



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 9



The U.S. Army Regional Environmental & Energy Office

February 2014

The **WESTERN REGION 9 REVIEW** provides current information on natural resource, energy, and environmental issues relevant to Department of Defense interests in the 4 states and territories that comprise Federal Region 9. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Western Region 9 Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. To receive a copy of this electronic publication, send an email request to nancy.l.reese2.ctr@mail.mil.

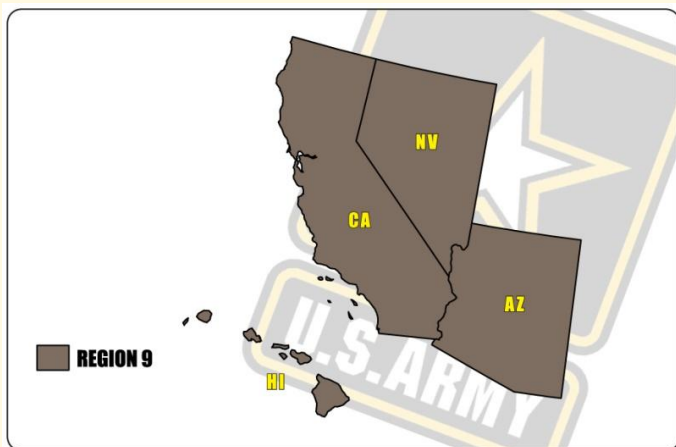


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Net Zero Extended Army-Wide

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.

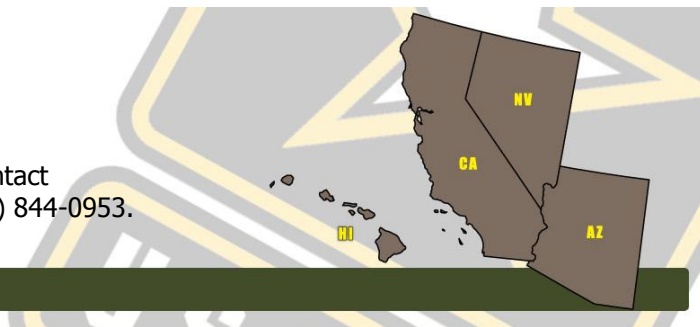
Commands are encouraged to leverage existing privatization contracts, energy savings performance contracts, and utility energy contracts; explore options for alternative financing through power purchase agreements and enhanced use leases; collaborate with other federal agencies and the private sector; 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 9

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



AIR

INCINERATION OF BIOSOLIDS The Arizona Department of Environmental Quality (ADEQ) [is proposing](#) to repeal a state prohibition on the incineration of biosolids ([R18-9-1002](#)) and to incorporate federal biosolid incinerator requirements by reference. ADEQ's biosolids rules require that any person applying, generating or transporting biosolids/sewage sludge in Arizona must register that activity. Incineration of biosolids has been prohibited under R18-9-1002(G) since 2001. ADEQ is proposing to repeal the prohibition on incineration of biosolids, thereby allowing incineration as a means of disposal. This action would incorporate by reference Title 40 Code of Federal Regulation (CFR) Part 503, Subpart E into state rules. In addition to requirements under the Clean Air Act (CAA), the owner of an incinerator must also comply with requirements under the Clean Water Act. A rulemaking docket opening was published 17 JAN 14. A timetable for department actions or decisions has not been determined. For more information, contact [Wendy LeStarge](#) at (602) 771-4836.

WATER

DRINKING WATER AND WASTEWATER OPERATOR CERTIFICATION FEES ADEQ [is proposing](#) to establish new fees for the certification of drinking water and wastewater operators. The department is granted authority to establish rules for the certification of operating personnel and to assess reasonable fees under Arizona Revised Statute (ARS) §§ [49-352\(A\)](#) and [49-361\(2\)](#). A rulemaking docket opening was published 17 JAN 14. For more information, contact [Wendy LeStarge](#) at (602) 771-4836.

