



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 8



The U.S. Army Regional Environmental & Energy Office

February 2014

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

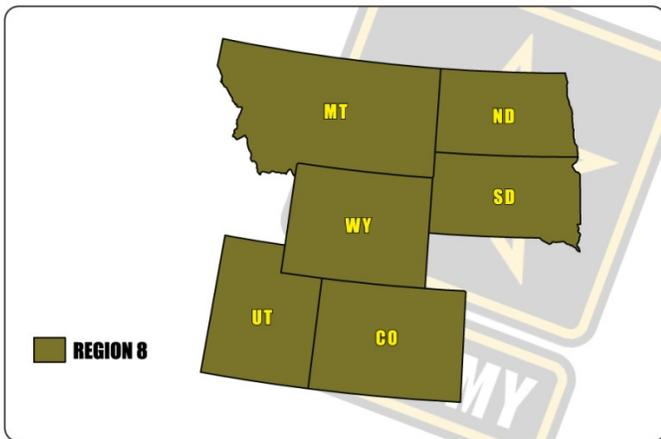


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Net Zero Extended Army-Wide

On 28 JAN 14, the Secretary of the Army signed the [Army Net Zero Policy](#) (Army Directive 2014-2). Effective immediately, the policy directs all Army installations to strive toward Net Zero when fiscally responsible and supportive of mission accomplishment. Commands will implement Net Zero by:

- Reducing overall energy use, maximizing efficiency, implementing energy recovery and cogeneration opportunities, and offsetting remaining demand with production of renewable energy from onsite sources.
- Reducing overall water use, regardless of the source; increasing use of technology that uses water more efficiently; recycling and reusing water and shifting from the use of potable water to non-potable water sources as much as possible; and minimizing the interbasin transfers of any type of water, potable or nonpotable, so that a Net Zero water installation recharges as much water back into the aquifer as it withdraws.
- Reducing, reusing, recycling, composting, and recovering solid waste streams and converting them to resource values, resulting in Net Zero landfill disposal.

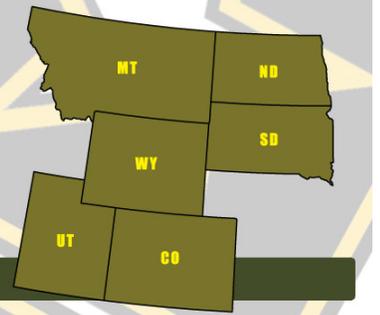
Commands are encouraged to leverage existing privatization contracts, energy savings performance contracts, and utility energy contracts; explore options for alternative financing through power purchase agreements and enhanced use leases; collaborate with other federal agencies and the private sector; and use life-cycle analysis to assess any proposed new Net Zero initiative or project.

The original Net Zero pilot installations will continue to strive toward a goal of Net Zero in energy, water, and/or solid waste by fiscal year (FY) 2020. They will serve as sources of best practices that other installations can implement.

Tracking Progress: The Office of Assistant Chief of Staff for Installation Management (OACSIM) will provide quarterly updates on each command's progress, include periodic Net Zero training in existing energy workshops, and help commanders incorporate Net Zero principles into other Army training. Commanders will hold quarterly conference calls to facilitate information exchange and summarize results in quarterly reports to OACSIM.

Region 8

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



NATURAL RESOURCES

EMERALD ASH BORER The Colorado Department of Agriculture has [adopted revisions](#) to Title 8, Colorado Code of Regulations, Section 1203-24 (8 CCR 1203-24). The revisions make permanent an emergency quarantine against the emerald ash borer (*Agrilus planipennis*, *Fairmaire*) that was adopted 12 NOV 13. The permanent rule sets forth definitions, specifies regulated articles, establishes quarantine areas, specifies restrictions on regulated articles, and specifies violations of the rules for which penalties may be imposed. The final rule is effective 2 MAR 14. For more information, contact [Jenifer Gurr](#) at (303) 239-4102.

WASTE

MANAGEMENT OF ASBESTOS-CONTAMINATED SOIL The Colorado Department of Public Health and Environment (CDPHE) [is proposing](#) to repeal and replace its rules on management of asbestos-contaminated soils. The department would replace its existing Section 5.5 (Management of Asbestos-Contaminated Soil) with [new Section 5.5](#) (Management of Regulated Asbestos-Contaminated Soil (RACS)). The rulemaking would also add Appendix 5A (Sample Collection Protocols and Analytical Methodologies) and make associated additions and revisions to Section 1.2 (Definitions). The Colorado Solid and Hazardous Waste Commission will consider the proposed rule for adoption at a public hearing scheduled for 18 FEB 14. For more information, contact [Brandy Valdez Murphy](#) at (303) 692-3467.

WATER

BIOSOLIDS CDPHE [is proposing](#) revisions to its Biosolids Regulation 64 (5 CCR 1002-64). The proposed amendments address approved methods to determine depth to groundwater, allow the use of operational plans to increase flexibility in determining the application rate for reclamation sites, align phosphorus values and references with federal and state programs, and clarify testing requirements. A [public hearing](#) is scheduled for 12 MAY 14. Comments are due the same day. For more information, contact [Tim Larson](#) at (303) 691-4091.

