate.

Comments were due 9 SEP 15.

NATURAL RESOURCES

NOXIOUS WEEDS The Idaho Department of Agriculture is proposing to permanently add [purple starthistle](#) (*Centaurea calcitrapa*) and [Iberian starthistle](#) (*Centaurea iberica*) to the Early Detection Rapid Response (EDRR) section of the state noxious weed list. Both of these species have been listed for the prior 15 months as EDRR noxious weeds under the department director's temporary listing authority. Comments are due 23 SEP 15.

WATER

STATE DISCHARGE PERMIT SYSTEM: IPDES IDEQ is proposing a new rule, Rules Regulating the Idaho Pollutant Discharge Elimination System Program (IPDES), to be codified at Idaho Administrative Procedures Act (IDAPA) 58.01.25. In order to gain EPA approval to implement the National Pollutant Discharge Elimination System (NPDES) program, the state must implement rules that meet the requirements of the CWA. IDEQ's proposed rules will establish procedures for submitting permit applications, writing and issuing IPDES permits, filing appeals, developing general permits, and other required components of an NPDES program, including fee structures. IDEQ negotiated certain elements of the IPDES program including the permit application process, appeals process, fee structure, and compliance enforcement with IPDES permits. With respect to required NPDES program components, federal regulations have been incorporated by reference into the proposed rules. Comments are due 2 OCT 15.

WATER QUALITY STANDARDS IDEQ is proposing to align language in rule 58.01.02 (Water Quality Standards) with federal requirements for designating and revising uses assigned to water bodies and for providing a basis for guidance on the use designation/revision process. Although a use attainability analysis (UAA) is required in order to revise or remove a designated beneficial use that is not an existing use on a water body, the state does not have language in its standards pertaining to the UAA process. Consequently, the state does not have guidance on when a UAA is appropriate or how to perform a UAA. The rulemaking is intended to develop sufficient language regarding the UAA process such that guidance or policy may be completed. Comments were due 4 SEP 15. To view the rulemaking website, click [here](#).

IDAHO MIXING ZONE IMPLEMENTATION GUIDANCE IDEQ released its [draft mixing zone guidance](#) for public review and comment. The purpose of the guidance is to assist IDEQ staff and members of the public with implementing mixing zones in accordance with the mixing zone provisions in Idaho's water quality standards. A mixing zone is a location within a water body that receives a discharge of wastewater effluent. The effluent mixes with the receiving water in this zone, and pollutants contained within the effluent become diluted. Within a regulatory mixing zone, water quality

criteria exceedances are allowed. However, a mixing zone must not interfere with the beneficial uses of a water body and must be as small as possible. The public comment period [was extended](#) to 14 SEP 15.

TECHNICAL GUIDANCE MANUAL FOR INDIVIDUAL AND SUBSURFACE SEWAGE DISPOSAL SYSTEMS IDEQ [is requesting public comment](#) on a proposed revision to its guidance on how to design, construct, and operate subsurface sewage disposal systems. The manual is a web-based reference document used by builders and on-site wastewater system installers to select, design, and install on-site wastewater systems to meet state requirements and by IDEQ and public health districts to evaluate the site, proposed design, and construction of on-site wastewater systems. The proposed revision addresses extended treatment package systems and approvals, total nitrogen reduction approvals, proprietary wastewater treatment products, and policy approval. Comments are due 25 SEP 15.

LEGISLATIVE DEVELOPMENTS

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



AIR

MEDFORD CARBON MONOXIDE LIMITED MAINTENANCE PLAN The Oregon Department of Environmental Quality (ODEQ) [is proposing](#) to modify the Oregon state implementation plan (SIP) by replacing the original Medford Carbon Monoxide Maintenance Plan with a second, updated maintenance plan. The updated air quality plan would impose no new control measures and save the cost of emissions analyses that are no longer necessary. A public hearing is scheduled for 21 SEP 15. Comments are due 24 SEP 15.

CLIMATE CHANGE

GHG REPORTING PROGRAM ODEQ [is proposing](#) to amend its GHG reporting rules. The proposed rulemaking is intended to reduce the reporting burden for sources that meet requirements for exemption; provide clarity and uniformity related to GHG reporting methods and emission factors; incorporate reporting protocols into the rule; and improve rule clarity by following plain language standards where possible. The department is also proposing to update Oregon's list of GHGs subject to reporting to ensure consistency with federal requirements. A public hearing is scheduled for 24 SEP 15. Comments are due 29 SEP 15.

THREATENED AND ENDANGERED SPECIES

GREATER SAGE-GROUSE PROTECTION ON NON-FEDERAL LANDS The Oregon Land Conservation and Development Commission [adopted](#) a new rule commonly referred to as "Goal Rule 5." The new rule establishes protections for Oregon's greater sage-grouse and habitat on non-federal lands. It establishes areas of significant habitat, identifies conflicting uses, and identifies processes for Baker, Crook, Deschutes, Harney, Lake, Malheur, and Union county decision makers to apply when considering proposals for large-scale development and other land use activities on significant sage-grouse habitat. The rule also creates a direct monitoring framework and includes metering standards, as well as overall development thresholds for the best greater sage-grouse habitat. It applies directly to local governments until a county establishes its own program for protecting greater sage-grouse habitat. The [final rule](#) was effective 13 AUG 15.

WATER

UNDERGROUND INJECTION CONTROL PERMIT PROGRAM ODEQ [is proposing](#) to issue a new underground injection control (UIC) general permit for Class V well systems, commonly referred to as drywells. The permit would allow the discharge of stormwater to drywells, subject to permit conditions. The permit is designed for businesses or jurisdictions that operate fewer than 50 drywells. If a business or jurisdiction owns 50 or more drywells, then it must apply for a Water Pollution Control Facilities (WPC) individual permit. The new UIC drywell permit sets conditions for how a covered facility deals with pentachlorophenol and total lead, which are relatively common, persistent, and mobile stormwater pollutants. Facilities covered under the permit will be required to monitor pollutants discharged using approved monitoring practices and standards. ODEQ will review facility discharge monitoring reports to verify compliance. A public hearing is scheduled for 23 SEP 15. Comments are due the same day.

WATER QUALITY CREDIT TRADING ODEQ [is proposing](#) to adopt a new water quality trading program. The proposed program rules identify ODEQ's authority to allow water quality trading as a voluntary compliance option in water quality permits and water quality certifications. In addition, the rules establish the mechanisms and criteria through which the department will evaluate, approve, and oversee implementation of water quality trades. A public hearing is scheduled for 21 SEP 15. Comments are due 25 SEP 15.