LEGISLATIVE DEVELOPMENTS

The [2014 Arizona legislative session](#) began 13 JAN 14 and is estimated to adjourn 31 MAY 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Arizona 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>Arizona 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				
* HB 2092 <i>Representative Thomas Shope (R)</i> Proposes to terminate the Arizona Department of Environmental Quality on 1 JUL 24.	✓			
WASTE				
WATER				
* HB 2326 <i>Representative Thomas Shope (R)</i> Proposes to address water banking authority and water storage credits.	✓			



WASTE

RECYCLING CENTER CERTIFICATION The California Department of Resources, Recycling, and Recovery (CalRecycle) [adopted an emergency rulemaking](#) regarding the process for certification of recycling centers/processors. This action adopts new Section 2012 and amends Sections 2010, 2015, 2030, 2040, 2045, 2405, and 2505 of Title 14 of the California Code of Regulations (CCR) in accordance with [Senate Bill 96 \(2013\)](#). The emergency rulemaking was effective 1 JAN 14. For more information, contact Sharon Siozon at (916) 322-1760.

WATER

CALIFORNIA GOVERNOR DECLARES DROUGHT EMERGENCY With 2014 projected to become the driest year in California's recorded history, California Governor Edmund G. Brown [declared a state of emergency](#) due to water shortage and drought conditions. In December, the Governor formed a [Drought Task Force](#) to review expected water allocations and California's preparedness for water scarcity. The proclamation provides state water officials with increased flexibility to manage water supply throughout the state.

GROUNDWATER CONCEPT PAPER The California State Water Resources Control Board [announced](#) a public workshop to consider public input on a discussion draft Groundwater Concept Paper. The draft concept paper is intended to serve as a starting point to identify and prioritize groundwater protection actions that the regional water boards will carry out over the next five years. The purpose of the concept paper is to ensure that the regional water boards effectively use their authorities and resources to address the state's most pressing groundwater challenges, and to complement and support groundwater management efforts occurring at the local level. The workshop was held 22 JAN 14. For more information, contact [Gail Link](#) at (916) 341-5285 or visit the [water board website](#).

SURFACE WATER SHORTAGE AND CURTAILMENT OF WATER RIGHT DIVERSIONS The California State Water Resources Control Board [issued a Notice of Surface Water Shortage and Potential for Curtailment of Water Right Diversions](#). In the coming weeks and months, if dry weather conditions persist, the State Water Board will notify water right holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based on their priority. Some riparian and pre-1914 water right holders may also receive a notice to stop diverting water if their diversions are downstream of reservoirs releasing stored water and there is no natural flow available for diversion.

This action is being taken in response to Governor Brown's [declaration of a State of Emergency](#). For more information, visit the State Water Board's [drought website](#).

LEGISLATIVE DEVELOPMENTS

The [2014 California legislative session](#) began 5 JAN 14 and adjourns 30 NOV 14. An * indicates the first time a bill appears in the 2014 Review.

<i>California 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				
* AB 26 <i>Assemblywoman Susan Bonilla (D)</i> Proposes to prohibit the Controller from using moneys deposited in the Greenhouse Gas Reduction Fund for cash flow loans to the General Fund.	✓	✓		
* AB 147 <i>Assemblyman Manuel Perez (D)</i> Proposes to specify certain actions be completed concerning dust mitigation in the Salton Sea. Pertains to abatement of dust from the Salton Sea caused by other water transfers in the Quantification Settlement Agreement (QSA).	✓	✓		
* AB 278 <i>Assemblyman Mike Gatto (D)</i> Proposes to change how the California Air Resources Board scores low carbon fuels. Requires the board to consider specific issues including deforestation, environmental law in place for the fuel's origin, and disruptions in food supply or costs.	✓	✓		
* SB 605 <i>Senator Ricardo Lara (D)</i> Proposes to require the California Air Resources Board, when updating the greenhouse gas scoping plan, to include specified criteria. Requires all greenhouse gas emissions reductions be achieved within the state in areas that are most impacted by greenhouse gases and other pollutants.	✓	✓		
ENERGY				
* AB 148 <i>Assemblyman Manuel Perez (D)</i> Proposes to establish a Salton Sea Renewable Energy and Biofuel Research and Development Program in the Salton Sea basin to provide grants to facilitate research and the commercial development of renewable energy and biofuel resources. Requires the Natural Resources Agency to issue rules for application, review, and issuance of grants.	✓			
* AB 177 <i>Assemblyman Manuel Perez (D)</i> Proposes to require all retail sellers of electricity to procure new demand-side and clean energy generation to achieve greenhouse gas emissions reduction, resource adequacy, and renewable goals simultaneously in the most cost-effective manner practicable. Promotes renewable energy development in the Salton Sea area.	✓			
* AB 1014 <i>Assemblyman Das Williams (D)</i> Proposes to create the Green Tariff and Shared Renewable Generation program.	✓	✓		
LAND USE				