LOWRY SITE-SPECIFIC GROUNDWATER STANDARDS CDPHE [is proposing](#) revisions to Regulation 42 (5 CCR 1002-42). The revisions pertain to the former Lowry Air Force Base site-specific groundwater standards. A public hearing is scheduled for 12 MAY 14. Comments are due the same day. For more information, contact [Andrew Ross](#) at (303) 692-3395.

NONPOINT SOURCE FUNDS CDPHE Water Quality Control Commission [announced](#) a public hearing to consider approval of the Water Quality Control Division's proposed submittal of projects for FY14 Section 319 nonpoint source funds. Comments are due 26 FEB 14. The hearing is scheduled for 11 MAR 14. For more information, [view the list](#) of proposed projects, or contact [CDPHE](#).

PETROLEUM CLEANUP AND REDEVELOPMENT FUND The Colorado Department of Labor and Employment, Division of Oil and Public Safety [adopted](#) amendments to its storage tank regulations codified at 7 CCR 1101-14. The amendments establish implementation and operational guidelines of the Petroleum Cleanup and Redevelopment Fund. Colorado [House Bill \(HB\) 1252 \(2013\)](#) authorized creation of the fund, which is supported by civil penalties collected for violations of state petroleum storage tank laws. The final rule was effective 31 JAN 14. For more information, contact [Tim Kelley](#) at (303) 318-8544.

LEGISLATIVE DEVELOPMENTS

The [Colorado 2014 legislative session](#) began 8 JAN 14 and is estimated to adjourn 7 MAY 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Colorado Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
* SB 35 <i>Senator Ted Harvey (R)</i> Proposes to repeal SB 252 (2013). Reduces costs of compliance with state renewable energy standards and eliminates requirements for cooperative electric corporations.	✓			
LAND USE				
* HB 1150 <i>Representative Robert Rankin (R)</i> Proposes to create the Division of Federal Land Coordination in the Department of Local Affairs to address federal land decisions in Colorado that affect state and local governments. The chief coordinator is required to form a federal land coordination task force to study certain federal land decisions.	✓			
* SB 52 <i>Senator Larry Crowder (R)</i> Proposes to address actions taken by county commissioners to mitigate the effects of windblown soil and/or erosion. Expands the list of consultants county commissions can consult with and lifts the cap on treatment costs.	✓			
NATURAL RESOURCES				
OTHER				
WASTE				
* SB 29 <i>Senator Linda Newell (D)</i> Proposes to require that each producer of architectural paint being sold in the state participate in a paint stewardship program that establishes standards and practices for the collection, transportation, reuse, recycling, and disposal of postconsumer architectural paint.	✓			
WATER				
* HB 1002 <i>Representative Dave Young (D)</i> Proposes to create a natural disaster fund and direct the state to award grants to local governments (including local governments accepting grants on behalf of non-profit public water systems) for design, construction, improvement, renovation, or reconstruction of wastewater treatment works or public drinking water systems damaged by a natural disaster.	✓			

<i>Colorado Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 1026 <i>Representative Randy Fischer (D)</i> Proposes to create a more flexible change-in-use system for water court proceedings. Allows an applicant who seeks an alternative irrigation system to apply for a change in beneficial use without designating the specific beneficial use to which the water will be applied.	✓			
* HB 1028 <i>Representative Jerry Sonnenberg (R)</i> Proposes to specify conditions under which U.S. Government water rights are forfeited.	✓			
* HB 1160 <i>Representative Diane Mitsch Bush (D)</i> Proposes to exempt sludge waste vehicles operated by a city, county, municipal utility, or special district from wheel and axle load restrictions. Authorizes the issuance of an annual fleet permit for 2- or 3-axle group vehicles with divisible loads.	✓			
* SB 72 <i>Senator Greg Brophy (R)</i> Proposes to specify that the state engineer and water judges must treat all out-of-priority groundwater depletions occurring in water district 1 through 7 or 64 in water division 1 that accrued on or before 12 SEP 13, as having been fully replaced.	✓			
* SB 115 <i>Senator Ellen Roberts (R)</i> Proposes to require the Colorado Water Conservation Board to hold a hearing on a draft state water plan within each basin roundtable, update the plan based on public comments, and present the draft plan to the water resources review committee.	✓			
* SB 134 <i>Senator Mary Hodge (D)</i> Proposes to repeal certain water quality control fund and statutory schedule of fees and to create new funds. Identifies who must pay into the funds and what services the funds will cover. Provides the Water Quality Commission with certain rulemaking authorities.	✓			



WATER

TEMPORARY WATER QUALITY STANDARDS The Montana Board of Environmental Review [is proposing](#) to extend the date of temporary water quality standards for Daisy Creek, the Stillwater River, and Fisher Creek. The temporary standards are scheduled to expire in June 2014. These waters are contaminated from historic mining operations. U.S. Forest Service remediation efforts over the past 15 years have resulted in significant water quality improvements, but several contaminants in the streams remain above Department of Environmental Quality Circular Number 7 (DEQ-7) water quality criteria. If the temporary standards expire as scheduled, the more stringent DEQ-7 water quality criteria will apply and several water quality criteria will be exceeded. Extending the temporary standards to June 2019 will provide additional time to allow natural processes to occur and water quality to improve. A public hearing is scheduled for 20 FEB 14. Comments are due 27 FEB 14. For more information, contact at [Elois Johnson](#) at (406) 444-2630.