WATER QUALITY STANDARDS FOR BACTERIA ODEQ [is proposing](#) to revise its water quality standard for bacteria for coastal recreation uses. The revision aligns state standards with EPA's 2012 recommendations for recreational water quality criteria. The department also anticipates clarifying how bacteria criteria apply to different designated uses, including coastal and freshwater recreation and shellfish harvesting. ODEQ will develop designated use maps showing where these different uses apply. After ODEQ adopts and EPA approves the revised criteria, they will become the basis for permit limits, water quality assessments, and total maximum daily loads (TMDLs). Public meetings are scheduled for 20, 21, 22, and 29 OCT 15.

DRINKING WATER SERVICES FEES The Oregon Health Authority [is proposing](#) to increase fees for certification of backflow assembly testers, cross connection specialists, and water system operators. The authority is also proposing to increase fees for reviewing construction plans and inspecting public water systems. The rulemaking would amend Oregon Administrative Rule (OAR) 333-061-0060, 333-061-0072, 333-061-0073, 333-061-0076, and 333-061-0265. The authority anticipates that the proposed fee increases will be effective 1 JAN 16. Public hearings are scheduled for 22, 23, and 29 SEP 15. Comments are due 30 SEP 15.

LEGISLATIVE DEVELOPMENTS

The [Oregon 2015 legislative session](#) began 2 FEB 15 and adjourned 6 JUL 15. . For information about legislation in 2015, refer to the [August 2015](#) edition of the *Review*.



AIR

NORTHWEST CLEAN AIR AGENCY: FEDERAL CONFORMITY The Northwest Clean Air Agency [adopted](#) a suite of amendments that align local air quality rules with federal requirements. The amendments clarify and reconcile the rule language to better match state and federal rules and laws, make new and revised definitions (i.e., GHGs, volatile organic compounds), and incorporate three minor new source review exemptions. In addition, the amendments remove outdated requirements, make housekeeping changes, and adopt by reference federal requirements in Title 40 Code of Federal Regulation (CFR) Part 63 so the agency will be the implementing agency:

- Subpart BBBB (National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities (area sources));
- Subpart HHHHH (NESHAP: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources);
- Subpart JJJJJ (NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources);
- Subpart WWWW (NESHAP: Area Source Standards for Plating and Polishing Operations); and
- Subpart XXXXX (NESHAP for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories).

The [final rule](#) was effective 13 SEP 15.

NORTHWEST CLEAN AIR AGENCY: SOLID FUEL BURNING The Northwest Clean Air Agency [is proposing](#) to revise its rules concerning the sale, installation, use, and restrictions on use of solid fuel burning devices and to update enforcement of opacity standards related to visible emissions from solid fuel burning devices. Comments are due 29 SEP 15.

PUGET SOUND CLEAN AIR AGENCY: PENALTIES The Puget Sound Clean Air Agency [is proposing](#) to adjust the maximum civil penalty amount for inflation and update the federal regulation reference date in Regulation 1 Article 3. Comments are due 23 SEP. A [public hearing](#) is scheduled for the next day. To view the proposed changes, click [here](#).

PUGET SOUND CLEAN AIR AGENCY: CONTINUOUS OPACITY MONITORING SYSTEMS The Puget Sound Clean Air Agency [is proposing](#) to update a quality assurance requirement for new continuous opacity monitoring systems (COMS). Comments are due 23 SEP. A [public hearing](#) is scheduled for the next day. To view the proposed changes, click [here](#).

PUGET SOUND CLEAN AIR AGENCY: EMERGENCY GENERATORS POWERED BY SPARK IGNITED ENGINES The Puget Sound Clean Air Agency [is proposing](#) to extend exemptions in Articles 5 and 6 for emergency generators that are powered by spark ignited engines. Comments are due 23 SEP 15. A [public hearing](#) is scheduled for the next day. To view the proposed changes, click [here](#).

ENVIRONMENTAL POLICY ACT

STATE ENVIRONMENTAL POLICY ACT: TRANSPORTATION AND INFRASTRUCTURE The Washington Department of Ecology (WADOE) [is proposing](#) to update and modernize the State Environmental Policy Act (SEPA). The revisions would amend SEPA to account for requirements in [House Bill 1851](#) (2015), which addresses expedited permitting for structurally deficient bridges, reviews and updates other transportation related exemptions, and makes housekeeping and other corrections. For more information, click [here](#).

WATER

BIOSOLIDS MANAGEMENT GENERAL PERMIT WADOE [issued](#) a new [General Permit for Biosolids Management](#) that replaces an expiring permit. The general permit applies to public and private entities that treat, store, transfer, apply, or dispose of biosolids in the state. It does not apply to any biosolids activities on Indian reservations or federal facilities, as long as the biosolids do not leave those sites and enter lands owned by the state of Washington. [If biosolids enter lands of the state, a permit is required](#). The permit is the primary regulatory mechanism for approving the final use of biosolids in the state. For more information, click [here](#) to visit the website for the 2015 General Permit for Biosolids.

RECLAIMED WATER WADOE [extended the public comment period](#) for its [proposed](#) new rule for producing, distributing, and using reclaimed water. The new rule will be codified at [Chapter 173-219](#) Washington Administrative Code (WAC) (Reclaimed Water). The rule is intended to establish an implementation framework, including standards and permitting requirements to address the production, distribution, and beneficial uses of reclaimed water. It will codify existing practices and replace the 1997 Water Reclamation and Reuse Standards and several statutes. In addition, WADOE

released a proposed guidance document, [Reclaimed Water Treatment Facilities Manual: The Purple Book](#), for public comment. The public comment is extended to 21 SEP 15. A public hearing is scheduled for 28 OCT 15. For more information, click [here](#).

WITHDRAWN: FLUORIDATION IN DRINKING WATER The Washington State Board of Health has [withdrawn](#) its [2013 pre-proposal](#) considering whether to revise state standards for the fluoridation in drinking water. In the 2013 pre-proposal, the board had been considering whether to revise WAC 246-290-640, which applies to group A public drinking water systems that choose to fluoridate. Specifically, the board had been considering whether to revise state requirements to ensure that state recommendations for fluoridation do not exceed the federal maximum allowable level of fluoride in drinking water. In the notice of withdrawal, the board indicated it will re-file the rulemaking.