<i>California 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				
AB 37 <i>Assemblyman Henry T. Perea (D)</i> Proposes to amend the California Environmental Quality Act (CEQA) to require project applicants to prepare certain documentation.	✓	✓		
*AB 1514 <i>Assemblywoman Lorena Gonzalez (D)</i> Proposes to authorize the Department of Fish and Wildlife to enter into an agreement to prepare a natural community conservation plan. Provides for management and conservation of wildlife species, but not limited to those species listed as endangered or threatened. Authorizes a person or local, state, or federal agency to undertake natural community conservation planning.	✓			
OTHER				
WASTE				
*AB 215 <i>Assemblyman Wesley Chesbro (D)</i> Proposes to revise the definitions of the various terms pertaining to requirements for rigid plastic packaging containers.	✓	✓		
*AB 471 <i>Assemblyman Mark Stone (D)</i> Proposes to require the California State Board of Pharmacy to license a surplus medication collection and distribution intermediary to facilitate the connection of participating entities under the unused medication repository and distribution program. Prohibits the intermediary from taking possession, custody, or control of dangerous drugs and devices, and authorizes him or her to charge specified fees for the costs of services.	✓	✓		
*SB 712 <i>Senator Ricardo Lara (D)</i> Proposes to require the California Department of Toxic Substances Control to take final action on an application for a hazardous waste facilities permit submitted by a facility operating under a grant of interim status on or before 1 JAN 86, by either issuing a final permit or a final denial. Requires the department to issue a final decision by 31 DEC 15.	✓			
WATER				
*AB 282 <i>Assemblyman Bob Wieckowski (D)</i> Proposes to increase the fee to store petroleum in an underground storage tank by \$0.006 per gallon until 2016.	✓	✓		
*AB 371 <i>Assemblyman Rudy Salas (D)</i> Proposes to allow the Kern County Board of Supervisors to regulate or prohibit by ordinance, in a manner more stringent than state or federal law, the land application of sewage sludge in unincorporated areas in the county's jurisdiction.	✓			
*AB 467 <i>Assemblyman Mark Stone (D)</i> Proposes to require the state board, in expending moneys from the Freshwater Protection Fund, to prioritize programs that provide drinking water solutions for disadvantaged and severely disadvantaged communities.	✓	✓		

<i>California Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
* AB 1445 <i>Assemblyman Dan Logue (R)</i> Proposes to create the Safe, Clean, and Reliable Drinking Water Supply Act of 2014 to authorize the issuance of bonds to finance a safe drinking water and water supply reliability program.	✓			
* SB 449 <i>Senator Cathleen Galgiani (D)</i> Proposes to prohibit certain water project grants unless the project applicant is found to be sufficiently reducing their dependence on the Delta watershed.	✓			



LEGISLATIVE DEVELOPMENTS

The [2014 Hawaii legislative session](#) began 15 JAN 14 and is estimated to adjourn 1 MAY 14. An * indicates the first time a bill appears in the 2014 Review.

<i>Hawaii 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 1490 <i>Representative Isaac W. Choy (D)</i> Proposes to require certain diesel-powered electrical power generators to be equipped with diesel particulate filters that remove no less than 85% of the particulate matter.	✓			
* HB 1714 <i>Representative Joseph Souki (D)</i> Proposes to address climate change adaptation. Tasks the sustainability coordinator to identify expected climate impacts and submit a report. Tasks the Office of Planning to establish and implement strategic climate adaptation plans and policy recommendations. Establishes an interagency climate council tasked to implement state climate change policy through 2050. Appropriates funds. Companion bill is SB 2344.	✓			
* SB 2344 <i>Senator Donna Mercado Kim (D)</i> Proposes to address climate change adaptation. Tasks the sustainability coordinator to identify expected climate impacts and submit a report. Tasks the Office of Planning to establish and implement strategic climate adaptation plans and policy recommendations. Establishes an interagency climate council tasked to implement state climate change policy through 2050. Appropriates funds. Companion bill is HB 1714.	✓			
ENERGY				
* HB 94 <i>Representative Faye P. Hanohano (D)</i> Proposes to establish a virtual net metering pilot program for renewable energy projects to expand access to renewable energy resources to all ratepayers. Allows the Public Utilities Commission to revise the bill credit mechanism for renewable energy credits. Companion bill is SB 379.	✓			