LEGISLATIVE DEVELOPMENTS

Montana does not hold a regular legislative session in 2014.



SEPTIC SYSTEMS The North Dakota Department of Health (NDDOH) [adopted amendments](#) that streamline its regulations governing servicing of septic systems and implement [Senate Bill No. 2308](#) (2013). This action repealed existing regulation (Chapter 33-21-01) and adopted a new regulation (Chapter 33-21-02). The [final rule](#) was effective 1 JAN 14. For more information, contact the NDDOH at (701) 328-5210.

DISCHARGES FROM WASTE STABILIZATION PONDS NDDOH [announced](#) that it intends to reissue a National Pollutant Discharge Elimination System (NDPDES) General Permit, [NDG120000](#), to regulate discharges from waste stabilization ponds. Coverage under the General Permit is limited to facilities that serve a population less than 5,000 and satisfy additional qualification criteria specified in the permit. Waste stabilization ponds are the most common form of sewage treatment used in small communities in North Dakota. The treated wastewater is generally discharged in the spring and fall. This General Permit applies to waste stabilization pond discharges to any waters of the state, subject to Class I or IA surface water quality standards. Comments are due 3 MAR 14. For more information, contact NDDOH at (701) 328-5210.

LEGISLATIVE DEVELOPMENTS

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



LEGISLATIVE DEVELOPMENTS

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

<i>South Dakota Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
* SB 93 <i>Senator Mike Vehle (R)</i> Proposes to define liquid natural gas, revise certain provisions regarding the collection of the motor fuel tax, and apply the motor fuel tax to all fuels used to propel a motor vehicle.	✓			
LAND USE				
* HB 1043 <i>Committee On Transportation</i> Proposes to revise and repeal certain provisions regarding the regulation of aeronautics.	✓			

<i>South Dakota Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* HB 1083 <i>Representative Betty Olson (R)</i> Proposes to restrict the term of conservation easements.	✓			
NATURAL RESOURCES				
OTHER				
WASTE				
WATER				



UDEQ RELEASES ANNUAL ENVIRONMENTAL REPORT FOR 2013 The Utah Department of Environmental Quality (UDEQ) released its [State of the Environment Report](#) highlighting agency efforts to protect state air quality, land, and water. The report identifies UDEQ efforts to protect air quality and reduce fine particulate (PM2.5) pollution, limit nutrient pollution in state waterways, control ozone, clean up contaminated sites, address standards for disposal of radiological wastes, and more. The report is divided into five categories: Planning and Analysis, Pollution Control, Environmental Response, Education and Outreach, and Assistance.

LEGISLATIVE DEVELOPMENTS

The [Utah 2014 legislative session](#) began 27 JAN 14 and is estimated to adjourn 5 MAR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Utah Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
* HB 61 <i>Representative Patrice Arent (D)</i> Proposes to enact the Clean Air Retrofit, Replacement, and Off-Road Technology Program, and amend the Clean Fuels and Vehicle Technology Program Act.	✓			
* HB 271 <i>Representative Lee Perry (R)</i> Proposes to amend rules for motor vehicle air pollution control devices.	✓			
ENERGY				
* HB 266 <i>Representative Jim Nielson (R)</i> Proposes to increase the tax rate for a variety of motor and special fuels.	✓			
* HB 240 <i>Representative Jim Nielson (R)</i> Proposes to increase the tax rate for motor and special fuels.	✓			

<i>Utah Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
*SB 45 <i>Senator Jerry Stevenson (R)</i> Proposes to prohibit the Military Installation Development Authority from levying the energy tax under certain conditions.	✓			
*SB 89 <i>Senator Stephen H. Urquhart (R)</i> Proposes to add the U.S. military to the list of potentially exempt customers of independent power producers and to delete the current install deadline of 31 DEC 15.	✓			
*SB 99 <i>Senator Scott K. Jenkins (R)</i> Proposes to address requirements for natural gas vehicles.	✓			
LAND USE				
NATURAL RESOURCES				
OTHER				
WASTE				
WATER				
*HB 49 <i>Representative Kay L. McIff (R)</i> Proposes to address water rights change applications.	✓			
*HB 298 <i>Representative Carol Spackman Moss (D)</i> Proposes to exempt owners of certain ditch systems from specified water conveyance facility management plan requirements.	✓			



LEGISLATIVE DEVELOPMENTS

The [Wyoming 2014 legislative session](#) began 10 FEB 14 and is estimated to adjourn 6 MAR 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Wyoming Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
AIR/CLIMATE CHANGE				
ENERGY				
LAND USE				

<i>Wyoming Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
NATURAL RESOURCES				
OTHER				
WASTE				
* HB 34 <i>Joint Minerals, Business And Economic Development Interim Committee</i> Proposes to modify requirements for municipal solid waste landfill engineered containment systems or performance based design standards. Makes changes to grant and loan programs.	Bill Number Assigned			
WATER				
* SB 66 <i>Select Water Committee</i> Proposes to address water development projects. Authorizes construction of dam and reservoir projects and makes appropriations.	Bill Number Assigned			

Department of Defense Activity

NAVY ENVIRONMENTAL PROGRAM MANUAL The revised Naval Operations Instruction (OPNAVINST) 5090 titled, *Environmental Readiness Program Manual*, has been released with [version 5090.1D](#). The manual contains the Navy's policy guidance for environmental readiness. It discusses requirements, delineates responsibilities, and issues policy guidance for the management of environmental, natural, and cultural resources for all navy ships and shore activities. The revised manual is available from the [Navy Issuances website](#).