WITHDRAWN: SURFACE WATER QUALITY STANDARDS WADOE has [withdrawn](#) its [proposed revisions](#) to state surface water quality standards because the rule was not adopted within the allowable timeframe. The revisions would have adopted new human health criteria into Washington's water quality standards to take into account factors used to calculate each chemical criterion, including risk, duration of exposure, and more accurate data about how much fish and shellfish people eat in Washington. The withdrawal was published 4 AUG 15.

LEGISLATIVE DEVELOPMENTS

The [Washington 2015 legislative session](#) began 12 JAN 15 and adjourned 26 APR 15. The state held three special sessions, the last of which adjourned 10 JUL 15. For information about legislation in 2015, refer to the [June 2015](#) edition of the *Review*.

Department of Defense Activity

ENERGY

NAVY SIGNS LARGEST RENEWABLE ENERGY PURCHASE The Navy, Western Area Power Administration, and Sempra U.S. Gas & Power held a ceremony in August at Naval Air Station North Island, Calif., marking an agreement for eight Navy installations and six Marine Corps bases in California to obtain power from a 210-megawatt (MW) direct current solar facility scheduled for construction 60 miles west of Phoenix. The agreement, which will meet one-third of the installations' energy requirements over its 25-year term, is the largest purchase of renewable energy ever made by a federal entity, according to a [Navy press release](#). California installations that will be supplied energy from the Mesquite 3 Solar farm include: Naval Base (NB) San Diego, NB Coronado, NB Point Loma, NB Ventura County, Naval Postgraduate School Monterey, Naval Weapons Station (NWS) Corona, NWS Seal Beach, NWS Fallbrook, Marine Corps Base Camp Pendleton, Marine Corps Air Ground Combat Center 29 Palms, Marine Corps Air Station Miramar, Marine Corps Logistics Base Barstow, Marine Corps Recruitment Depot San Diego, and Marine Corps Mountain Warfare Training Center Bridgeport. With the signing of the Mesquite Solar 3 project (210 MW), the summer 2015 groundbreaking at Camp Lejeune, N.C., (17 MW), and a planned groundbreaking at Kings Bay, Ga., (42 MW), the Navy is on track to meet its goal of bringing one gigawatt of renewable energy into procurement by the end of 2015. For more information, click [here](#).

DOD PRIVATIZED HOUSING SOLAR CHALLENGE Four military housing developers established new goals for generating solar energy at their housing projects as a result of a White House effort to accelerate the nation's transition to renewable energy and promote clean energy jobs. The four military housing companies — Balfour Beatty Communities, Corvias Solutions, Lincoln Military Housing and United Communities — committed to installing 233 MW

of solar capacity at more than 40 installations by the end of 2016, according to a White House [press release](#). Among the projects:

- Balfour Beatty Communities will install 63 MW of solar at installations located at Fort Bliss, Texas; Fort Detrick, Md.; Wheaton, Md.; Fort Hamilton, NY; Fort Leonard Wood, Mo.; West Point, N.Y.; Fort Carson, Colo.; Lakehurst, N.J.; New London, Conn.; Long Island, N.Y.; Newport, R.I.; and Saratoga Springs, N.Y.
- Corvias Solutions, along with Onyx Renewable Partners, plans to install about 100 MW of solar at housing projects on 12 installations. They have obtained initial approval from the Army to begin solar installations at Aberdeen Proving Ground and Fort Meade, Md.; Fort Bragg, N.C.; Fort Polk, La.; Fort Rucker, Ala.; Fort Sill, Okla.; and Fort Riley, Kan.
- Lincoln Military Housing is leveraging the current 20-MW system being installed on military housing in San Diego, Calif., to launch a project that would add 60 MW of capacity to its national portfolio of privatized military housing.
- United Communities will deploy an additional 10 MW of solar capacity serving 1,147 homes at Joint Base McGuire-Dix-Lakehurst, N.J., in 2016. The project will increase solar generation to at least 16 MW, representing 90% of the total electricity consumed by the residents of 2,000 military homes.

The privatized housing solar challenge was one of [a suite of initiatives](#) announced by President Obama. Among the other initiatives are new grant and loan programs for new renewable energy and distributed energy research and projects, new programs to accelerate deployment of clean energy in the housing market, monies to develop low cost solar energy, approval to construct a new transmission line to deploy solar energy, and the formation of an interagency task force to promote a clean energy future. For more information, click [here](#).

NATURAL AND CULTURAL RESOURCES

2015 REPI CHALLENGE WINNERS ANNOUNCED Conservation projects in Georgia, Maine, and Nevada intended to protect buffer lands at four military installations will receive a total of \$6.2 million, DOD's Readiness and Environmental Protection Integration (REPI) Program [announced](#) in August. The three 2015 REPI Challenge award winners are Fort Benning/Fort Stewart, Ga.; Naval Air Station (NAS) Fallon, Nev.; and Naval Shipyard Portsmouth Survival, Evasion, Resistance and Escape (SERE) School, Maine. The three partnerships will leverage their DOD awards with more than \$21 million in other funding to protect 28,050 acres.

- In Georgia, the Georgia Department of Natural Resources is leading a team — with Forts Benning and Stewart, the Knobloch Family Foundation, the Fish and Wildlife Service (FWS) and the Forest Service — to protect 7,016 acres of habitat for approximately 1,877 gopher tortoises. The project seeks to avoid an Endangered Species Act (ESA) listing that could affect maneuver areas for tactical tracked and wheeled vehicles at regional installations, reported [DOD News](#). The project team was awarded \$2 million from the REPI Program and an additional \$2 million from the Army, and will leverage more than \$12 million in partner contributions.
- In Nevada, the Nevada Department of Wildlife, NAS Fallon, Nevada Land Trust, The Nature Conservancy, Nevada Conservation Districts Program, Bureau of Land Management, and Natural Resources Conservation Service were awarded \$2 million to protect 11,306 acres from incompatible development to keep critical range training areas unrestricted along the Fallon Range Training Complex military influence area. This project is part of a larger effort to reduce sagebrush habitat loss and fragmentation, and offers opportunities for conserving the greater sage-grouse. The \$2 million award leverages more than \$4 million in partner funding to protect an irreplaceable training asset for the Navy and Marine Corps.
- In Maine, the Trust for Public Land is leading a team — with the Naval Shipyard Portsmouth SERE School, Trout Unlimited, Mountain Conservancy Collaborative, High Peaks Alliance, Maine Audubon Society, Mahoosuc Initiative, and Natural Resources Conversation Society — to permanently restrict development on 9,728 acres

that will provide timber harvesting and wildlife habitat. The partnership, which was awarded \$2 million by REPI, will help ensure necessary training conditions for the Navy in a harsh, isolated winter environment.