<i>Hawaii Bill Number, Sponsor, and Description</i>	<i>Bill Introduced</i>	<i>Passed 1st House</i>	<i>Passed 2nd House</i>	<i>Status</i>
*HB 728 <i>Representative K. Mark Takai (D)</i> Proposes to authorize group net metering among electric utility customers beginning 1 JUL 14. Directs the Public Utilities Commission to adopt rules for group net metering.	✓			
*HB 757 <i>Representative Chris Kalani Lee (D)</i> Proposes to establish renewable portfolio standards in the state. Specifies the percentage of net energy sales that must come from renewable energy, with the percentage increasing every five years, until reaching 100% by 31 DEC 50.	✓			
*HB 1199 <i>Representative Marcus R. Oshiro (D)</i> Proposes to expand net metering by requiring large-capacity eligible customer generators to be selected by competitive sealed bidding; and amending maximum allowable capacity of eligible customer generators and total rated generating capacity. Companion bill is SB 1291.	✓			
*HB 1584 <i>Representative Joseph Souki (D)</i> Proposes to establish a renewable energy facility siting process to expedite the review and action upon state and county permits necessary for the siting, development, construction, and operation of a renewable energy facility.	✓			
*SB 379 <i>Senator Russell Ruderman (D)</i> Proposes to establish a virtual net metering pilot program for renewable energy projects to expand access to renewable energy resources to all ratepayers. Allows the Public Utilities Commission to revise the bill credit mechanism for renewable energy credits. Companion bill is HB 94.	✓			
*SB 1291 <i>Senator Mike Gabbard (R)</i> Proposes to expand net metering by requiring large-capacity eligible customer generators to be selected by competitive sealed bid. Amends the maximum allowable capacity of eligible customer generators and total rated generating capacity. Companion bill is HB 1199.	✓			
LAND USE				
*HB 509 <i>Representative Jo Jordan (D)</i> Proposes to establish the Makua Valley Reserve Commission to oversee preservation and restoration activities in Makua Valley on Oahu.	✓	✓		
NATURAL RESOURCES				
OTHER				
WASTE				
WATER				

In addition, the Guam 32nd legislative session began 14 JAN 13 and adjourns 31 DEC 14.

[BCOR 11-32](#) proposes to create the Guam Coral Reef Protection Act. The act includes notification provisions for any person who damages corals and provides for civil and other penalties. Introduced 10 JAN 14.

[BCOR 61-32](#) proposes to adopt the Guam Energy Code. Introduced. Passed Committee 1 Feb 14.

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

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



NATURAL RESOURCES

SAGE GROUSE HABITAT GRANT FUND The Nevada Department of Conservation and Natural Resources [is proposing](#) to establish the Sage Grouse Habitat Competitive Fund. This action would amend Nevada Administrative Code (NAC) Chapter 548.120, Section 7. For more information, contact Joe Locurto at (775) 684-8600.

WATER

HYDRAULIC FRACTURING The Nevada Commission on Mineral Resources [is proposing](#) to address the use of hydraulic fracturing in the drilling of exploration or production wells for oil and/or gas in Nevada. This action is being taken in accordance with [Senate Bill 390 \(2013\)](#). SB 390 requires the Nevada Division of Minerals and the Nevada Division of Environmental Protection to develop a program to assess the effects of hydraulic fracturing on waters of the state, require disclosure of chemicals used in hydraulic fracturing, and develop public notification requirements for activities related to hydraulic fracturing in the state. This action would amend NAC 522. For more information, contact the Division of Minerals at (775) 684-7040.

