



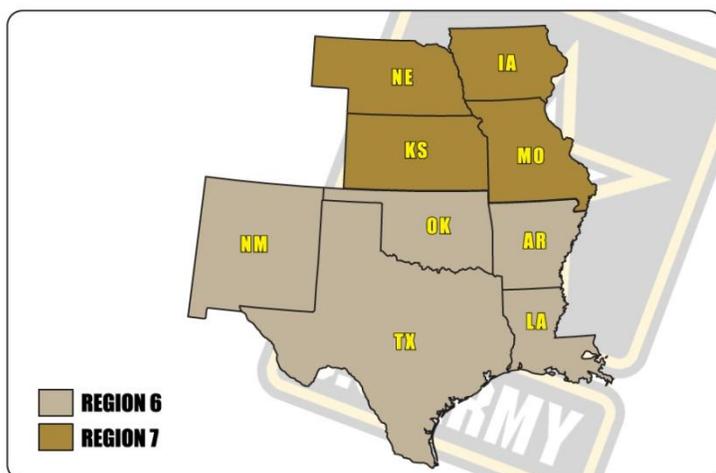
# Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

September/October 2013

The **CENTRAL REGION REVIEW** provides current information on government affairs, energy and environment relevant to Department of Defense interests in the 9 states in Federal Regions 6 and 7. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Central Region Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. For further information please visit the [ARMY'S REGIONAL ENVIRONMENTAL AND ENERGY OFFICES'](http://ARMY'S REGIONAL ENVIRONMENTAL AND ENERGY OFFICES) website.



## Army Energy Initiatives Task Force Debuts Inaugural Newsletter

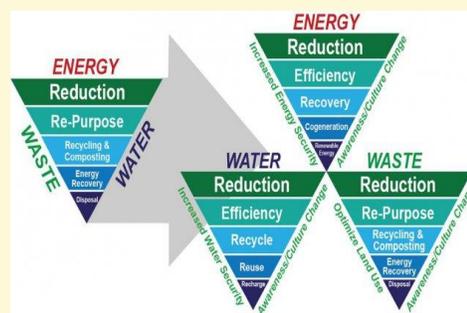


The [Energy Initiatives Task Force](#) (EITF) published their [inaugural newsletter](#) aimed at informing and engaging industry and installations on large-scale renewable energy.

Published every two months, the next edition will discuss the "termination for convenience" clause in government contracts, a topic on the minds of many developers and a subject generating many questions.

## Table of Contents

Region 6 .....	2
Arkansas .....	2
Louisiana .....	2
New Mexico .....	3
Oklahoma .....	4
Texas .....	5
Region 7 .....	8
Iowa .....	8
Kansas .....	9
Missouri .....	10
Nebraska .....	12
DOD Activity .....	12
Federal Activity .....	13
National Conferences and Symposia .....	19
Regional Meetings .....	19
Professional Development .....	19
Internet Resources .....	21
Staff Directory .....	22



**Customer's Corner:** Please send any comments, questions, lessons learned best practices etc to Dennis Takade at (816) 389-3327.

# Region 6



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 14 Jan 13 and adjourned *sine die* 17 May 13.**

## **PROPOSED RULES**

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: ASBESTOS ABATEMENT REGULATION (REGULATION 21)** proposes additional language clarifying requirements for record keeping, training provider licenses, documents required for certifications or renewal of licenses and to correct the Occupational Safety and Health Administration Asbestos Construction standard citation. Other proposed changes include additional language to clarify, update and correct typographical errors in [Regulation No. 21](#) . Comments due 14 Oct 13. POC: Mike Bates at (501) 682-0750.

(NEW) **DEPARTMENT OF HEALTH PROPOSED RULE: [PUBLIC WATER SYSTEMS](#)** updates regulations and enables Engineering Section to apply for and obtain primacy for this rule. Department of Health proposes to modify Section G Approved Chemicals, Materials, Equipment, and Processes to incorporate product certification necessary to comply with new "lead free" requirements. Public hearing and comments due 18 Oct 13. POC: Jeffery Stone at (501) 661-2623.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 8 Apr 13 and adjourned *sine die* 6 Jun 13.**

## **FINAL RULES**

(EFFECTIVE 20 SEP 13) **DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: CARBAMATE TREATMENT STANDARDS (LAC33:V.2299) (HW113FT)** adopts revised federal treatment standards for [carbamate wastes](#) undergoing land disposal. LA's hazardous waste program operates under a federal grant from EPA and requirements for maintaining this grant include maintaining hazardous waste regulations equivalent to or more stringent than corresponding federal regulations. POC: Deidra Johnson at (225) 219-3985.

(EFFECTIVE 20 AUG 13) **DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL RULE: CONTROL OF EMISSIONS OF ORGANIC COMPOUNDS: FUGITIVE EMISSION CONTROL (LAC 33:III.2121, 2122 AND 2199 APPENDIX B) (AQ313)** revises [air regulations for fugitive emission control](#) in attainment and nonattainment areas. Several definitions are added to conform to definitions in federal New Source Performance Standards (NSPS). Under control requirements, leak definitions are

expanded to include leaks identified by an optical gas imaging instrument when following federal Alternative Work Practice (AWP) as described in 40 CFR 60.18. Under monitoring requirements, regulations are changed to allow substitution of optical gas imaging and Method 21 monitoring per federal AWP. POC: Deidra Johnson at (225) 219-3985.

### **PROPOSED RULE**

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: CLEAN-UP PACKAGE (LAC:33:III.2511, 5113 AND 5308) (AQ341)** [corrects and revises](#) inaccurate or unnecessary language. In previous rulemaking, language was inadvertently added to two sections of Air regulations. POC: Susan Ham at (225) 219-3985.

### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PUBLIC REQUEST FOR WATER QUALITY DATA AND INFORMATION PURSUANT TO THE 2014 INTEGRATED REPORT (§303(D) AND §305(B)) ON WATER QUALITY.** DEQ is soliciting [any and all information and data](#) regarding water body sub-segments assessed by DEQ. Section 303(d), Clean Water Act (CWA), a component of the Integrated Report, requires biennial identification of those water bodies in which water quality standards applicable to such waters are not being met. Scientifically valid data and information collected as part of a governmental agency, university, industry, or private organization study can be submitted for consideration in assessing LA's water bodies. Comments due 25 Oct 13. POC: Albert Hindrichs at (225) 219-4054.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 15 Jan 13 and adjourned *sine die* 16 Mar 13.**

### **FINAL RULE**

(EFFECTIVE 31 JUL 13) **ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL FINAL RULE: REPEAL OF OUTDATED REGULATION, ADOPTION OF REGULATION FOR CONSTRUCTION PERMITS (20.11.41 NMAC)** [repeals](#) current rule 20.11.41 NMAC, Authority to Construct, and [adopts and incorporates](#) replacement Construction Permit into State Implementation Plan (SIP) for Air Quality. Petitioner (City of Albuquerque) states, "Existing 20.11.41 NMAC is an outdated regulation due to significant state Air Quality Control Act (Air Act) changes made to since 1994 when 20.11.41 NMAC was last substantively amended." POC: Liz Jones at (505) 768-2601.

### **PROPOSED RULES**

(NEW) **ENVIRONMENT DEPARTMENT PROPOSED RULE: GENERAL CONFORMITY RULE SIP (20.2.98 NMAC)** [proposed SIP revision](#) repeals Air Quality Control Regulation Part 98 of 20.2 (Conformity of General Federal Action to 20.2.98 NMAC). Repeal is in response to EPA's 24 Mar 10 amendments to federal General Conformity Rule, 40 CFR Part 93, Subpart B – Determining Conformity of General Federal Actions to State or Federal Implementation Plans making adoption and submittal of General Conformity SIPs optional rather than mandatory for states. Upon adoption, repeal of 20.2.98 NMAC will be submitted to EPA for incorporation into SIP. POC: Gail Cooke at (505) 476-4319.