ARCHAEOLOGICAL INVESTIGATIONS AT SUNKEN MILITARY CRAFT The Department of the Navy (DON) revised its rules governing archeological and other investigations of sunken military craft under DON jurisdiction ([80 FR 52587](#)). The final rule, codified at 32 CFR Part 767, updates application procedures for research permits on terrestrial military craft under the jurisdiction of the DON. The rule replaces the existing regulations and establishes a single permitting process for persons wishing to engage in activities that disturb, remove, or injure DON sunken military craft and terrestrial military craft for archaeological, historical, or educational purposes. The final rule is effective 1 MAR 16.

PUBLICATIONS

DODI: POLICY FOR ENERGY COMMODITIES Department of Defense Instruction (DODI) [4140.25](#), DOD Management Policy for Energy Commodities and Related Services, was reissued 25 JUN 15. The DODI establishes policy, assigns responsibilities, and provides procedures for sizing, acquiring, and managing petroleum operating stocks and pre-positioned war reserve stocks, and provides guidance for the procurement of alternative fuels.

DODI: EXPLOSIVE HAZARD DODI [4140.62](#), Material Potentially Presenting an Explosive Hazard (MPPEH), was reissued 20 AUG 15. The DODI establishes policy and assigns responsibilities for the management and disposition of MPPEH, material documented as an explosive hazard (MDEH), and material documented as safe (MDAS).

DODM: AUDIT MANUAL Department of Defense Manual (DODM) [7600.07](#), DOD Audit Manual, was reissued 3 AUG 15. The DODM implements policy, assigns responsibilities, and provides procedures for DOD audit organizations in compliance with federal standards. It is policy that adequate coverage of all DOD organizations, programs, activities, and functions will be provided as an integral part of the DOD internal control system.

Federal Activity

AIR

INTERSTATE OZONE TRANSPORT MODELING DATA EPA released interstate ozone transport modeling and associated data and methods for public review and comment ([80 FR 46271](#)). The data and methods will be used to inform a rulemaking that EPA is developing and expects to release later this year to address interstate ozone transport for the 2008 ozone national ambient air quality standards (NAAQS). Comments are due 23 SEP 15.

ATTAINMENT DESIGNATIONS: 2008 OZONE NAAQS EPA is proposing three separate and independent determinations related to the 36 areas that are currently classified as marginal for the 2008 ozone NAAQS ([80 FR 51992](#)). First, EPA is proposing to determine that 17 areas attained the 2008 ozone NAAQS by the applicable attainment date of 20 JUL 15, based on ozone monitoring data for 2012-2014. Second, EPA is proposing to grant one-year attainment date extensions for eight areas on the basis that the requirements for such extensions have been met. Third, the EPA is proposing to reclassify 11 areas as moderate for the 2008 ozone NAAQS. In this action, EPA is proposing and taking comment on two options for the deadline by which states would need to submit to EPA the SIP revisions required for moderate areas once their areas are reclassified. Comments are due 28 SEP 15.

TITLE V PERMITTING FOR GHGS EPA amended its PSD and Title V regulations by removing from the CFR portions of those regulations initially promulgated in 2010, which the Court of Appeals for the D.C. Circuit specifically identified as vacated in the 10 APR 15 amended judgment, Coalition for Responsible Regulation v. EPA ([80 FR 50199](#)). The final rule was effective 19 AUG 15.

OREGON SIP: KLAMATH FALLS EPA is approving revisions to the Klamath Falls nonattainment area portion of the Oregon SIP that address the 2006 fine particulate matter (PM_{2.5}) NAAQS ([80 FR 51470](#)). The agency is approving an emissions inventory as meeting the requirement to submit a comprehensive, accurate, and current inventory of direct PM_{2.5} and PM_{2.5} precursor emissions in Klamath Falls, Ore. EPA also is approving and incorporating by reference PM_{2.5} control measures because they will strengthen the Oregon SIP and are designed to reduce PM_{2.5} emissions in the Klamath Falls nonattainment area that contribute to violations of the 2006 PM_{2.5} NAAQS. The final rule is effective 24 SEP 15.

WASHINGTON SIP: SPOKANE EPA is proposing to approve revisions to the Washington SIP that contain revisions to the Spokane Regional Clean Air Agency solid fuel burning device regulations to control particulate matter from residential wood combustion ([80 FR 47880](#)). The updated regulations reflect the state of Washington's statutory changes setting PM_{2.5} trigger levels for impaired air quality burn bans. Comments were due 9 SEP 15.

WASHINGTON SIP: VANCOUVER EPA approved a revision to the Washington SIP that addresses maintenance of the 1997 8-hour ozone NAAQS for the Portland/Vancouver Air Quality Maintenance Area ([80 FR 48033](#)). EPA determined that the maintenance plan for this area meets Clean Air Act (CAA) requirements and demonstrates that the Vancouver portion of the maintenance area will be able to remain in attainment for the 1997 ozone NAAQS through 2015. EPA also approved minor revisions to the motor vehicle inspection and maintenance (I/M) regulations in the statewide Emission Check Program. The approval is effective 10 SEP 15.

CLIMATE CHANGE

EPA NATIONAL WATER PROGRAM CLIMATE ADAPTATION TOOLS EPA published a handout, [National Water Program Climate Adaptation Tools](#), which lists and summarizes the tools developed by the EPA National Water Program for state, tribal, and local governments and others to adapt their clean water and drinking water programs to a changing climate. Additional information can be found [here](#).

CLIMATE TRACKER WEBSITE The Sabin Center of Climate Change Law updated its [Regulatory Tracker](#) guide. The website is a comprehensive resource, compiling in one place and providing links to the federal government's climate change-related rules and regulations.