CLIMATE CHANGE

HIGH-LEVEL CLIMATE CHANGE VULNERABILITY ASSESSMENT The Army released an overview of potential Army installation vulnerabilities to climate change. The [final report](#) provides a high-level vulnerability assessment for Army installations consistent with the [DoD's Quadrennial Defense Review \(QDR\)](#) and following White House Council on Environmental Quality (CEQ) [guidance](#) for federal agencies tasked to conduct a high-level analysis on agency vulnerability to climate change. The report will be used to inform Army leadership and planners at all levels of Army organizations responsible for installation management and missions regarding the potential impacts of climate change on Army training, operations, equipment, and facilities.

ENERGY

CLEAN ENERGY DEPLOYMENT ON MILITARY BASES The Pew Charitable Trusts released a report titled [Power Surge: Energy Security and the Department of Defense](#). The report examines how the military is using private-sector capabilities and harnessing innovative financing to obtain advanced energy systems. According to the study, the number of energy saving and efficiency projects at military installations more than doubled from FY10 to FY12, from 630 to 1,339. The number of renewable energy projects increased from 454 to 700 during the same period. For more information, view the Pew Charitable Trusts [press release](#).

EITF GUIDANCE FOR FINANCING RENEWABLE ENERGY PROJECTS The Army's Energy Initiatives Task Force (EITF) released the draft [Army Guide: Developing Renewable Energy Projects Leveraging Private Sector Finance](#) for review

and comment. The draft guide provides an overview for Army Installation Directorate of Public Works staff and energy managers of the principles, tools, and processes used to develop Army renewable energy projects. It also helps inform other stakeholders about the Army's project development and approval processes. As these processes evolve, the guide will be updated and expanded to include additional details and operating procedures useful for Army staff.

NATURAL AND CULTURAL RESOURCES

ARCHAEOLOGICAL INVESTIGATIONS OF SUNKEN AND TERRESTRIAL CRAFT The Navy is revising its rules pursuant to the [Sunken Military Craft Act](#) (SMCA) and issuing revised application guidelines for research permits on terrestrial military craft under Navy jurisdiction ([79 FR 620](#)). The proposed rule replaces current regulations and establishes a single permitting process for members of the public wishing to engage in activities that disturb, remove, or injure Department of Navy (DoN) sunken and terrestrial military craft for archaeological, historical, or educational purposes. The Naval History & Heritage Command (NHHHC) will serve as the permitting authority for the disturbance of non-historic and historic DoN sunken and terrestrial military craft. Comments are due 7 MAR 14. For more information, contact [Robert Neyland](#).

TRAINING

DoDI 1322.28: RMT OFF FEDERAL PROPERTY Department of Defense Instruction (DoDI) 1322.28, [Realistic Military Training \(RMT\) Off Federal Property](#), was updated effective 23 JAN 14. The DoDI establishes policy, assigns responsibilities, and provides procedures for planning, coordinating, and conducting RMT off federal real property in accordance with Department of Defense Directive ([DoDD](#)) [1322.18](#). The DoDI must be reissued, cancelled, or certified within five years of its publication to be considered current in accordance with [DoD policy](#).

WASTE

DFARS UPDATE: STORAGE, TREATMENT, AND DISPOSAL OF TOXIC OR HAZARDOUS MATERIALS DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to conform with federal statute, amend the clause prescriptions, and update the basic and alternate clause for the prohibition on storage, treatment, and disposal of toxic or hazardous materials ([79 FR 4648](#)). This action would amend [DFARS subpart 223.71](#), titled, [Storage and Disposal of Toxic and Hazardous Materials](#), to conform subpart 223.71 to [10 U.S.C. 2692](#). Additionally, the contract clause at [252.223.7006](#) is being reformatted to facilitate the use of automated contract writing systems. Refer to the Federal Register citation for details about the proposed amendments. Comments are due 31 MAR 14. For more information, contact Susan Williams at (571) 372-6092.

Federal Activity

SEMIANNUAL REGULATORY AGENDA The Environmental Protection Agency (EPA) published its Fall 2013 EPA Regulatory Plan and Unified [Agenda](#) of Federal Regulatory and Deregulatory Actions ([79 FR 1215](#)). The regulatory agenda is updated twice yearly (spring and fall). The regulatory plan (published once a year as part of the fall edition of the agenda) identifies the most significant regulatory actions that agencies expect to take in the coming year. For more information, contact [Caryn Muellerleile](#) at (202) 564-2855.