(NEW) **ENVIRONMENT DEPARTMENT PROPOSED RULE: INCORPORATION BY REFERENCE (20.2.77, 20.2.82 NMAC)** amendments [incorporate by reference](#) new rules, corrections, revisions, and amendments to federal New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) Standards for Source Categories of Hazardous Air Pollutants promulgated by EPA and published in Federal Register from 1 Jan 11 to 29 Aug 13. Public hearing 7 Nov 13. POC: Pam Castañeda at (505) 827-2425.

(NEW) **ENVIRONMENT DEPARTMENT PROPOSED RULE: REPEAL OF "CLEAN CARS" REGULATION (20.2.88 NMAC)** was [first adopted](#) in 2007 to apply CA motor vehicle emissions standards, or "California standards," within NM beginning with model year 2011. Start date was later revised to 2016. When adopted, CA "Clean Cars" were more stringent than federal

motor vehicle emissions standards. Federal programs have since been revised to achieve same emissions reduction as CA standards, so administrative burdens of implementing the Clean Cars regulation now outweigh potential benefits of having a state program. Public hearing 7 Nov 13. POC: Pam Castañeda at (505) 827-2425.

(UPDATE) **ENVIRONMENT DEPARTMENT PROPOSED RULE: SIP FOR REGIONAL HAZE** is an action on a petition regarding SIP revisions under the federal [regional haze rule](#), 40 CFR Section 51.309. Regional haze rule requires states submit SIPs to address visibility impairment caused by regional haze in 156 federally protected parks and wilderness areas, known as Class I areas. Workshop scheduled 6 Nov 13, hearing scheduled 16 Dec 13, comments due 29 Nov 13. POC: Pam Castañeda at (505) 827-2425.

### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **ENVIRONMENT DEPARTMENT INVITATION FOR PUBLIC COMMENT: REVISION OF THE NONPOINT SOURCE (NPS) MANAGEMENT PROGRAM.** The public and cooperating organizations are invited to identify issues of concern in the current [Nonpoint Source Management Program](#) and to propose revisions for consideration. Section 319(b)(1), Clean Water Act requires governors of each state to submit a state proposed management program for controlling nonpoint source pollution to the Regional EPA Administrator for approval. The Surface Water Quality Bureau identified issues needing attention during upcoming revisions. Among changes being considered are:

- Specifying non-federally funded NPS management activities to be considered non-federal NPS Management Program costs;
- Continuing to support watershed-based planning within a more restricted program budget;
- More closely integrating watershed-based planning and implementation;
- Using Recovery Potential Screening for prioritizing watersheds for restoration or protection; and
- Editing for clarity and update summaries of related programs (maintenance revision).

Comments due 1 Nov 13. POC: Abraham Franklin at [abraham.franklin@state.nm.us](mailto:abraham.franklin@state.nm.us).

**EPA PROPOSED APPROVALS AND PROMULGATIONS: PREVENTION OF SIGNIFICANT DETERIORATION (PSD), GREENHOUSE GAS (GHG) PLANTWIDE APPLICABILITY LIMIT (PAL) PERMITTING REVISIONS.** EPA proposes to approve [SIP revisions](#) to permitting provisions to issue PALs to GHG sources. EPA proposes to approve SIP revision to the NM PSD permitting program as consistent with federal requirements for PSD permitting. At this time, EPA proposes to sever and take no action on portions of SIP revision relating to provisions of EPA's 20 Jan 11 GHG Biomass Deferral Rule.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 4 Feb 13 and adjourned *sine die* 24 May 13.**

### **PROPOSED RULES**

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: HAZARDOUS WASTE MANAGEMENT (OAC 252:205-19-5)** proposed rulemaking [revokes a portion of Subchapter 19](#) to make existing state rules consistent with changes to OK Statutes. 27A O.S. § 2-7-118(B) and (C) were revoked during first Regular Session of 54th Legislature. This statute prohibited, as a form of recycling, burning of hazardous waste with a low heating value, or blending of low-Btu fuel with other materials or wastes to create a hazardous waste fuel. Hearing scheduled for and comments due 10 Oct 13. POC: Mike Edwards at (405) 702-5226.

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: INDIVIDUAL AND SMALL PUBLIC ON-SITE SEWAGE TREATMENT SYSTEMS (OAC 252:641-1-3)** [amends OAC 252:641-1-3](#) to allow an exception to existing sizing requirements for individual conventional subsurface absorption systems when required sizing is greater than 500 feet. Hearing held 8 Oct 13, comments due 4 Oct 13. POC: Robert Huber at (405) 702-6100.

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS (OAC 252:606-1-4, 252:606-5-2, 252:606-11-3, APPENDIX G)** [updates date of incorporation by reference](#) for federal regulations from 1 Jul 12 to 1 Jul 13 and adds a requirement for weekly average of 135mg/l TSS for lagoon effluent; and includes process control testing requirements for public water supply residuals lagoons in Subchapter 11 and Appendix G. Hearing held 8 Oct 13, comments due 4 Oct 13. POC: Mark Hildebrand at (405) 702-8100.

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: [PUBLIC WATER SUPPLY CONSTRUCTION STANDARDS \(OAC 252:626-3-2, 252:626-3-6, 252:626-5-6, 252:626-9-7, 252:626-9-11, 252:626-9-12, 252:626-11-4, 252:626-19-2\)](#)**: 1) requires at least one set of plans be submitted on 11" x 17" paper; 2) requires public water supply systems to submit a copy of its water rights verification form and/or its purchase water contract when submitting an engineering report; 3) updates analytical testing equipment's capability requirements for iron and manganese removal plants; 4) adds fluoride concentration testing requirement for plants that treat or blend for naturally occurring fluoride among others. Hearing held 8 Oct 13, comments due 4 Oct 13. POC: Mark Hildebrand at (405) 702-8100.

(NEW) **DEPARTMENT OF ENVIRONMENTAL QUALITY PROPOSED RULE: [WATER QUALITY STANDARDS IMPLEMENTATION \(OAC 252:690-1-3, 252:690-1-4, 252:690-3-46, 252:690-3-65, 252:690-3-72, 252:690-3-80, 252:690-3-86, 252:690-3-87, APPENDIX B, APPENDIX J\)](#)**: 1) updates definition of "Qe(D)" to be lesser of design flow for a municipal Publicly Owned Treatment Works (POTW) or design flow listed in Section 208 Area-wide Basin Plan; 2) updates publication date of federal rules incorporated by reference from 1 Jul 12 to 1 Jul 13; 3) clarifies potential temperature requirements for municipalities treating industrial wastewater having a thermal component; 4) updates rules on regulatory flow to be consistent with Water Quality Standards (WQS); among others. Hearing held 8 Oct 13, comments due 4 Oct 13. POC: Mark Hildebrand at (405) 702-8100.

#### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**EPA PROPOSED APPROVAL AND PROMULGATION: REVISIONS TO EXCESS EMISSIONS REQUIREMENTS, FINDING OF SUBSTANTIAL INADEQUACY AND CALL FOR OKLAHOMA STATE IMPLEMENTATION PLAN REVISION.** EPA proposes three actions concerning [revisions to SIP](#) submitted 16 Jul 10 that address revisions to OK Administrative Code (OAC), Title 252, Chapter 100, Subchapter 9 - Excess Emission Reporting Requirements: 1) approval of certain 16 Jul 10 SIP submittal provisions consistent with Clean Air Act (CAA or Act) ; 2) limited approval and limited disapproval of certain other provisions of the 16 Jul 10 SIP submittal having overall effect of strengthening SIP, but a portion of which are inconsistent with CAA requirements ; and 3) a finding of substantial inadequacy and proposes a SIP call.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 8 Jan 13 and adjourned *sine die* 27 May 13.**

#### **FINAL RULES**

**(EFFECTIVE 12 SEP 13) COMMISSION ON ENVIRONMENTAL QUALITY FINAL RULE: PUBLIC DRINKING WATER, RAINWATER (30 TAC 290)** include:

- Allowing a [rainwater harvesting system \(RWHS\)](#) connected to a Public Water System (PWS) to be used for indoor potable purposes;
- Requiring PWS to ensure microbiological quality of treated water is monitored at least annually; and
- Establishing PWS authority to require additional levels of treatment at each residence or facility where water from a RWHS is used for indoor potable purposes and where there is connection to a PWS.