STATE OF THE CLIMATE IN 2014 The American Meteorological Society published the [State of the Climate in 2014](#), its 25th report. The report states that most essential indicators of Earth's changing climate continued to reflect trends of a warming planet, with several markers such as rising land and ocean temperature, sea levels, and GHG emissions setting new records. The report provides detailed summaries of climatic changes by region. Key highlights from the report include:

- **Greenhouse gases continued to climb** - Major GHG concentrations, including carbon dioxide (CO₂), methane, and nitrous oxide, continued to rise during 2014, reaching historic high values.
- **Record temperatures observed near Earth's surface** - Four independent global datasets show that 2014 was the warmest year on record. The warmth was widespread across land areas, with Eastern North America being the only major region to experience below-average annual temperatures.
- **Tropical Pacific Ocean moves toward El Niño–Southern Oscillation conditions** - The El Niño–Southern Oscillation was in a neutral state during 2014, although it was on the cool side of neutral at the beginning of the year and approached warm El Niño conditions by the end of the year.
- **Sea surface temperatures at record high** - The globally averaged sea surface temperature was the highest on record. The warmth was particularly notable in the North Pacific Ocean.
- **Global upper ocean heat content at record high** - Globally, upper ocean heat content reached a record high for the year, reflecting the continuing accumulation of thermal energy in the upper layer of the oceans.
- **Global sea level at record high** - Global average sea level rose to a record high in 2014.

- **Arctic continued to warm; sea ice extent remained low** - The Arctic experienced its fourth warmest year since records began in the early 20th century. The Arctic minimum sea ice extent reached 1.94 million square miles on 17 SEP 14, the sixth lowest since satellite observations began in 1979. The eight lowest minimum sea ice extents during this period have occurred in the last eight years.
- **Antarctic showed highly variable temperature patterns and sea ice extent reached record high** - Temperature patterns across the Antarctic showed strong seasonal and regional patterns of warmer-than-normal and cooler-than-normal conditions, resulting in near-average conditions for the year for the continent as a whole. The Antarctic maximum sea ice extent reached a record high of 7.78 million square miles on 20 SEP 14. This was the third consecutive year of record maximum sea ice extent.
- **Tropical cyclones above average overall** - There were 91 tropical cyclones in 2014, well above the 1981–2010 average of 82 storms. There were more storms than average in the Eastern/Central Pacific and fewer than average in the North Atlantic.

ENERGY

CLEAN POWER PLAN In advance of formal publication in the Federal Register, EPA released the text of the final [Green Power Plan](#), which addresses GHG emissions from existing electric utility generating plants, a [final rule](#) addressing GHG emissions from new, modified, and reconstructed electric utility generating units, and a [proposed federal plan](#) and model rule to assist states in implementing the Clean Power Plan. For more information about the Clean Power Plan, click [here](#).

BETTER BUILDINGS ACT OF 2015: COMMERCIAL LEASING MODEL The General Services Administration (GSA) developed draft model commercial leasing provisions, as required under section 102 of the [Better Buildings Act of 2015](#), and is requesting public comment ([80 FR 48861](#)). The provisions are intended to encourage building owners in the private sector, as well as state, county, and municipal governments, to invest in all cost-effective energy and water efficiency improvements, and to encourage tenants in these sectors to require spaces in which such measures have been implemented. Comments are due 14 SEP 15.

GRID-ENABLED WATER HEATERS The Department of Energy (DOE) issued a final rule providing the definition of and energy conservation standards for grid-enabled water heaters ([80 FR 48004](#)). Grid-enabled water heaters are electric resistance water heaters with communication and control capability that allow utilities to use them as low-cost thermal batteries, heating the water when power is cheaper and cleaner, and deferring heating when power is expensive. Advanced controls offer the prospect of providing the grid with ancillary services such as frequency regulation and load following, reducing the need for power plants to ramp up and down as total energy consumption changes during the day. This can make the electricity system more flexible and amenable to renewable generation that has variable output, such as wind and solar. The final rule was effective 11 AUG 15.

WIND MARKET REPORT DOE's National Renewable Energy Lab (NREL) [released a report](#) suggesting that wind could replace coal as a primary U.S. electricity source. NREL data shows that the capacity factor for wind power can reach 65% with turbine technology that may be available in the near-future (i.e., 140-meter hub height towers already commercialized in Europe). Capacity factor (CF) is the ratio of a generator's average power output over a year to its nameplate rating. Higher CF wind power improves the overall economics of not just the wind-electrical power generation but also of dedicated transmission lines, by using a higher percentage of their available capacity. The economics of low-CF wind power have required that it be built relatively close to existing transmission lines rather than building new lines. As such, only a small fraction of the country's best wind sites have been developed to date. Maps of potential wind capacity developed by NREL are available [here](#).

PRESIDENT OBAMA ANNOUNCES NEW ENERGY EFFICIENCY AND RENEWABLE ENERGY ACTIONS As a part of the 25 AUG 15 National Clean Energy Summit, President Obama announced an [extensive set of executive actions](#), including the DOD Privatized Housing Solar Challenge, and private sector commitments to accelerate America's transition to cleaner

sources of energy and ways to cut energy waste. The White House also posted an [announcement](#) about modernizing electric transmission infrastructure. The administration announced new investments in the next generation of power transmission and smart grid technology in 13 states and executive actions to streamline the permitting process. For more information, click [here](#).

HAZMAT

TRANSPORTATION OF RADIOACTIVE MATERIAL The Nuclear Regulatory Commission (NRC) issued a correction to its 12 JUN 15 final rule amending regulations for the packaging and transportation of radioactive material ([80 FR 48683](#)). The June 2015 amendments made conforming changes to NRC's regulations based on the International Atomic Energy Agency's 2009 standards for the international transportation of radioactive material and to maintain consistency with Department of Transportation (DOT) regulations. This document corrects the final rule by revising a definition that contains errors and updating contact and examination information. The final rule was effective 4 AUG 15.

MULTI-MEDIA

ALASKA CROSS-MEDIA ELECTRONIC REPORTING EPA approved Alaska's request to allow electronic reporting for EPA-approved air quality programs ([80 FR 48531](#)). The approval applies to programs operated under 40 CFR Part 52 (Approval and Promulgation of Implementation Plans), Part 60 (Standards of Performance For New Stationary Sources), Part 62 (Approval and Promulgation of State Plans for Designated Facilities and Pollutants), and Part 70 (State Operating Permit Programs). The final rule was effective 13 AUG 15.

WASHINGTON CROSS-MEDIA ELECTRONIC REPORTING EPA approved Washington's request to allow electronic reporting for implementation of National Primary Drinking Water Regulations ([80 FR 47924](#)) and its approved state hazardous waste management programs ([80 FR 48528](#)). The final rules were effective 9 SEP 15 and 13 SEP 15, respectively.