AIR

EPA GRANTING WAIVERS FROM INCINERATOR RULES ON CASE-BY-CASE BASIS EPA is exempting additional sources from its Clean Air Act (CAA), Section 129 incinerator requirements. In December 2013, the agency's enforcement office [issued a determination](#) that CAA Section 129 incinerator requirements are not applicable to a sewage sludge

gasification unit operated by MaxWest Environmental Systems in Sanford, Florida. The agency concluded that because the facility does not "burn sewage sludge for the purpose of reducing combustible matter," the facility is subject to boiler regulations, not the [sewage sludge incinerator rule](#) as found in [Title 40 Code of Federal Regulation \(CFR\), Part 60, Subpart M](#). This letter aligns with the practice by EPA's Office of Solid Waste and Emergency Response (OSWER) of providing written assurances or "comfort letters" on a case-by-case basis that some processed municipal solid waste (MSW) can be classified as "fuel" rather than "waste" under its non-hazardous secondary material (NHSM) rule. Classifying certain MSW as fuel allows the operators of these combustion units to follow the less-stringent emissions control requirements for boilers rather than stricter commercial and industrial solid waste incinerator (CISWI) standards.

EPA GRANTS WYOMING TRIBES CLEAN AIR ACT AUTHORITY, EXPANDS RESERVATION BOUNDARY On 6 DEC 13, EPA [approved](#) the Northern Arapaho and Eastern Shoshone Tribes' application to administer certain non-regulatory provisions of the CAA on the Wind River Indian Reservation ([78 FR 76829](#)). As part of this decision, the agency made a determination regarding the Reservation boundary. In its rule, EPA found that lands ceded by the tribe through a 1904 treaty, ratified in a 1905 Act of Congress ("1905 Act"), which include more than one million acres of land and the city of Riverton, are still part of the reservation and thus "Indian country" as defined in CAA regulations. This jurisdictional determination may [impact state-issued environmental permits](#) in the area, and may impact the state's jurisdiction over taxation and criminal and civil matters. The determination is subject to judicial review in the U.S. Court of Appeals for the Tenth Circuit, with a filing deadline of 18 FEB 14. The state of Wyoming [is protesting](#) the boundary change. For additional information, visit [EPA's Wind River website](#).

COLORADO SIP: GHG EMISSIONS EPA is proposing to approve revisions and additions to the Colorado State Implementation Plan (SIP) relating to greenhouse gas (GHG) emissions ([79 FR 2144](#)). The proposed SIP revisions to [Colorado Regulation Number 3](#) and the [Common Provisions Regulation](#) address the permitting of sources of GHGs. The agency is proposing to approve revisions to portions of Parts A, B and D of Regulation Number 3 to incorporate the provisions of the Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas Tailoring Rule. The proposed SIP revisions establish emission thresholds for determining which new stationary sources and modifications to existing stationary sources become subject to Colorado's PSD permitting requirements for their GHG emissions. Comments are due 12 FEB 14. For more information, contact [Jody Ostendorf](#) at (303) 312-7814.

WYOMING SIP: REGIONAL HAZE EPA is partially approving and partially disapproving revisions to the Wyoming SIP that address regional haze ([79 FR 5031](#)). In light of public comments and newly available information, the agency is now approving revisions that it had [previously](#) proposed to disapprove. EPA is also promulgating a Federal Implementation Plan (FIP) to address the remaining deficiencies in the Wyoming SIP. The final rule is effective 2 MAR 14. For more information, contact [Laurel Dygowski](#) at (303) 312-6144.

CLEANUP

STREAMLINING SUPERFUND ACTIONS EPA released its [FY14 Superfund Remedial Program Review Action Plan](#), which lays out the agency's strategy in response to a reduced Superfund budget. The FY14 plan carries forward the concepts of integrating remedial design and remedial action processes and adaptive management while emphasizing streamlining of business practices and leveraging existing in-house resources.

CLIMATE CHANGE

EPA EXTENDS AIR PERMIT POLICY FOR FUGITIVE EMISSIONS TO INCLUDES GHGS EPA is extending its policy for how to count fugitive criteria pollutant emissions for air permitting purposes to include GHGs. This action could trigger GHG permit mandates for some currently unregulated sources if their fugitive emissions would push them over the threshold for triggering a permit. The agency expanded the permitting policy on fugitive emissions in an [undated question and answer document](#) titled, *Counting GHG Fugitive Emissions in Permitting Applicability*. The document was posted to [EPA's Regional Air Program](#) website 12 DEC 13.

WITHDRAWN: GHG EMISSIONS FROM NEW EGUS EPA withdrew its [13 APR 12](#) proposed new source performance standards (NSPS) for emissions of carbon dioxide (CO₂) for new affected fossil fuel-fired electric generating units (EGUs) ([79 FR 1352](#)). This action was taken in response to new information contained in the 2.5 million comments the agency received on its original proposed rule. The withdrawal was effective 9 JAN 14. For more information, contact [Christian Fellner](#) at (919) 541-4003.