LEGISLATIVE DEVELOPMENTS

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

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](#).

PROPOSED BIOFUEL PLANT AT SCHOFIELD BARRACKS The Army will prepare a joint Environmental Impact Statement (EIS) for the proposed lease of Army land at Schofield Barracks to the Hawaiian Electric Company for the construction and operation on that land of a 50-megawatt (MW) biofuel-capable power generation plant ([79 FR 3187](#)). The EIS is designed to meet the requirements of both the National Environmental Policy Act (NEPA) and the Hawaii Environmental Policy Act (HEPA). The Army also intends to integrate the NEPA process with the consultation and public participation requirements of Section 106 of the National Historic Preservation Act. The Schofield Generating Station Project would occupy 10.3 acres of land and a related 2.5-acre interconnection easement. It would generate renewable power to provide energy security for Schofield Barracks, Wheeler Army Airfield, and Field Station Kunia. The plant would operate on a mix of biofuel and diesel and may help sustain a local demand for biofuels. During the 45-day [scoping period](#), which runs from 17 JAN 14 to 2 MAR 14, the community can participate in public scoping meetings, submit written comments, or both. For more information, contact [Doug Waters](#) at (703) 601-0511.

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](#).

NORTHERN MARIANAS ISLANDS On 15 JAN 14, President Obama issued [Proclamation 9077](#) reserving certain submerged lands in the Commonwealth of the Northern Marianas Islands (CNMI) for military training. The

proclamation reserves and retains U.S. control over certain submerged lands that would have otherwise been conveyed to the Government of the Commonwealth of the Northern Mariana Islands on 16 JAN 14. These lands are covered in a 6 JAN 83 lease agreement meant for training of U.S. forces. The proclamation notes they are among the most biologically diverse in the Western Pacific, with relatively pristine coral reef ecosystems.

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 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 [40 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.

CALIFORNIA SIP: ANTELOPE VALLEY, MOJAVE DESERT, MONTEREY BAY, SOUTH COAST EPA is approving revisions to local district portions of the California State Implementation Plan (SIP) ([79 FR 364](#)). This action approves revisions to the [Antelope Valley Air Quality Management District](#), [Mojave Desert Air Quality Management District](#), [Monterey Bay Unified Air Pollution Control District](#), and the [South Coast Air Quality Management District](#) portions of the California SIP that concern volatile organic compound (VOC) emissions from architectural coatings, liquefied petroleum gas transfer, and ignition of charcoal. Antelope Valley District Rule 1174 (Control of Volatile Organic Compound Emissions from the Ignition of Barbecue Charcoal) is rescinded. Amendments to Mojave Desert District Rule 1113 (Architectural Coatings) are approved. Amendments to Monterey Bay District Rule 426 (Architectural Coatings) are approved. Amendments to South Coast District Rule 1177 (Liquefied Petroleum Gas Transfer and Dispensing) are approved. EPA approval of

these local rules is effective 4 MAR 14 without further notice unless the agency received adverse comment by 3 FEB 14. For more information, contact [Nicole Law](#) at (415) 947-4126.

CALIFORNIA SIP: EL DORADO EPA is taking direct final action to approve revisions to the [El Dorado County Air Quality Management District](#) portion of the California SIP ([79 FR 2375](#)). The revisions concern negative declarations for VOC source categories for the district. The final rule is effective 17 MAR 14 unless EPA received adverse comment by 13 FEB 14. For more information, contact [Stanley Tong](#) at (415) 947-4122.

CALIFORNIA SIP: SANTA BARBARA EPA is taking direct final action to approve revisions to the [Santa Barbara County Air Pollution Control District](#) portion of the California SIP ([79 FR 4821](#)). The revisions concern VOC emissions from solvent cleaning machines and operations, coating of metal parts and products, and polyester resin operations. The agency is approving local rules that regulate these emission sources. The final rule is effective 31 MAR 14 unless the agency receives adverse comment by 3 MAR 14. For more information, contact [Adrienne Borgia](#) at (415) 972-3576.

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.