NATURAL AND CULTURAL RESOURCES

NATIVE AMERICAN POLICY FWS issued a [draft Native American Policy](#) for public comment ([80 FR 46043](#)). The policy establishes a framework on which to base FWS's continued interactions with federally recognized tribes as well as interactions with Alaska Native Corporations. The policy recognizes the sovereignty of federally recognized tribes; states that FWS will work on a government-to-government basis with tribal governments; and includes guidance on co-management, access to, and use of cultural resources, capacity development, law enforcement, and education. Comments were due 2 SEP 15.

FERAL SWINE DAMAGE MANAGEMENT: FINAL EIS AND ROD The U.S. Department of Agriculture's (USDA's) Animal and Plant Health Inspection Service (APHIS) [announced](#) it has released the final environmental impact statement (EIS), [Feral Swine Damage Management: A National Approach](#), and [record of decision](#) (ROD) indicating its planned approach to feral swine management. The ROD will implement a nationally coordinated response to reduce and, in some areas, eliminate the risks and damage inflicted by feral swine to agriculture, property, natural and cultural resources, and human health. APHIS will serve as the lead federal agency in a cooperative effort with other agency partners, tribes, organizations, and local entities that share a common interest.

CONTROL AND MANAGEMENT OF RESIDENT CANADA GEESE FWS is requesting public comment on a proposed extension of information collection activities associated with control and management of resident Canada geese ([80 FR 50021](#)). In 2006, FWS issued depredation and control orders that allow certain activities associated with population management of resident Canada geese. Entities taking actions under the orders are required to report their activities. The orders allow managers at commercial, public, and private airports and military airfields to implement management of resident Canada geese to resolve or prevent threats to public safety. Each facility exercising the privileges of the order must submit an annual report with the date, numbers, and locations of birds, nests, and eggs taken. Comments on whether the service may continue to collect information are due 19 OCT 15.

SUSTAINABILITY

SUSTAINABLE FACILITIES SUB-METERING WIZARD TOOL GSA released its sustainable facilities sub-metering wizard tool ([SFtool](#)), which addresses sub-metering and agency green building practices. The tool can be used to learn about sub-metering techniques and benefits related to gas, water, and electrical systems and to comply with Executive Order (EO) [13693](#), *Planning for Federal Sustainability in the Next Decade*, and its [implementing instructions](#). The implementing instructions advise that agencies should:

- Appropriately install water meters and sub-meters to improve data available for development of a "water balance" analysis in water use assessments (page 31); and
- Employ metering and sub-metering to gain detailed understanding of energy use patterns and opportunities for improvement.

THREATENED AND ENDANGERED SPECIES

DESIGNATING EXPERIMENTAL POPULATIONS The National Marine Fisheries Service (NMFS) is proposing to establish requirements for designating experimental populations of threatened or endangered species under its jurisdiction ([80 FR 45924](#)). In 1982, congress amended ESA to allow NMFS and FWS to establish an experimental population of a listed species. In 1984, FWS promulgated regulations to guide its actions related to designating experimental populations. NMFS relied on FWS regulations when it designated experimental populations for [Middle Columbia River steelhead trout](#) in the Deschutes River Basin; [Central Valley spring-run Chinook Salmon](#) in the San Joaquin River; and [upper Columbia River spring-run Chinook Salmon](#) in the Okanogan River Subbasin. In this proposed rulemaking, NMFS would establish definitions and procedures for establishing and/or designating certain populations of listed species as experimental populations; determining whether experimental populations are essential or nonessential; and promulgating appropriate protective measures for experimental populations. According to NMFS, its proposed regulations align with FWS regulations, with minor variation. Comments are due 2 OCT 15.

MARbled MURRELET FWS is requesting public comment on the appropriateness of its existing designation of 3,698,100 acres of critical habitat in Washington, Oregon, and California for the [marbled murrelet](#) (*Brachyramphus marmoratus*) ([80 FR 51506](#)). While the agency believes that all of the designated areas meet the statutory definition critical habitat, it seeking comment on the designation. Comments are due 26 OCT 15.

GREEN SEA TURTLE FWS and NMFS extended the public comment period on their [23 MAR 15 proposal](#) to replace the existing range-wide listing for the [green sea turtle](#) (*Chelonia mydas*) and, in its place, list eight distinct population segments (DPSs) as threatened and three as endangered ([80 FR 51763](#)). The agencies propose to apply existing protective regulations to the eight turtle DPSs. The agencies also announced they will not delist the Hawaiian green turtle, as requested in a petition. Specifically, the agencies are seeking information and comment on whether each of the 11 proposed green turtle DPSs qualify as DPSs, whether listing of each DPS is warranted, and if so, whether they should be classified as threatened or endangered. The public comment period was extended to 25 SEP 15.

SMOOTH HAMMERHEAD SHARK NMFS announced it is conducting a status review of the [smooth hammerhead shark](#) (*Sphyrna zygaena*) to determine whether listing of the species or any of its DPSs is warranted ([80 FR 48053](#)). This action is being taken in response to a [petition to list](#) the species on its own right or due to its similarity to listed scalloped hammerhead shark populations and to designate critical habitat. The petition identified five populations that may qualify for protection as DPSs: Northeast Atlantic and Mediterranean Sea, Northwest Atlantic, Southwest Atlantic, Eastern Pacific, and Indo-West Pacific. Comments are due 13 OCT 15.

BIGEYE THRESHER SHARK NMFS announced it is conducting a status review of the [bigeye thresher shark](#) (*Alopias superciliosus*) to determine whether listing of the species or any of its DPSs is warranted ([80 FR 48061](#)). This action is being taken in response to a [petition to list](#) the species or its DPSs and to designate critical habitat. The species is found throughout the world in tropical and temperate seas. Comments are due 13 OCT 15.

POLAR BEAR CONSERVATION MANAGEMENT PLAN FWS extended the public comment period for its draft [Polar Bear Conservation Management Plan](#) an additional 30 days, to 19 SEP 15 (80 FR 48908). The [polar bear](#) (*Ursus maritimus*) was listed as threatened on 15 MAY 08. For more information, click [here](#).

TOXICS

RESTRICTED USE PESTICIDE APPLICATOR CERTIFICATION EPA is proposing to change regulations governing certification of restricted use pesticide applicators (80 FR 51355). The proposed changes are intended to improve the competency of certified applicators, increase protection for noncertified applicators operating under the direct supervision of a certified applicator through enhanced pesticide safety training and standards for supervision, and establish a minimum age requirement for certified and noncertified applicators. Comments are due 23 NOV 15.