NEW PROPOSED RULE: GHG EMISSIONS FROM EGUS EPA is proposing new standards of performance for new affected fossil fuel-fired electric utility steam generating units and stationary combustion turbines ([79 FR 1429](#)). This proposed rule replaces the withdrawn rule. In the new rule, EPA is proposing a separate standard of performance for fossil fuel-fired electric utility steam generating units and integrated gasification combined cycle units that burn coal, petroleum coke and other fossil fuels that is based on partial implementation of carbon capture and storage (CCS) as the best system of emission reduction. It is also proposing standards for natural gas-fired stationary combustion turbines based on newer natural gas combined cycle technology as the best system of emission reduction. The proposed rule also includes related proposals concerning permitting fees under Title V, the Greenhouse Gas Reporting Program, and the definition of pollutant under the PSD program. Comments to EPA are due 10 MAR 14. Comments to the Office of Management and Budget (OMB) were due 7 FEB 14. A [public hearing](#) was held 6 FEB 14. For more information, contact [Nick Hutson](#) at (919) 541-2968 or visit EPA's [Carbon Pollution Standards website](#).

ENERGY

QUADRENNIAL ENERGY REVIEW President Obama issued a [memorandum](#) establishing a Quadrennial Energy Review (QER) process to ensure that federal energy policies continue to meet the nation's economic, environmental, and security goals ([79 FR 2575](#)). Over the next four years, the QER will provide a comprehensive review of these policies in context of a changing energy landscape. The memorandum establishes a Quadrennial Energy Review Task Force, which includes the DoD as a member. The task force is instructed to develop a QER report that will focus on America's infrastructure for transmitting, storing, and delivering energy. Over four years, successive installments of the QER report will provide a comprehensive set of recommendations on how best to transform America's energy production, delivery, and consumption systems to meet the challenges of the 21st century. The QER will identify important opportunities to modernize, expand, replace, or transform our energy infrastructure system to better accommodate changes in energy supply, integrate cutting-edge information and security technologies, and meet increasing demand for new consumer services.

ISSUE BRIEF: EAGLES AND ENERGY The American Wind Wildlife Institute ([AWWI](#)) released an updated [Issue Brief on Eagle Conservation, Policy and Wind Energy](#). The update explains some of the regulations related to eagle conservation and wind energy development, including the U.S. Fish and Wildlife Service (FWS) 2009 Eagle Rule and the provisions laid out in the recent extension of permits from five to 30 years. The issue brief also addresses FWS [eagle conservation plan guidance](#), intended to help wind developers maintain compliance with permits for eagle take under the 2009 rule.

EVALUATION OF WTE TECHNOLOGIES The consulting company CH2M Hill [published a technical evaluation](#) of thermal waste-to-energy (WTE) technologies. The evaluation, which includes cost estimates, addressed thermal technologies, direct combustion, pyrolysis, convention gasification, and plasma arc.

WIND ENERGY TAX SUBSIDY The wind production tax credit ended on 1 JAN 14 without congressional action. The production tax credit of 2.3 cents per kilowatt hour is available for wind projects for 10 years that were under construction at the end of 2013. Any projects that start construction this year are ineligible for the tax credit.

NATURAL RESOURCES

ANTHROPOGENIC SOUND EFFECTS ON MARINE MAMMALS The National Marine Fisheries Service (NMFS) extended the public comment period on its [draft guidance](#) for assessing the effects of anthropogenic sound on marine mammal species ([79 FR 4672](#)). The guidance provides updated received levels, or thresholds, above which individual marine

mammals are predicted to experience changes in their hearing sensitivity (either temporary or permanent) for all underwater anthropogenic sound sources. Comments are due 13 MAR 14. For more information, contact [Amy Scholik-Schlomer](#) at (301) 427-8449.

OTHER

GSA GREEN PROCUREMENT The General Services Administration's (GSA's) [Green Procurement Compilation](#) (GPC) has been updated. A new customization feature allows agencies to create their own customized product categories, products, and green purchasing requirements. All GPC users can view agency-specific content by selecting an agency and clicking on "Show" on the GPC home page. A new Transportation Services Category encourages environmentally sustainable transportation services that consume less energy and produce fewer GHGs and other pollutants. Lastly, an annotated version of [Executive Order \(EO\) 13514, Section 2 - Sustainable Facilities](#) is available with annotated strategies, definitions, and links to resources for building sustainability.

THREATENED AND ENDANGERED SPECIES

LESSER PRAIRIE CHICKEN FWS extended the public comment period for its [11 DEC 13](#) proposal to issue a revised special rule for the [lesser prairie chicken](#) (*Tympanuchus pallidicinctus*) and to list the species as threatened ([79 FR 4652](#)). This action is being taken to provide the public additional time to comment on the final [Lesser Prairie-Chicken Range-Wide Conservation Plan](#) that was prepared by the [Lesser Prairie-Chicken Interstate Working Group](#). FWS has endorsed the plan. Comments are due 12 FEB 14. The species is known or believed to occur in Colorado, Kansas, New Mexico, Oklahoma, and Texas. For more information, contact Jontie Aldrich at (918) 581-7458.

TOXIC AND HAZARDOUS CHEMICALS

TRI REPORTING EPA's electronic toxic release inventory (TRI) website is live. The [TRI-MEWeb Online Reporting System](#) and the Reporting Year (RY) 2013 TRI Reporting Forms & Instructions manual are now available. Effective 21 JAN 14, facilities must use TRI-MEWeb to submit TRI reporting forms to EPA (except for trade secret information, which facilities will still complete on paper). Facilities must submit TRI forms for RY 2013 by 1 JUL 14.