POC: Cindy Haynie at (512) 239-3465.

**(EFFECTIVE 11 SEP 13) TX HISTORICAL COMMISSION FINAL RULE: CULTURAL RESOURCES - OFFICIAL TEXAS HISTORICAL MARKER PROGRAM (13 TAC §21.6, §21.11)** amends 13 TAC §21.6, concerning Recorded [TX Historic Landmark Designation](#) and §21.6 concerning Recorded TX Historic Landmark (RTHL) Designation; and provides new 13 TAC §21.11, concerning Review of Work on Recorded TX Historic Landmarks. TX. Currently, there are no rules outlining process for determining if proposed work would damage or inappropriately alter an RTHL. Purpose of RTHL Designation is to protect properties judged to be historically and architecturally significant. POC: Mark Wolfe at (512) 463-1858.

**(EFFECTIVE 8 AUG 13) TX PARKS AND WILDLIFE DEPARTMENT FINAL RULE: MIGRATORY GAME BIRD PROCLAMATION (31 TAC §§65.314, 65.315, 65.318 - 65.321)** adopted amendments concerning [Migratory Game Bird Proclamation](#). USFWS issues annual frameworks for hunting of migratory game birds. Regulations adopted by individual states may be more restrictive than federal frameworks but may not be less restrictive. Responsibility for establishing seasons, bag limits, means, methods, and devices for harvesting migratory game birds within USFWS frameworks is delegated to TX Parks and Wildlife Department (PWD) under Parks and Wildlife Code, Chapter 64, Subchapter C. POC: Robert MacDonald at (512) 389-4775.

### **PROPOSED RULES**

**(NEW) PRESCRIBED BURNING BOARD PROPOSED RULE: GENERAL PROVISIONS, STANDARDS FOR CERTIFIED PRESCRIBED BURN MANAGERS, REQUIREMENTS FOR CERTIFICATION BY THE BOARD, CERTIFICATION, RECERTIFICATION, RENEWAL AND RECORDS (4 TAC 225, 226, 227, 228, 229).** Board of Directors (Prescribed Burning Board or PBB), TX Department of Agriculture (TDA) [proposes numerous actions](#) including repealing and adding new sections to consolidate and reorganize existing rules and present them to the public and regulated industry in a more easily understandable format and to make changes based on board and legislative action. Proposed new sections provide applicant certification categories, eligibility criteria, continuing fire training requirements, and PBB program administration. Comments due 13 Oct 13. POC: Dolores Alvarado Hibbs at (512) 463-4075.

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: WATER CONTRACTS IN RIO GRANDE WATERMASTER PROGRAM (30 TAC §303.53)** rulemaking removes one-year limitation for certain water contracts in the [Rio Grande Watermaster Program](#). Under existing rule, water contracts in Rio Grande may also serve as "pushwater" contracts to move municipal water through irrigation conveyances. Under §303.53(a)(8), these contracts have maximum duration of one year. With this one-year limitation, unused water purchased by a municipality under contract is returned to system and no longer available to the municipality. By removing one-year limitation, water rights holders' investments will be better protected and reduce risk of losing part of monetary investment in contract water. POC: Amy Settemeyer at (512) 239-2588.

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY PROPOSED RULE: TRIENNIAL REVISION OF SURFACE WATER QUALITY STANDARDS (30 TAC §§307.2 - 307.4, 307.6 - 307.10)** is a periodic public review and revision of [TX Surface Water Quality Standards](#) (TX Water Code, §26.023) as required by Federal Clean Water Act, §303(c). TCEQ proposes substantive and editorial changes, addition of definition for industrial cooling water areas, and clarification regarding allowance of different mixing zone sizes for specific numeric criteria. TCEQ also proposes to designate site-specific criteria for: 1) eight additional streams in Appendix D; 2) two additional site-specific toxic criteria in Appendix E; and 3) 11 additional site-specific criteria in Appendix G of §307.10. Hearing scheduled 17 Oct 13, comments due 24 Oct 13. POC: Debbie Miller at (512) 239-1703.

**(NEW) TX PARKS AND WILDLIFE DEPARTMENT PROPOSED RULE: SPECIAL PROVISIONS TO PREVENT THE SPREAD OF EXOTIC AQUATIC SPECIES (31 TAC §57.972, §57.1000, §57.1001)** [is an amendment](#) to General Rules, Prohibited Transport of Live Nongame Fish and Draining of Water from Vessels Leaving or Approaching Public Fresh Water. Invasive exotic species are non-indigenous species accidentally or intentionally released into an ecosystem. In worst cases, invasive species, because they are not checked by natural competition or predators, compete directly with, prey upon, or hybridize with native species, alter habitats and food webs, threaten rare species, and generally wreak ecological havoc. Hearings scheduled for 1, 3, and 9 Oct 13. Comments due 7 Nov 13. POC: Ken Kurzawski at (512) 389-4591.

### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY NOTICE OF PROPOSED AMENDMENT AND RENEWAL OF A GENERAL PERMIT AUTHORIZING DISCHARGE OF WASTEWATER.** TCEQ proposes to [amend and renew a general permit](#) (TX Pollutant Discharge Elimination System Permit No. TXG530000) authorizing discharge of wastewater from certain on-site treatment systems

connected to single family residences located within the San Jacinto River Basin in Harris County into or adjacent to water in the state. General permits are authorized by TX Water Code, §26.040. Comments due 27 Oct 13. POC: Water Quality Division at (512) 239-4671.

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY ANNOUNCES AVAILABILITY: DRAFT JULY 2013 UPDATE, WATER QUALITY MANAGEMENT PLAN (WQMP)** includes projected effluent limits of indicated domestic dischargers useful for water quality management planning in future permit actions. Once TCEQ certifies WQMP update, it is submitted to EPA for approval. For some TX Pollutant Discharge Elimination System (TPDES) permits, EPA's approval of corresponding WQMP update is necessary precondition to TPDES permit issuance by the commission. Draft WQMP update may contain service area populations for listed wastewater treatment facilities, designated management agency information, and total maximum daily load (TMDL) updates. POC: Nancy Vignali at (512) 239-1303.

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY ANNOUNCES PUBLIC INFORMATION MEETING: EIGHT-HOUR OZONE PLANNING FOR DALLAS/FORT WORTH AREA** on SIP [revisions](#) for the 2008 ozone National Ambient Air Quality Standard (NAAQS) in the 10-county Dallas-Fort Worth nonattainment area. North Central TX Council of Governments and EPA representatives will also provide updates on local and federal initiatives. POC: N/A.

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY INVITES COMMENTS: DRAFT IMPLEMENTATION PLAN FOR EIGHT TOTAL MAXIMUM DAILY LOADS (TMDLS) FOR BACTERIA IN DICKINSON BAYOU, TX.** High concentrations of bacteria measured in [Dickinson Bayou Tidal](#) and four of its tributaries might pose a health risk for people who swim or wade in the bayou. TMDL project will characterize sources of bayou watershed bacteria and develop plan to improve water quality. TMDL goal is to reduce bacteria concentrations to within acceptable risk levels for contact recreation. Meeting scheduled 12 Sep 13, comments due 7 Oct 13. POC: Roger Miranda at (512) 239-1414 (fax).