EPA REMOVES PART OF EL TORO FROM SUPERFUND LIST EPA deleted more than 1,900 acres of the former [El Toro Marine Air Corps Station](#) from the National Priorities List (NPL) of Superfund sites. The El Toro site covers approximately 4,712 acres in the City of Irvine in Orange County, California. Development of the site began in 1942. The station was used to support the Fleet Marine Forces in the Pacific Ocean, and served as the major West Coast jet fighter facility. The site was added to EPA's Superfund NPL list in 1990 and was officially decommissioned as an active base in 1999. EPA continues to work on the remainder of the El Toro Superfund site, including operation of a groundwater extraction and treatment system and monitoring of capped landfills and groundwater. The delisting was made final on 21 JAN 14.

CLIMATE CHANGE

EPA EXTENDS AIR PERMIT POLICY FOR FUGITIVE EMISSIONS TO INCLUDE GHGS EPA is extending its policy for how to count fugitive criteria pollutant emissions for air permitting purposes to include greenhouse gases (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 prevention of significant deterioration (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.

PROPOSED NATIONAL ESTUARINE RESEARCH RESERVE: HEEIA ESTUARY, KANEOHE BAY The [Hawaii Office of Planning](#) scheduled a public meeting to receive public comment on its preliminary proposal to designate the Heeia estuary in Kaneohe Bay, Oahu as a National Estuarine Research Reserve ([78 FR 4451](#)). The meeting will be held 27 FEB 14. Comments are due 7 MAR 14. The National Estuarine Research Reserve System (NERRS) is a federal-state partnership that is administered by the National Oceanic and Atmospheric Administration (NOAA). The system protects more than 1.3 million acres of estuarine habitat for long-term research, monitoring, education, and stewardship throughout the coastal United States. Established by the Coastal Zone Management Act of 1972, as amended, [16 U.S.C. 1451-1466](#),

each reserve is managed by a lead state agency or university, with input from local partners. NOAA provides funding and national programmatic guidance. For more information, contact [Erica Seiden](#) at (301) 563-1172.

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

REGULATORY AGENDA: DEPARTMENT OF COMMERCE The Department of Commerce published its fall 2013 Unified Agenda of Federal Regulatory and Deregulatory Actions ([79 FR 1122](#)). The purpose of the agenda is to provide information to the public on regulations that are currently under review, being proposed, or issued. The fall 2013 regulatory agenda includes regulatory activities that it expects to conduct during the period 1 OCT 13 through 30 SEP 14. Among NOAA rules in the final stage:

- Revision of Hawaiian monk seal critical habitat ([0648-BA81](#));
- Designation of critical habitat for Lower Columbia River coho salmon and Puget Sound steelhead ([0648-BB30](#));
- Designation of critical habitat for distinct population segments (DPS) of yelloweye rockfish, canary rockfish, and Boccaccio ([0648-BC76](#)); and
- Critical habitat determination for North Pacific loggerhead sea turtle DPS ([0648-BC76](#)).

SIX-MONTH EXTENSION FOR PROPOSED LISTING: ZUNI BLUE SUCKER FWS announced a six-month extension for issuing its final determination concerning listing of the [Zuni blue sucker](#) (*Catostomus discobolus yarrowi*) as endangered ([79 FR 1615](#)). The comment period on the proposed listing was extended to 10 FEB 14. The service is taking this action in response to comments indicating there is substantial disagreement regarding the sufficiency or accuracy of available data on the Zuni blue sucker. The species is believed to occur in the Zuni River watershed in New Mexico, the Little Colorado River watershed in eastern Arizona, and in or near Canyon De Chelly in northeastern Arizona. For more information, contact J Murphy at (505) 346-2525.

COMMENT PERIOD: YELLOW-LEGGED FROG AND YOSEMITE TOAD FWS reopened the public comment period on its 25 APR 13 proposed rule [to list](#) the Sierra Nevada [yellow-legged frog](#) and the DPS of the mountain yellow-legged frog (populations that occur north of the Tehachapi Mountains) as endangered and the Yosemite toad as a threatened ([79 FR 1805](#)). The service also reopened the public comment period on its 25 APR 13 proposed rule [to designate critical habitat](#) for these species. In addition, FWS announced the availability of a draft economic analysis (DEA) of the proposed critical habitat designation. Comments are due 11 MAR 14. Public hearings and meetings were in January 2014. For more information, contact Jennifer Norris at (916) 414-6600.