GUIDE TO EVALUATE ALTERNATIVES TO TOXIC CHEMICALS The Interstate Chemicals Clearinghouse ([IC2](#)) published a [guide](#) to help businesses, governments, and interested parties evaluate alternatives to toxic chemicals in products. The *IC2 Alternatives Assessment Guide* is designed help create safer products and reduce the impact that chemicals have on human health and the environment. IC2 is an association of state, local, and tribal governments that promotes a clean environment, healthy communities, and a vital economy through the development and use of safer chemicals and products. The guide builds on the work of the EPA's Design for the Environment (Dfe), European Union's Registration, Evaluation, Authorisation and Restriction of Chemical Substances (REACH), and other alternatives frameworks to create state-of-the-art-guidance on safer chemical substitutions.

TRIVALENT CHROME PLATING Faraday Technology Inc. developed a new process that allows high-performance chrome coatings to be made from the less toxic trivalent form of chromium (CrIII) in place of hexavalent chromium (CrVI) in plating baths. The process is described as a "nearly" drop-in replacement. High-performance, functional chrome coatings from CrVI are widely used in industrial applications for military and commercial markets. These coatings provide resistance to abrasives and sliding wear in heavy-duty machinery. The company won a small business administration [award](#) in 2013 for their process.

2012 LIQUID CHEMICAL CATEGORIZATION INTERIM RULE DELAYED The U.S. Coast Guard delayed the effective date of its 2012 liquid chemical categorization interim final rule from 16 JAN 14 to 16 JAN 15 ([79 FR 2106](#)). This action delays by one year the effective date of the Coast Guard's updated regulatory tables that list liquid hazardous materials, liquefied gases, and compressed gases that have been approved for maritime transportation in bulk. The delay will allow the Coast Guard additional time to consider comments received on the [interim final rule](#) that was published 16 AUG 13. For more information, contact [Patrick Keffler](#) at (202) 372-1424.

WASTE

E-MANIFEST In advance of publication in the Federal Register, EPA issued a final rule in the development of a national electronic manifest ([e-Manifest](#)) system, which will upgrade the current paper-based system of tracking hazardous waste to electronic reporting. The final rule authorizes the use of e-Manifests to track hazardous wastes under the Resource Conservation and Recovery Act (RCRA). The final rule establishes the legal and policy framework for using electronic manifests. However, several more steps are needed before the e-Manifest program can be implemented. In 2014, EPA will work with states, industry, and other stakeholders to develop plans for the many key aspects of the system and address concerns of intersystem compatibility. The agency will also begin developing the initial fee structure of the system, including implementation and compliance dates, through a rulemaking. Stakeholders and interested parties will have the opportunity to comment on the proposed rule when it becomes available.

COAL ASH RULES TO BE FINALIZED BY DECEMBER 2014 EPA entered into a [consent decree](#) committing the agency to finalize its coal ash disposal regulations under RCRA by 19 DEC 14. The consent decree does not distinguish between EPA's proposals applicable to ash from electric power generation facilities, and to ash from other coal combustion.

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET UPDATED EPA released an annual update to its Federal Agency Hazardous Waste Compliance Docket ([79 FR 654](#)). The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 120(c) requires EPA to establish a docket that contains certain information reported to EPA by federal facilities that manage hazardous waste or from which a reportable quantity of hazardous substances has been released. The docket 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. This update includes 36 additions, two deletions, and one correction. For a complete list of facilities added to or deleted from the docket, refer to the Federal Register citation.

LOW-LEVEL RADIOACTIVE WASTE DISPOSAL PROGRAM The Nuclear Regulatory Commission (NRC) is soliciting public input on proposed revisions to its Low-Level Radioactive Waste (LLRW) disposal regulations and an update to its 2007 Strategic Assessment of the LLRW regulatory program ([79 FR 4012](#)). A public workshop is scheduled for 7 MAR 14. Comments are due the same day. NRC is also seeking comments on developments that would affect the LLRW regulatory program in the next five to seven years, including changes to the national landscape in the LLRW area that would affect licensees and sited states in the context of safety, security, and the protection of the environment. For more information, contact [Melanie Wong](#) at (301) 415-2432.

SUSTAINABILITY INCUBATOR TO CONVERT WASTE TO CASH The city of Phoenix and Arizona State University have signed a four-year agreement to establish a public/private sustainability incubator focused on converting waste and other resources into economic value. The Center for Resource Intelligence (CfRI) will be a network of public and private entities that provides a wide array of research, development, education, and services to more effectively manage resources and create economic value. The center will be managed by ASU's [Sustainability Solutions Services](#).

WATER

NEW EPA EMERGENCY RESPONSE WEBSITE On 6 JAN 14, EPA announced a new [Emergency Response Website](#). The website shows the current spill reporting phone number and links to information about the agency's role in emergency response, response tools, and response partners, frequently asked questions, and top requested downloads.