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY INVITES COMMENTS: DRAFT IMPLEMENTATION PLAN FOR TWO TMDLS FOR DISSOLVED OXYGEN AND ONE TMDL FOR BACTERIA IN UPPER OYSTER CREEK** located [within Brazos River Basin](#), immediately southwest of Houston in northern FT Bend County, TX. Water quality testing found bacteria levels in Upper Oyster Creek might pose a health risk for swimmers. Low dissolved oxygen concentrations in some creek areas indicate conditions are not optimal for aquatic life. Meeting scheduled 19 Sep 13, comments due 7 Oct 13. POC: Jason Leifester at (512) 239-1414 (fax).

**(NEW) COMMISSION ON ENVIRONMENTAL QUALITY INVITES COMMENTS: PROPOSED SIP REVISIONS** to satisfy [Regional Haze Rule requirements](#) as part of progress report for mandatory Class I federal areas in the state in the form of SIP revisions every five years (40 CFR §51.308(g)). Deadline to submit a five-year regional haze SIP revision is 29 Mar 14 and 40 CFR §51.308(g) states report must evaluate improvement towards reasonable progress goal for each Class I area within the state and in each Class I area outside the state that may be affected by emissions. Hearing scheduled for 24 Sep 13, comments due 1 Oct 13. POC: Margaret Earnest at (512) 239-4581.

**(EFFECTIVE 12 NOV 13) EPA APPROVAL AND PROMULGATION: PROCEDURES FOR STRINGENCY DETERMINATIONS AND MINOR PERMIT REVISIONS FOR FEDERAL OPERATING PERMITS.** EPA takes direct final action to approve portions of three SIP revisions concerning TX [Federal Operating Permits Program](#). EPA determined these SIP revisions comply with Clean Air Act and EPA regulations and are consistent with EPA policies. This action is being taken under section 110 of the act.

**EPA PROPOSED APPROVAL AND PROMULGATION: ATTAINMENT DEMONSTRATION FOR HOUSTON-GALVESTON-BRAZORIA (HGB) 1997 8-HOUR OZONE NONATTAINMENT AREA.** EPA proposes to approve HGB 1997 8-hour ozone nonattainment area [SIP submittals](#) for 1997 ozone National Ambient Air Quality Standards (NAAQS) attainment demonstration, reasonably available control measures (RACM) demonstration for the NAAQS, contingency measures planned in event of failure to attain NAAQS by applicable attainment date, and a Motor Vehicle Emissions Budget (MVEB) for 2018, which is attainment year for the area. EPA is also proposing to approve revisions to SIP air pollution control measures and General Air Quality Definitions. Revisions to air pollution control measures include revisions to Mass Emissions Cap and Trade (MECT) program for nitrogen oxides (NO<sub>x</sub>), revisions to highly reactive volatile organic compound (HRVOC) emissions cap and trade (HECT) program, Voluntary Mobile Emissions Program (VMEP) measures, and Transportation Control Measures (TCMs).

# Region 7



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 14 Jan 13 and adjourned *sine die* 23 May 13.**

## **FINAL RULES**

**(EFFECTIVE 23 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: AMBIENT AIR QUALITY STANDARDS (567 IAC 22.1(2), 22.8, 22.103(2), 28.1) [amendments to Chapter 22](#), "Controlling Pollution," and Chapter 28, "Ambient Air Quality Standards," IA Administrative Code, are necessary to allow for implementation of new and revised National Ambient Quality Standards (NAAQS). POC: Christine Paulson at (515) 242-5154.**

**(EFFECTIVE 23 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) FOR RECIPROCATING INTERNAL COMBUSTION ENGINES (RICE) (567 IAC 23.1(4))** changes adopt federal air toxics standards for stationary engines commonly known as [RICE NESHAP](#). Adoption of RICE NESHAP amendments allow DNR, not EPA, to implement and enforce regulations in IA. Rule allows DNR to provide compliance assistance and outreach to affected facilities as soon as possible. POC: Christine Paulson at (515) 242-5154.

**(EFFECTIVE 11 SEP 13) IA WORKFORCE DEVELOPMENT, LABOR SERVICES DIVISION FINAL RULE: FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR GENERAL INDUSTRY AND CONSTRUCTION (875 IAC 10.20, 26.1) [amends](#)** Chapter 10, "General Industry Safety and Health Rules," and Chapter 26, "Construction Safety and Health Rules," IA Administrative Code, adopt by reference changes to federal occupational safety and health standards concerning cranes and derricks in construction and hazard communication in general industry. POC: Kathleen Uehling at (515) 281-5915.

## **PROPOSED RULES**

**(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: DEFINITIONS, FORMS, RULES OF PRACTICE; CONTROLLING POLLUTION; NONATTAINMENT AREAS; SPECIAL REGULATIONS AND CONSTRUCTION PERMIT REQUIREMENTS FOR MAJOR STATIONARY SOURCES PREVENTION OF SIGNIFICANT DETERIORATION (PSD) OF AIR QUALITY (567 IAC 20, 22, 31, 33) [adopts regulations](#)** from 40 CFR 51.165 to incorporate federal review and permitting procedures allowing facilities to construct or modify existing sources in areas not in attainment with NAAQS. Construction of new major sources of air pollution (or major modifications of existing sources of air pollution) in areas not in attainment with NAAQS is governed by federal Clean Air Act Nonattainment NSR regulations. Public hearing and comments due 21 Oct 13 . POC: Wendy Walker at (515) 725-9570.

**(NEW) IA WORKFORCE DEVELOPMENT DEPARTMENT, DIVISION OF LABOR SERVICES PROPOSED RULE: FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR DIGGER DERRICKS - ADOPTION BY REFERENCE (875 IAC 26.1) [amendment adopts by reference](#)** changes to federal occupational safety and health standards concerning specialized equipment known as "digger derricks" used for tasks such as installing utility poles. Under the existing standards, most

work done by digger derricks is exempt from cranes and derricks standards. Change expands exemption for digger derricks. POC: Kathleen Uehling at (515) 281-5387.

(NEW) **DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP, DIVISION OF SOIL CONSERVATION PROPOSED RULE: WATER QUALITY INITIATIVE (27 IAC 16)** proposes a [new Chapter 16](#), "Water Quality Initiative," IA Administrative Code, supporting the Water Quality Initiative by establishing a new chapter for the initiative. Chapter provides rules for targeted watershed demonstration projects and supports individual conservation practices. Eligible practices are identified and requirements for targeted watershed demonstration projects are provided. POC: Margaret Thomson at (515) 281-5322.

### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **DEPARTMENT OF NATURAL RESOURCES NOTICE: UPDATES TO CONSTRUCTION PERMIT TEMPLATES AVAILABLE FOR COMMENT.** Air Quality Bureau - Construction Permit Section updated its [permit template](#) to provide consistent standard language and formatting in construction permits and is taking comments on proposed revisions. . Proposed changes:

- Updates language and dates based on recent rule revisions;
- Adds rule citations to existing language to clarify reason for requirement;
- Removes condition titled "Disposal of Contaminants" (old Condition 7);
- Adds language to Condition 8 concerning transferring of equipment to a new owner;
- Adds new condition on permit appeal rights (new Condition 9); and
- Adds PM<sub>2.5</sub> and carbon dioxide equivalents (CO<sub>2e</sub>) to the tables in Conditions 10 and 12;

Comments due 30 Aug 13. POC: Sarah Piziali at (515) 281-3762.