SOUTHERN SEA OTTER STOCK ASSESSMENTS FWS issued its [final stock assessment report](#) (SAR) for the [southern sea otter](#) stock in California ([79 FR 3612](#)). The SAR helps accomplish the goal of maintaining marine mammal stocks at their optimum sustainable population level. For more information, contact [Lilian Carswell](#) at (805) 644-1766.

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?

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

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Acronyms

AAQS	ambient air quality standards
ACHP	Advisory Council on Historic Preservation
ACUB	Army Compatible Use Buffer
ADEQ	Arizona Department of Environmental Quality
ADWM	Arizona Department of Weights and Measures
ADWR	Arizona Department of Water Resources
AFB	Air Force Base
AGRRC	Arizona Governor's Regulatory Review Council
AQIP	Air Quality Improvement Program
ARNG	Army National Guard
ASTM	American Standard Test Method
ATSDR	Agency for Toxic Substances and Disease Registry
BACM	best available control measure
BACT	best available control technology
BART	best available retro-fit technology
BLM	Bureau of Land Management
BTU	British thermal unit
CAA	Clean Air Act
CAFE	corporate average fuel economy
CAIR	Clean Air Interstate Rule
CAMR	Clean Air Mercury Rule
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CaRFG3	phase 3 California reformulated gasoline
CBAR	California Bureau of Automotive Repair
CDC	California Department of Conservation
CDFG	California Department of Fish and Game
CDPH	California Department of Public Health
CDPR	California Department of Pesticide Regulation
CDTSC	California Department of Toxic Substances Control
CDWR	California Department of Water Resources
CEC	California Energy Commission
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulation
CH₄	methane
CNOR	candidate notice of review
CO₂	carbon dioxide
CO₂e	carbon dioxide equivalent
COAL	California Office of Administrative Law
COE	Army Corps of Engineers
COEHHA	California Office of Environmental Health Hazard Assessment
CPUC	California Public Utilities Commission
CrVI	hexavalent chromium
CSWRCB	California State Water Resources Control Board
CVC	California Vehicle Code
CWA	Clean Water Act
CX	categorical exclusion
DA	Department of Agriculture
DO	dissolved oxygen
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior

DOT	Department of Transportation
DSM	demand side management
DPS	distinct population segment
EA	environmental assessment
ECF	emission comparable fuel
EIO	Energy Initiatives Office
EIS	environmental impact statement
EPA	Environmental Protection Agency
EO	Executive Order
ESA	Endangered Species Act of 1973
ESTCP	Environmental Security Technology Certification Program
FERC	Federal Energy Regulatory Commission
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FS	Forest Service
FWS	Fish and Wildlife Service
FY	fiscal year
GAO	Government Accountability Office
GEPA	Guam Environmental Protection Agency
GHG	greenhouse gas
GSA	General Service Administration
HAP	hazardous air pollutant
HAR	Hawaii Administrative Rule
HB	House Bill
HCFC	hydrochlorofluorocarbon
HCWRM	Hawaii Commission on Water Resource Management
HDA	Hawaii Department of Agriculture
HDLNR	Hawaii Department of Land and Natural Resources
HDOH	Hawaii Department of Health
HFC	hydrofluorocarbon
HFE	hydrofluorinated ethers
INRMP	integrated natural resource management plan
ISEERB	Interservice Environmental Education Review Board
ITRC	Interstate Technology and Regulatory Council
JLUS	Joint Land Use Study
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
MACT	maximum achievable control technology
MADL	maximum allowable dose level
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MERIT	Materials of Evolving Regulatory Interest Team
MOU	memorandum of understanding
MPA	marine protected area
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	nitrogen trifluoride
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology

NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NSEC	Nevada State Environmental Commission
NSPS	New Source Performance Standard
NSR	New Source Review
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
ORW	outstanding resource water
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PM	particulate matter
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
RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	state implementation plan
SNAP	significant new alternatives policy
SNUR	significant new use rule
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
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WCI	Western Climate Initiative
WGA	Western Governors' Association
WRAP	Western Regional Air Partnership