IMMUNOTOXICITY ASSOCIATED WITH EXPOSURE TO PFOA OR PFOS The National Toxicology Program (NTP) is evaluating the association between exposures to perfluorooctanoic acid (PFOA) or perfluorooctane sulfonate (PFOS) and immunotoxicity (80 FR 48886). PFOA and PFOS are persistent chemicals that are widely distributed in the environment in part because of high stability and little to no expected degradation in the environment. In terms of toxicity and exposure, PFOA and PFOS are the best studied perfluoroalkyl acids, a group of compounds used extensively over the last 50 years in commercial and industrial applications including food packaging, lubricants, water-resistant coatings, and fire-retarding foams. Publications from 2012-2014 have linked PFOA and PFOS exposure to functional immune changes in humans. NTP is conducting a systematic review of the evidence for an association between exposure to PFOA or PFOS and immunotoxicity or immune-related health effects. NTP is soliciting information about ongoing studies or upcoming publications on the immune-related health effects of PFOA or PFOS that may be considered for inclusion in the evaluation.

OCCUPATIONAL EXPOSURE TO BERYLLIUM AND BERYLLIUM COMPOUNDS The Occupational Safety and Health Administration (OSHA) proposed amending its existing limits for occupational exposure in general industry to beryllium and beryllium compounds and to promulgate a substance-specific standard for general industry regulating occupational exposure to beryllium and beryllium compounds (80 FR 47565). The agency is proposing a new permissible exposure limit (PEL) and ancillary provisions for employee protection such as methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping. In addition, OSHA is seeking comment on a number of alternatives, including a lower PEL, that could affect construction and maritime, as well as general industry. Beryllium oxide is used in components such as ceramics, electrical insulators, microwave oven components, military vehicle armor, laser structural components, and automotive ignition systems. High content and low content beryllium alloys are precision machined for military and aerospace applications. Some welding consumables are also manufactured using beryllium. Comments are due 5 NOV 15.

TCE IN CONSUMER PRODUCTS EPA is proposing a significant new use rule (SNUR) for trichloroethylene (TCE) to restrict or phase out the chemical in consumer products (80 FR 47441). The proposed significant new use is manufacture or processing for use in a consumer product, with a proposed exception for use of TCE in cleaners and solvent degreasers, film cleaners, hoof polishes, lubricants, mirror edge sealants, and pepper spray. Comments are due 6 OCT 15.

WASTE

LOW-LEVEL RADIOACTIVE WASTE DISPOSAL NRC reopened the public comment period on a [proposed rule](#) governing low-level radioactive waste (LLRW) disposal sites and its associated [implementing guidance](#) (80 FR 51964). The proposed rule would require new and revised site-specific technical analyses, permit the development of site-specific criteria for LLRW acceptance based on the results of those analyses, facilitate implementation, and better align the requirements with current health and safety standards. The guidance addresses implementation of the proposed regulations. Comments are due 21 SEP 15.

SW-846 UPDATE EPA published Final Update V to the third edition of the manual, *Test Methods for Evaluating Solid Waste, Physical and Chemical Methods*, commonly referred to as SW-846 (80 FR 48522). The final update contains analytical methods, of which eight are new and 15 are revised. The methods in Update V may be used in monitoring or complying with the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. In addition, the agency is finalizing revisions to chapters one through five of SW-846 and an Office of Resource Conservation and Recovery (ORCR) policy statement in the SW-846 methods compendium. The update is being issued as guidance because changes to analytical methods are not required by RCRA hazardous waste regulations. The update was published 4 AUG 15.

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET EPA updated its Federal Agency Hazardous Waste Compliance Docket, which is used to identify federal facilities that should be evaluated to determine if they pose a threat to public health or welfare and the environment (80 FR 49223). The update includes 21 additions and 90 deletions. The total number of facilities listed on the docket is 2,323. The docket identifies certain federally operated facilities that generate and/or manage hazardous waste above specific amounts and those facilities that had a reportable quantity spill. The list is current as of 13 JUL 15.

IDAHO: HAZARDOUS WASTE PROGRAM EPA approved revisions to the Idaho hazardous waste program (80 FR 50794). In this final rule, EPA authorized the revised Idaho hazardous waste management program for all delegable federal hazardous waste regulations codified by the state as of 1 JUL 13. The final rule is effective 21 SEP 15.

WATER

DRINKING WATER PROTECTION ACT The [Drinking Water Protection Act](#), Public Law 114-45, amending the Safe Drinking Water Act, has been enacted. The new law tasks EPA to develop a strategic plan for assessing and managing risks associated with algal and cyanobacterial toxins in public drinking water systems. In the context of public drinking water systems, EPA is tasked to:

- Evaluate the risk to human health from algal toxins;
- Publish and update a comprehensive list of algal toxins that may have an adverse effect on human health;
- Summarize the known adverse human health effects of the listed algal toxins;
- Identify factors that cause toxin-producing cyanobacteria and algae to proliferate and to express toxins;
- Determine whether to publish health advisories for such algal toxins in drinking water;
- Establish guidance regarding feasible analytical methods and frequency of monitoring; and
- Recommend feasible treatment options and source water protection practices.

The strategic plan is due to congress in November 2015. Ultimately, implementation of the Drinking Water Protection Act may lead to additional sample analysis for public drinking water systems using surface water or open storage.

2014 EFFLUENT GUIDELINES PROGRAM PLAN AND REPORT EPA released the Final 2014 Effluent Guidelines Program Plan and 2014 Annual Effluent Guidelines Review Report (80 FR 46280). The plan identifies new or existing industrial categories selected for effluent guidelines and provides a schedule. The report provides detailed information about EPA's 2014 annual review of industrial wastewater discharges. Section 304(m) of the CWA requires EPA to biennially publish a plan for new and revised effluent guidelines. The plan and report are available [here](#).

WATER QUALITY STANDARDS: REGULATORY PROGRAM REVISIONS EPA is updating the federal water quality standards (WQS) regulation to provide a better pathway for states and tribes to improve water quality and protect high quality waters (80 FR 51019). The WQS regulation establishes a foundation for water quality management programs, including water quality assessments, impaired waters lists, TMDLs, and water quality-based effluent limits in National Pollutant Discharge Elimination System (NPDES) discharge permits. In this rule, EPA is revising six program areas to improve the WQS regulation's effectiveness, increase transparency, and enhance opportunities for meaningful public engagement at the state, tribal, and local levels. The final rule is effective 20 OCT 15.