(NEW) **DEPARTMENT OF NATURAL RESOURCES NOTICE: FORMATION OF A STAKEHOLDER GROUP - PERMITS FOR DIVERSION, STORAGE AND WITHDRAWAL OF WATER FROM THE CAMBRIAN-ORDOVICIAN AQUIFER (IAC): 567.** DNR gives notice as to [formation of a Stakeholder Group](#) to consider need for rule changes in IA Administrative Code (IAC): 567 - Chapter 50, "Scope of Division," Chapter 52, "Criteria and Conditions for Authorizing Withdrawal, Diversion and Storage of Water," and Chapter 53, "Protected Water Sources." Purpose of stakeholder group is to consider alternatives and make recommendations to better manage the Cambrian-Ordovician Aquifer (commonly called Jordan Aquifer) in IA. Currently, IAC prohibits municipal, commercial, and industrial entities from water use in Jordan Aquifer lowering groundwater table by more than 200 feet from historic levels. POC: Michael Anderson at (515) 725-0336.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 14 Jan 13 and adjourned *sine die* 20 Jun 13.**

### **FINAL RULE**

**(EFFECTIVE 30 AUG 13) KS WATER OFFICE FINAL RULE: WATER SUPPLIES AND PLANNING (K.A.R. 98-1, 98-2, 98-4, 98-5, 98-6, 98-7, 98-8)** regarding [state water plan](#) public hearings, weather modification permits, water purchase contract negotiations, Lower Smoky Hill Water District, and easements on navigable rivers. POC: Leslie Garner at (785) 296-4623.

### **PROPOSED RULE**

(NEW) **DEPARTMENT OF AGRICULTURE PROPOSED RULE: PERMANENT QUARANTINE REGARDING EMERALD ASH BORER** affects Johnson and Wyandotte counties and prohibits movement of regulated items from quarantined area, except under specific conditions. Regulated items under quarantine include the following:

- Emerald ash borer (*Agilus planipennis*, Coleoptera: Buprestidae), in any living stage of development;
- Firewood of all hardwood (non-coniferous) species;
- Nursery stock of the genus *Fraxinus* (Ash);
- Green lumber of the genus *Fraxinus* (Ash);

- Other material living, dead, cut or fallen, including logs, stumps, roots, branches, and composted and un-composted chips of the genus *Fraxinus* (Ash); and
- Any other article, product or means of conveyance that an inspector determines presents a risk of spreading emerald ash borer and notifies person in possession of article, product, or means of conveyance that it is subject to the restrictions of regulations.

In addition, quarantine requires anyone discovering emerald ash borer in an area not currently under quarantine to report discovery to Department of Agriculture within 72 hours. Hearing scheduled for and comments due 24 Sep 13. POC: Jeff Vogel at (785) 862-2180.

### **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **DEPARTMENT OF HEALTH AND ENVIRONMENT NOTICE OF SOLICITATION FOR WATER QUALITY DATA.** Section 303(d), Clean Water Act requires states to prepare biennially a list of waters failing to meet state water quality standards, based on data and information from local, state, and federal agencies; members of public; and academic institutions conducting research. This notice requests any data or information on water quality condition of waters of state over period 2000-2013. Data associated with waters for which water quality problems have been reported are of particular interest; as is information on waters in Lower Arkansas, Marais des Cygnes, Missouri, Smoky Hill-Saline, Neosho, Walnut, and Kansas Lower Republican basins. Submitted data may include chemical, physical or biological measurements and should be accompanied by information to identify the waterbody with as much geographic specificity as possible. Data submitted to KDHE for consideration should have adequate quality control and quality assurance for accuracy, representation and precision in describing the water quality of streams, lakes and wetlands. Comments due 15 Nov 13. POC: Tom Stiles at (785) 296-6170.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 9 Jan 13 and adjourned 30 May 13.**

### **FINAL RULES**

**(EFFECTIVE 30 NOV 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: REFERENCE METHODS (10 CSR 10-6.040)** provides [reference methods](#) for determining data and information necessary for enforcement of air pollution control regulations. Amendment updates incorporated by reference in Section 4 include latest Federal Register promulgation dates, recent Federal Register Notices add Federal Equivalency Methods (FEMs) for ambient monitoring of NO<sub>2</sub> and fine particulate matter, and two FEMs for laboratory analysis of lead. American Society for Testing and Materials (ASTM) methods for determining parameters such as fuel sulfur and heat content also being updated to latest versions available. Any source emitting nitrogen dioxide, lead, or fine particulate matter or that relies on any of the ASTM methods being updated with this rulemaking are affected. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONSTRUCTION PERMITS REQUIRED (10 CSR 10-6.060).** Amendments define sources required to obtain [permits to construct](#), establish permit fees and public notice requirements for certain sources, and incorporate a means for unifying processing of construction and operating permit issuance. Amendments incorporates by reference three EPA rules revising plantwide applicability limitations (PALs) for GHGs, repeal of a grandfather provision for particulate matter less than 2.5 micrometers (PM<sub>2.5</sub>) under the Prevention of Significant Deterioration (PSD) program, and correcting the definition of regulated New Source Review (NSR pollutants). POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF NO<sub>x</sub> EMISSIONS FROM LARGE STATIONARY INTERNAL COMBUSTION ENGINES (10 CSR 10-6.390)** reduces [NO<sub>x</sub> emissions](#) to ensure compliance with federal NO<sub>x</sub> control plan regarding transport of air pollutants and establishes emission levels for large stationary internal combustion engines. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF NO<sub>x</sub> EMISSIONS FROM UPWIND SOURCES – RESCISSION (10 CSR 10-6.345).** [Rescission of rule](#) protecting air quality in St. Louis area addresses NO<sub>x</sub> sources outside and upwind of St. Louis non-attainment area because it has expired. Subsection (1)(C) states this rule expires five years from the effective date (30 Dec 06). The five year period ended 30 Dec 11. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: CONTROL OF SULFUR EMISSIONS FROM STATIONARY BOILERS (10 CSR 10-5.570).** Amendments to rule [limit sulfur dioxide](#) (SO<sub>2</sub>) emissions from industrial boilers in St. Louis Nonattainment Area will clarify limit for emissions from breweries. This is for applicable units only and not a limit for the entire installation's emissions. Amendment removes definitions found in 10 CSR 10-6.020 Definitions and Common Reference Tables. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: REPORTING EMISSION DATA, EMISSION FEES, AND PROCESS INFORMATION (10 CSR 10-6.110)** amends [procedures for reporting emission](#) related information and establishing emission fees for purpose of state air resource planning. Amendment adds reference to applicable year(s) for set emission fees, clarifies information required in emission reports, clarifies types and frequency of reports to be submitted for Emissions Inventory Questionnaire purposes, and removes definitions of terms now located in 10 CSR 10-6.020. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 OCT 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: RESTRICTION OF EMISSION OF PARTICULATE MATTER FROM INDUSTRIAL PROCESSES (10 CSR 10-6.400)** [restricts emission of filterable particulate](#) matter in source gas of an operation or activity except where 10 CSR 10-6.405 and/or 10 CSR 10-6.070 would be applied. Amendment provides a hierarchy of various compliance methods to use for demonstrating compliance, clarifies rule limits filterable particulate matter only, and removes definitions found in 10 CSR 10-6.020 Definitions and Common Reference Tables. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 30 AUG 13) DEPARTMENT OF NATURAL RESOURCES FINAL RULE: DISCIPLINARY ACTION AND APPEAL PROCEDURES (10 CSR 23-1.075).** [Amendment](#) clarifies procedures for any person affected by disciplinary actions and contested case appeals of such disciplinary actions or by a decision of the Division of Geology and Land Survey to file an appeal with Well Installation Board. POC: Sheri Fry at (573) 368-2100.

### ***PROPOSED RULES***

**(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: CLEAN WATER FEES STRUCTURE (10 CSR 20-6.011).** DNR Water Pollution Control Branch proposed amendments to establish [clean water fee structure](#) pursuant to new Section 644.057, RSMo requirements by 30 May 14. If approved by General Assembly, new fee structure will become effective 1 Jan 15. Another significant rule change would allow small mechanical plants to be authorized through a general permit. Public hearing 6 Nov 13, comments due 13 Nov 13. POC: John Madras at (573) 751-6892.