COMMUNITY FIRE SAFETY ACT The [Community Fire Safety Act of 2013](#) has been enacted as Public Law No: 113-64. The law amends the Safe Drinking Water Act to exempt fire hydrants from the prohibition on use of lead pipes, fittings, fixtures, solder, and flux.

STORMWATER CALCULATOR EPA released phase II of the [National Stormwater Calculator and Climate Assessment Tool](#) package. The updated calculator includes future climate vulnerability scenarios. The calculator, a part of President Obama's [Climate Change Action Plan](#), is a desktop application that estimates the annual amount of stormwater runoff

from a specific location. The calculator now includes changes in seasonal precipitation levels, the effects of more frequent high-intensity storms, and changes in evaporation rates based on scenarios validated by the Intergovernmental Panel on Climate Change.

OIL SPILL FACILITY RESPONSE PLANS The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued an advisory bulletin to remind onshore oil pipeline operators of the circumstances of the Marshall, Michigan, pipeline accident and the need to update facility response plans every five years ([79 FR 4532](#)). Plans must also be [updated](#) whenever new or different operating conditions would affect response plan implementation. Plans must be prepared in accordance with [49 CFR 194, Appendix A](#) (applicable to operators of onshore oil pipelines). For more information, contact [Justin Pryor](#) at (202) 366-4595.

GAO REPORT: CHANGES NEEDED TO CWA TO PROTECT SURFACE WATERS The U.S. Government Accountability Office (GAO) was asked to evaluate how implementation of total maximum daily loads (TMDLs) implemented under the Clean Water Act (CWA) contribute to achieving national water quality goals ([GAO-14-80](#)). To do this, GAO studied long established TMDLs in specific water bodies and how those TMDLs contribute to water quality. What the GAO found is that 83% of long established TMDLs achieved targets for point source pollution (e.g., factories) through permits but that only 20% achieved targets for nonpoint source pollution. GAO determined that TMDLs lack key features, and that some of these key features are beyond the scope of EPA's existing regulations. GAO recommends that that EPA issue new regulations for TMDL development, adding key features. Further, Congress should consider revising CWA's approach to addressing nonpoint source pollution. GAO found that without changes to the act's approach to nonpoint source pollution, its goals are likely to remain unfulfilled. For more information, contact [Jose Gomez](#) at (202) 512-3841, refer to the [GAO report](#), or view the report [highlights page](#).

GAO REPORT: CLIMATE CHANGE AND WATER INFRASTRUCTURE GAO issued a report titled, [Federal Efforts Under Way to Assess Water Infrastructure Vulnerabilities and Address Adaptation Challenges](#) ([GAO-14-23](#)). The report reviews Federal Bureau of Reclamation and Army Corps of Engineers efforts to assess and respond to potential effects of climate change on water infrastructure. GAO analyzed agencies' climate change adaptation guidance and planning documents and interviewed agency officials and other key stakeholders, including water users, environmental groups, and researchers. GAO is not making any recommendations in the report. For more information, contact [Steve Morris](#) at (202) 512-3841.

Professional Development

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

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

- Environmental [conferences](#), meetings, [training](#), and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

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

USACE PROSPECT Training USACE announces course availability for the FY14 PROSPECT (i.e., Proponent-Sponsored Engineer Corps Training) program. Please see the [Course Catalog \(a.k.a. Purple Book\)](#) and [List of Classes and schedule](#) for details. Courses are open to all federal, state, county and city employees and contractors. There are different registration processes for each entity.

NAVY AND ISEERB ENVIRONMENTAL TRAINING FY14 The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY14 is available. Course topics include environmental overview and management, law planning and sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING FY14 The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charges. Travel costs are borne by the student.

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

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

Online Training

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

- [Advanced Electric Metering in Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Building Automation Systems for Existing Federal Facilities](#) (3.5 hours, .40 CEUs)
- [Commissioning for Existing Federal Buildings](#) (4.5 hours, .50 CEUs)

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

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

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

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

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

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

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

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

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

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

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

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

***AREA SOURCE BOILER RULE VIDEO SERIES** A new [EPA video series](#) explaining the Area Source Boiler Rule recently became available. The series consists of modules regarding:

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

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

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

How the Regional Offices Work for You

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

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

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

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Acronyms

ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
AFFF	aqueous film forming foam
ARM	Administrative Rules of Montana
ATSDR	Agency for Toxic Substances and Disease Registry
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAIR	Clean Air Interstate Rule
CAMR	Clean Air Mercury Rule
CCR	Code of Colorado Regulations
CDNR	Colorado Department of Natural Resources
CDPHE	Colorado Department of Public Health and Environment
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CH₄	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
COE	Corps of Engineers
CrVI	hexavalent chromium
CSB	Chemical Safety Board
CWA	Clean Water Act
CWQCC	Colorado Water Quality Control Commission
CX	categorical exclusion
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOT	Department of Transportation
ECA	emission control area
DPS	distinct population segment
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EO	Executive Order
EPA	Environmental Protection Agency
EQC	Environmental Quality Council
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FS	Forest Service
FWS	Fish and Wildlife Service
FY	fiscal year
GAO	Government Accountability Office
GHG	greenhouse gas
GSA	General Service Administration

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

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