TRIBAL AUTHORITY TO IMPLEMENT CWA PROGRAMS EPA is proposing to reinterpret how it views tribal authority to implement the water quality standards program and other CWA regulatory programs (80 FR 47430). This reinterpretation would allow tribes to implement the congressional delegation of authority unhindered by requirements not specified in the CWA. The reinterpretation would also bring EPA's treatment of tribes under the CWA in line with EPA's treatment of tribes under the CAA. The proposed rulemaking is intended to streamline how tribes apply for authority to implement CWA water quality standards and other regulatory programs.

NATIONAL WATER PROGRAM CLIMATE ADAPTATION TOOLS EPA published a handout, *National Water Program Climate Adaptation Tools*, which lists and summarizes the tools developed by the EPA National Water Program for state, tribal, and local governments and others to adapt their clean water and drinking water programs to a changing climate. The handout presents the tools by subject headings: Climate Ready Estuaries, Climate Ready Water Utilities, Emergency/ Incident Planning, Response, and Recovery, and Water Quality Tools. For more information, click [here](#).

WATERS OF THE UNITED STATES RULE ON HOLD A U.S. court has blocked a federal clean water rule from going into effect in certain states until a legal challenge has been resolved. The U.S. District court in North Dakota [granted a preliminary injunction](#) against the so-called Waters of the United States rule finalized by EPA and USACE. EPA [says](#) it is interpreting the injunction as applying only to the states that sued in the North Dakota district court. The 13 states are Alaska, Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, and Wyoming. However, according to a [news report](#), the judge who issued the preliminary injunction is allowing both parties to file a brief addressing the issue of whether the injunction applies nationally or in a limited geographic area.

USACE FLOOD CONTROL GUIDANCE USACE released [updated guidance](#) for providing in-kind credit for certain water resource development projects (80 FR 52258). The updated regulation provides guidance on the implementation of the in-kind contribution credit provisions of [section 221\(a\)\(4\) of the Flood Control Act of 1970](#), as further amended by section 1018 of the [Water Resources Reform and Development Act of 2014](#). It applies to all headquarters USACE elements, major subordinate commands, and district commands having civil works responsibility. Section 221 is a comprehensive authority that addresses the affording of credit for the value of in-kind contributions provided by a non-federal sponsor toward its required cost share (with exclusions) if those in-kind contributions are determined to be integral to a study or project. Comments are due 28 SEP 15.

2015 MULTI-SECTOR GENERAL PERMIT IN WASHINGTON AND IDAHO EPA is providing notice of the final [multi-sector general permit](#) (MSGP) for Idaho, federal operators in Washington, and the Spokane Tribe (80 FR 50849). The 2015 MSGP became effective in Idaho on 12 AUG 15; for federal operators in Washington on 21 JUL 15; and for the Spokane Tribe on 12 AUG 15. Within 90 days of the date of permit issuance, operators of existing facilities must submit a Notice of Intent (NOI) for coverage under the new permit. For existing facilities located in areas in Idaho (except for Indian country) NOIs must be submitted no later than 10 NOV 15. For existing facilities in Washington operated by or at the behest of a federal operator, NOIs must be submitted no later than 19 OCT 15. For more information, click [here](#).

Professional Development

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

- Environmental Regulations Practical Application Course (Course Control Number (CCN) 398)

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

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

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

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

FEDERAL TRAINING SOURCES

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

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

FedCenter also provides member assistance services such as:

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

ONLINE TRAINING: SCHEDULED EVENTS

***25 SEP AND 15 OCT 15, ONLINE: PETROLEUM VAPOR INTRUSION GUIDE WEBINAR** Join EPA's Office of Underground Storage Tanks for an informational webinar on EPA's new Technical Guide For Addressing Petroleum Vapor Intrusion At Leaking Underground Storage Tanks Sites (EPA 510-R-15-001). Learn about petroleum vapor intrusion (PVI) and EPA's recommended steps for addressing petroleum vapor intrusion.

2015 SMALL WATER AND SYSTEMS WEBINAR SERIES EPA's Office of Research Development and Office of Water is hosting a monthly webinar series to communicate EPA's current small systems research along with agency priorities. The website includes an archive of past webinars.

- 29 SEP 15: UV Disinfections Systems: Treatment of Groundwater for Small/Medium Sized Water Utilities
- 27 OCT 15: Decentralized High-Rate Wastewater Treatment of Peak Wet Weather Flows
- 24 NOV 15: Treatability Databases, Cost Models, and other Tools for Water Systems
- 15 DEC 15: Reduction of Lead in Drinking Water

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

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

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

- [Advanced Electric Metering in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Building Automation Systems for Existing Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Commissioning for Existing Federal Buildings](#) (4.5 hours, .50 CEUs)
- [Energy-Efficient Federal Purchasing](#) (4.5 hours, .50 CEUs)
- [Energy Savings Performance Contracting](#) (8.5 hours, .90 CEUs)

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

ENERGY STAR WEBCASTS. Among the offerings:

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

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

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

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

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

ONLINE TRAINING: AVAILABLE ANYTIME

CLIMATE READY WATER UTILITIES EPA’s Climate Ready Water Utilities initiative assists the water sector (drinking water, wastewater, and stormwater utilities) in addressing impacts from climate change. This information helps utility

owners and operators better prepare their systems for the impacts of climate change. The website has links to [tools and resources](#), new and recorded [training webinars](#), and more.

WATER'S IMPACT ON THE ENERGY SECTOR This on-demand webinar from the Department of Energy's Wind Program offers research on the national impacts of water scarcity on the energy sector, including how the expanded use of renewable energy and energy efficiency can help reduce the potential impacts that prolonged droughts will have on the energy sector.

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

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

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

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

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

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

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

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

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

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

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

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

CLASSROOM/INTERNET TRAINING SOURCES

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

6-8 OCT, POCATELLO, IDAHO Remote Sensing for Wildfire Applications This training is intended for wildfire managers, land managers, and GIS users working with wildfires. The previously offered ARSET webinar "[Introduction to Remote Sensing for Wildfire Applications](#)" is a prerequisite for this course. This three-day workshop will provide students with a hands-on remote sensing training for pre-fire, active-fire, and post-fire applications. This training is free; however participants must make their own travel arrangements. ARSET does not provide travel support. There is limited space for this hands-on workshop and preference will be given to wildfire managers in the western U.S.

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

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How the Regional Offices Work for You

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

To comment on item in the *Western Review*, please contact the Regional Environmental Coordinator listed at the top of each region's section.

To be added to the *Western Review* distribution list, email [Nancy Reese](mailto:Nancy.Reese).