**(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS (10 CSR 10-6.161)** [incorporates by reference](#) federal regulatory requirements for existing commercial and industrial solid waste incineration units. Comments due 3 Oct 13. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: DEFINITIONS AND COMMON REFERENCE TABLES (10 CSR 10-6.020)** [defines key words and expressions](#) used in Chapters 1 through 6 and provides common reference tables. This amendment provides a maintenance update to add definitions needed for other rulemakings filed while general definitions rule was being changed, and removes obsolete definitions. Comments due 3 Oct 13. POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(NEW) DEPARTMENT OF NATURAL RESOURCES PROPOSED RULE: HOSPITAL, MEDICAL, INFECTIOUS WASTE INCINERATORS (10 CSR 10-6.200)** amendments relate to subsections (1)(E), (1)(H), (2)(A), (3)(A), (3)(B), and (3)(E) of [10 CSR 10-6.200 Hospital, Medical, Infectious Waste Incinerators](#). Rule establishes emission limits for existing hospital, medical, and infectious waste incinerators and includes requirements for operator training and qualification, waste management, compliance and performance testing, monitoring, and reporting/record keeping. Pollutants regulated include metals, particulate matter, acid gases, organic compounds, carbon monoxide, and opacity. Hearing scheduled for 31 Oct 13. POC: Chief, Air Quality Planning Section at (573) 751-4817.

## **OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION**

(NEW) **DEPARTMENT OF NATURAL RESOURCES INVITATION FOR COMMENTS: RECOMMENDATION FOR AREA BOUNDARY DESIGNATIONS FOR THE 2012 ANNUAL FINE PARTICULATE MATTER NATIONAL AMBIENT AIR QUALITY STANDARD.** On 14 Dec 12, EPA promulgated a NAAQS revision for [fine particulate matter \(PM<sub>2.5</sub>\) at 12.0 µg/m<sup>3</sup>](#). The 24-hour primary and secondary standards for PM<sub>2.5</sub> and secondary annual standard for PM<sub>2.5</sub> were unchanged. Pursuant to section 107(d) of Clean Air Act, each state is required to submit boundary designation recommendations to EPA for their state within one year after new NAAQS is promulgated. Based on technical evaluation of air quality data, emissions data, meteorological data, and other information, Air Program recommends for 2012 annual PM<sub>2.5</sub> NAAQS a designation of attainment/unclassifiable for entire state. Hearing scheduled for 31 Oct 13, comments due 7 Nov 13. POC: Chief, Air Quality Planning Section at (573) 751-4817.

(NEW) **DEPARTMENT OF NATURAL RESOURCES INVITATION FOR COMMENTS: REGULATORY IMPACT REPORT - CONTROL OF PETROLEUM LIQUID STORAGE, LOADING AND TRANSFER (10 CSR 10-5.220) [removes requirements](#)** for Stage II vapor recovery controls at gasoline dispensing facilities (GDFs) in St. Louis area. Stage II systems control emissions of volatile organic compounds (VOCs) during vehicle fueling and have been an ozone-reduction measure since late 1980s. In May 2012, EPA determined Onboard Refueling Vapor Recovery (ORVR) technology is in widespread use throughout the motor vehicle fleet for purposes of controlling motor vehicle refueling emissions and is an improved method of controlling vapor displaced during refueling built into newer motor vehicles. POC: POC: Chief, Air Quality Planning Section at (573) 751-4817.

**(EFFECTIVE 18 NOV 13) EPA APPROVALS AND PROMULGATIONS CONFORMITY OF GENERAL FEDERAL ACTIONS TO STATE IMPLEMENTATION PLAN.** Revision updates [state general conformity rule](#) in its entirety bringing into compliance with federal general conformity rule updated 5 Apr 10. General conformity regulations prohibit federal agencies from taking actions causing or contributing to violations of National Ambient Air Quality Standards (NAAQS). Rule applies to non-attainment and maintenance areas of the state and does not have an adverse effect on air quality.



**NOTICE:** Request command and installation staff contact their Army Regional Environmental Coordinator (or component REC) with information on potential mission/installation impacts of proposed state laws and regulations, or to express interest in participating in a rule writing stakeholder work group.

**Legislature convened 9 Jan 13 and adjourned *sine die* 5 Jun 13.**

No significant regulatory activities this reporting period.

## **Department of Defense Activity**

**SECRETARY OF THE ARMY ENVIRONMENTAL AWARD NOMINATIONS DUE 15 NOV 13.** The Secretary of the Army Environmental Awards Program recognizes outstanding performance and excellence in environmental stewardship and sustainability by Army installations, teams, and individuals. Awards emphasize innovation and accomplishments in sustainable practice, installation environmental management, and community enhancement. Award categories are:

- Installation: Natural Resources Conservation - Small; Cultural Resources Management; Environmental Quality - Non Industrial; Sustainability - Industrial; and Environmental Restoration.
- Team and Individual: Natural Resources Conservation; Environmental Quality; Environmental Restoration; and Environmental Excellence in Weapon System Acquisition - Large Program.

Army award winners will represent the Army in the 2014 Secretary of Defense Environmental Awards competition. Award criteria and specific formats, forms, and information are contained in Assistant Chief of Staff for Installation Management [Memorandum](#). POC: George Robitaille, (571) 256-9723.

**2014 SECRETARY OF DEFENSE ENVIRONMENTAL AWARDS NOMINATIONS BY 3 MAR 13.** DoD requests nominations for 2014 Secretary of Defense Environmental Awards. Nominations should be submitted in accordance with [2014 Secretary of Defense Environmental Awards Memo and Guidance](#) by 3 Mar 14. Each Military Service and Defense Agency may submit one nomination for each of five Installation and four Individual/Team award categories for accomplishments during the period 1 Oct 11 through 30 Sep 13.

**ARMY TO EXPAND NET ZERO EFFORT BEST PRACTICES.** The Army issued a [progress report on their "Net Zero" initiative](#) stating policy will be issued to expand to all permanent Army installations application of best practices identified by the effort. The initiative addresses energy, water, and waste and involves efforts at 17 pilot installations. Overall installation goals are, to extent practicable:

- To produce as much energy on-site as an installation uses annually;
- To limit consumption of freshwater and return water back to same watershed so as not to deplete groundwater and surface water resources, and;
- To reduce, reuse, and recover solid waste streams by converting them to resource values with goal of zero solid waste to landfill.

**ARMY AWARDS THIRD TECHNOLOGY, WIND, UNDER \$7B RENEWABLE ENERGY MULTIPLE AWARD TASK ORDER CONTRACTS (MATOC) 9 SEP 13.** USACE, [Engineering and Support Center, Huntsville](#), working with the [Army Energy Initiatives Task Force \(EITF\)](#), awarded MATOCs to a group of qualified wind technology contractors to procure reliable, locally generated, renewable and alternative energy for DoD installations through power purchase agreements (PPA). With a \$7 billion contract capacity, these contracts will be expended to procure energy during a period of up to 30 years from renewable energy generation systems designed, financed, constructed, operated and maintained by contractors using private sector financing and place the Army one step closer to meeting its congressionally mandated energy goal of 25 percent production and consumption of energy from renewable sources by 2025 and improving installation energy security and sustainability.

## Federal Activity

### AIR

**(Effective 4 Oct 13) 2010 SULFUR DIOXIDE (SO<sub>2</sub>) PRIMARY NATIONAL AMBIENT QUALITY STANDARDS (NAAQS).** EPA issued a final rule to identify areas not meeting the 2010 SO<sub>2</sub> NAAQS and areas contributing to SO<sub>2</sub> air pollution in a nearby area not meeting the SO<sub>2</sub> NAAQS. EPA is designating as nonattainment most areas in locations where existing monitoring data from 2009-2011 indicate violations of the 1-hour SO<sub>2</sub> standard. EPA established air quality designations for certain areas in the U.S. for the 2010 primary Sulfur Dioxide (SO<sub>2</sub>) NAAQS ([78 FR 47191](#)). [Additional information](#) is available from EPA. EPA POC: [Rhonda Wright](#), (919) 541-1087.

**NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) FOR RECIPROCATING INTERNAL COMBUSTION ENGINES (RICE) - PETITIONS FOR AMENDMENT.** In response to petitions, EPA is considering changes to NESHAPs for stationary reciprocating internal combustion engines, and source standards of performance for stationary internal combustion engines ([78 FR 54606](#)). EPA is not proposing any specific changes but requests comment on three areas:

- Timing for compliance with ultra-low sulfur diesel fuel requirement for emergency CI (diesel) engines, compliance date 1 Jan 15 for the fuel switch to allow operators to use up existing inventory of higher sulfur fuel. Petitioners want an earlier compliance date.
- Timing and required information reporting for certain emergency engines. Rule set first reporting date for 31 Mar 16 for CY2015 operations. Petitioners want 2013 and 2014 data reported along with additional operating data.
- Conditions in 40 CFR 60.4211(f)(3)(i), 60.4243(d)(3)(i) and 40 CFR 63.6649(f)(4)(ii) (local system reliability) for operation for up to 50 hours per year in non-emergency situations as part of a financial arrangement with another entity. EPA added these provisions in response to public comments on availability of emergency engines to help prevent a blackout when the local distribution grid is overtaxed. Petitioners believe EPA did not provide enough detail in specifying the discernible threats to the grid that would justify operation of the units.

Comments due 4 Nov 13. EPA POC: [Melanie King](#), (919) 541-2469.

**GREENHOUSE GAS (GHG) REPORTING REVISIONS.** EPA proposes amendments to reporting and recordkeeping requirements and an alternative verification approach for the GHG Program ([78 FR 55993](#)). EPA proposes facilities using "inputs to equations" data elements (and the associated EPA-provided calculation methodologies) to calculate reported GHGs under subparts listed in Table 2 of preamble (not including general stationary fuel consumption in boilers, etc.) must use an EPA-provided electronic inputs verification tool, calculating and verifying GHG emissions. The inputs verification tool would be deployed within EPA's [Electronic Greenhouse Gas Reporting Tool \(e-GGRT\)](#), and integrated without interrupting the current electronic reporting process. Comments due 12 Nov 13. EPA POC: [Carole Cook](#), (202) 343-9263.

## **ENERGY**

**(Effective 15 Aug 13) RENEWABLE FUEL STANDARDS.** EPA issued final rule to set annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that apply to all motor vehicle gasoline and diesel produced or imported in 2013 ([78 FR 49793](#)). EPA POC: [Julia MacAllister](#), (734) 214-4131.

**ENERGY CONSERVATION STANDARDS FOR COMMERCIAL REFRIGERATION EQUIPMENT.** DOE proposes to amend energy conservation standards for commercial refrigeration equipment ([78 FR 55889](#)). Proposed standards consist of maximum daily energy consumption (MDEC) values as a function of either refrigerated volume or total display area for a total of 49 equipment classes. [Additional information](#) is available on DOE website. The comment deadline is 12 Nov 13. DOE POC: [Charles Llenza](#), (202) 586-2192.

**DOE ACTIVITIES & METHODOLOGY FOR ASSESSING COMPLIANCE WITH BUILDING ENERGY CODES.** DOE is soliciting input on methodology for assessing compliance with building energy codes at local, state, and national levels ([78 FR 47677](#)). To provide technical assistance for states implementing building energy codes, [DOE developed and piloted a compliance methodology](#) across several states. The compliance assessment method is based on plan review, and onsite inspections of a statistically valid sample of buildings. DOE determined a valid sample size would be approximately 44 buildings in each of four segments (statistical populations): new commercial construction, new residential construction, commercial renovations, and residential renovations. Data from the four populations should be analyzed separately. DOE is particularly interested in receiving information on five categories:

- Defining and Achieving Compliance;
- Costs and Benefits;
- Compliance Targets;
- Evaluating Compliance; and
- DOE Compliance Evaluation Resources and Actions.

DOE developed a series of specific questions; see [Federal Register notice](#) for details. Additional information is available on [DOE website](#). DOE POC: [Kym Carey](#), (202) 287-1775.

**ENERGY CONSERVATION STANDARDS FOR WALK-IN COOLERS AND WALK-IN FREEZERS.** DOE proposes to amend energy conservation standards for walk-in coolers and walk-in freezers ([78 FR 55781](#)). Energy Policy and Conservation Act (EPCA) provides prescriptive standards for walk-in coolers and freezers manufactured on or after 1 Jan 09. These current standards address wall, ceiling, floor, and door insulation requirements, glazing, door closure devices, fan motor types and efficiency, and interior light source efficiency. Energy Independence and Security Act of 2007 (EISA) also prescribed specific anti-sweat heater-related requirements. DOE requests comments about this approach. DOE's proposed standards, if adopted, would apply to all products listed in the announcement, Table I.1 and manufactured in, or imported into the U.S. on or after three years after the publication date of any final rule. [Additional information](#) is available on DOE website. Comment deadline is 12 Nov 13. DOE POC: [Charles Llenza](#), (202) 586-2192.

**ANNUAL GREENHOUSE GAS REPORTING TOOL UPDATED.** DOE's Federal Energy Management Program (FEMP) released [Annual GHG and Sustainability Data Report, Version 4.1](#) for FY 2013 reporting by federal agencies. The workbook collects agency-aggregated data necessary for calculating scope 1, 2, and 3 GHG emissions in commonly used native units of energy consumption and fugitive emissions as well as activity data for estimating scope 3 indirect emissions. It provides users with summation of calculated emissions as well as other performance results for other sustainability goals. In addition to providing reporting capability for [Executive Order 13514](#) GHG goals, Annual GHG and Sustainability Data Report collects required data elements for measuring agency progress toward:

- Facility energy intensity reduction goals (21% in 2012, 30% in 2015 vs. 2003);
- Renewable electricity use requirement (5% in 2012, 7.5% in 2013 and beyond);

- Water intensity reduction (10% in 2012, 26% in 2020 vs. 2007);
- Facility metering requirements;
- Compliance with federal energy efficiency standards for new construction, and
- Energy efficiency and renewable energy investment information for fiscal year 2012.

The Data Report also accepts outputs from the Federal [Automotive Statistical Tool \(FAST\)](#) to calculate GHG emissions from federal covered fleet fuel use. [Additional information](#) can be found on DOE website. FEMP POC: [Chris Tremper](#), (202) 586-7632.

**EPA PROPOSES CO<sub>2</sub> STANDARDS FOR NEWLY CONSTRUCTED ELECTRIC GENERATING UNITS.** As part of continuing efforts to address climate change, EPA released a revised proposed rule seeking to significantly reduce carbon dioxide (CO<sub>2</sub>) emissions from all new coal and natural gas-fired power plants. Proposed rule would establish first uniform national limits on amount of carbon-based emissions from new power plants. EPA's proposal replaces an earlier 2012 proposal to regulate CO<sub>2</sub> emissions from electric generating units under Clean Air Act. EPA is establishing separate New Source Performance Standards for coal and natural gas-fired electric generating units. In advance of formal publication in the Federal Register, EPA has released text of proposed rule establishing Greenhouse Gas (GHG) limits for newly constructed fossil fuel electric generating units (EGU) larger than 24 MW. The rule does not apply to:

- New liquid oil-fired stationary combustion turbine EGUs,
- New EGUs that do not burn fossil fuels (e.g., those that burn biomass only), or
- Low capacity factor EGUs (e.g., simple cycle turbines) that sell less than 1/3 of their power to the grid.

The proposed limits are based on the performance of modern natural gas combined cycle (NGCC) units. EPA is proposing two standards for natural gas-fired stationary combustion units, depending on size:

- 1,000 pounds of CO<sub>2</sub> per megawatt-hour (lb CO<sub>2</sub>/MWh-gross) for larger units (>850 mmBtu/hr),
- 1,100 lb CO<sub>2</sub>/MWh-gross for smaller units (≤850 mmBtu/hr)

New natural gas-fired stationary combustion turbines can meet proposed standard without need for add-on control technology. EPA proposed limits for coal fired units are similar, and would require partial capture of CO<sub>2</sub> and geologic sequestration:

- 1,100 lb CO<sub>2</sub>/MWh-gross over a 12-operating month period, or
- 1,000-1,050 lb CO<sub>2</sub>/MWh over an 84-operating month (seven-year) period.

EPA will accept comment for 60 days following formal publication. Rule text, fact sheets and other information are available on [EPA website](#). EPA POC: [Lina Younes](#), (202) 564-9924.

## **HAZARDOUS CHEMICALS**

**(Effective 31 Jan 14) SOLVENT-CONTAMINATED WIPES.** EPA issued a final rule ([78 FR 46447](#)) modifying hazardous waste management regulations for solvent-contaminated wipes that revises definition of solid waste to conditionally exclude solvent-contaminated wipes that are cleaned and reused. It revises definition of hazardous waste to conditionally exclude solvent-contaminated wipes that are disposed (when disposed to a regulated municipal solid waste landfill or municipal waste combustor, a hazardous waste landfill, or to a hazardous waste combustor, boiler, or industrial furnace). A solvent-contaminated wipe is a shop towel, rag, pad, or swab made of wood pulp, fabric, cotton, polyester blends, or other material that after use or after cleaning up a spill, contains a solvent considered hazardous waste either because it is listed in hazardous waste regulations, or because it exhibits characteristic of ignitability. Solvent-contaminated wipes do not include wipes contaminated with hazardous waste other than solvents, or exhibiting characteristics of toxicity, corrosivity, or reactivity due to contaminants other than solvents. Frequently asked questions and comprehensive summary chart are available on [EPA website](#). EPA POC: [Amanda Kohler](#), (703) 347-8975.

**(Effective 21 Jan 14) ELECTRONIC REPORTING OF TOXICS RELEASE INVENTORY DATA.** EPA now requires facilities to report non-trade-secret Toxics Release Inventory (TRI) forms to EPA using electronic software provided by the agency ([78 FR 52860](#)). Only exception to this electronic reporting requirement is for the few facilities that submit trade secret TRI information, which will continue to submit trade secret reporting forms and substantiation forms in hard copy. EPA also requires facilities to submit electronically via Internet, any revisions or withdrawals of previously submitted TRI reporting forms. EPA will no longer accept submissions, revisions, or withdrawals of TRI reporting forms submitted for reporting years prior to 1991. EPA POC: [David Turk](#), (202) 566-1527.

**(Effective 27 Sep 13) REVISION TO DEFINITION OF VOLATILE ORGANIC COMPOUNDS.** EPA takes final action to revise regulatory definition of volatile organic compounds (VOCs) for preparing state implementation plans to NAAQS for ozone under title I of Clean Air Act (CAA) ([78 FR 53029](#)). This final action adds trans 1-chloro-3,3,3-trifluoroprop-1-ene (also

known as Solstice™ 1233zd(E)) to list of compounds excluded from regulatory definition of VOCs on basis this compound makes negligible contribution to tropospheric ozone formation. EPA POC: [David Sanders](#), (919) 541-3356.

**EPA ANNOUNCED ENHANCED PROCESS FOR DEVELOPING IRIS HEALTH ASSESSMENTS.** In Jul 13, EPA announced enhancements to [Integrated Risk Information System \(IRIS\)](#) assessment development process that will improve productivity and scientific quality in IRIS assessments and help EPA meet the goal of producing IRIS assessments in a timely and transparent manner. Highlights include: a public problem formulation meeting before beginning to develop an IRIS assessment; release of preliminary materials early in assessment development process with a public meeting to hear comments on materials; flexibility to revise draft assessments as needed after hearing the public's comments prior to peer review; [stopping rules](#) for incorporating new data and raising scientific issues, and [strengthened practices for peer review](#).

**EPA PUBLIC ENGAGEMENT ON THE DEVELOPMENT OF IRIS ASSESSMENTS FOR ETBE, RDX, AND MORE.** EPA announced a series of public meetings for remainder of 2013 and throughout 2014 to increase stakeholder engagement on the development of IRIS assessments. The [first meeting is scheduled for 23-24 Oct 13](#). EPA also announced availability of preliminary materials for three chemicals, tert-butyl alcohol (tert-butanol), ethyl-tert-butyl ether (ETBE), and hexahydro-1,3,5-trinitro-1,3,5-triazine (RDX), which will be discussed at the first public meeting scheduled for 23-24 Oct 13. [Preliminary materials for tert-butanol and ETBE](#) are posted on IRIS website, and preliminary materials for RDX will be posted approximately 60 days before the meeting. These materials are being released for public viewing and comment prior to public meeting to provide an opportunity for IRIS program to engage in early discussions (before IRIS assessments have been prepared) with stakeholders and public on data used to identify health hazards and characterize exposure-response relationships.

**EPA CHEMVIEW INFORMATION SOURCE.** EPA launched a new web-based tool, [ChemView](#), to improve access to chemical specific regulatory information and to data submitted under the Toxic Substances Control Act (TSCA). ChemView web tool displays key health and safety data in an online format that allows comparison of chemicals by use and by health or environmental effects. The search tool combines available TSCA information and provides streamlined access to EPA assessments, hazard characterizations, and information on safer chemical ingredients. Additionally, the new web tool allows searches by chemical name or Chemical Abstracts Service (CAS) number, use, hazard effect, or regulatory action. ChemView database is being populated in phases, and currently contains information on more than 1,500 chemicals.

## **WATER**

**NPDES ELECTRONIC REPORTING RULE.** EPA proposes a regulation requiring electronic reporting for current paper-based National Pollution Discharge Elimination System (NPDES) reports, by use of already existing online reporting methods ([78 FR 46005](#)). States, territories, and tribes would also have to use online systems, but would be relieved of some existing reporting requirements. Reporting would cover multiple regulatory areas including:

- Discharge Monitoring Reports;
- Reporting related to small Municipal Separate Storm Sewer Systems (MS4s);
- General Permits (applicable to State NPDES programs);
- Annual Publicly Owned Treatment Works reports; and
- several other reporting requirements.

EPA is soliciting comment on minimum set of NPDES program data that NPDES-regulated facilities or other regulated entities would electronically submit to authorized programs and the process for authorized programs receiving these electronic data to forward these data electronically to EPA. EPA POC: [John Dombrowski](#), (202) 566-0742.

**WATER EFFICIENCY AND MANAGEMENT PROVISIONS OF EO 13514 AND 13423.** The Council on Environmental Quality (CEQ) recently released [new implementing instructions](#) addressing water efficiency and reporting provisions of [Executive Orders 13514 and 13423](#). These new instructions supersede previous water efficiency implementation guidance and:

- Reiterates use-reduction goals apply at the agency level, rather than level of installations or facilities;
- Recommends agencies focus on largest and most feasible opportunities and target reductions in areas where water scarcity is greater;
- Provides guidelines for reporting in conjunction with the Annual GHG and Sustainability Data Report, and in agency Strategic Sustainability Performance Plans as appropriate;
- Reiterates use reduction goals of 26% for potable water, and 20% for industrial, landscaping and agricultural (ILA) water by 2020, against a 2007 baseline for potable water and a 2010 baseline for ILA water;
- Notes agencies must consult local health and safety codes for gray water reuse requirements; and
- Discusses other water re-use and efficiency considerations and links to other guidance material.

**PRELIMINARY 2012 EFFLUENT GUIDELINES PROGRAM PLAN.** EPA released the [Preliminary 2012 Effluent Guidelines Program Plan](#) and [Annual Effluent Guidelines Review Report](#). EPA is not identifying any industry category for new or revised effluent guidelines in the Preliminary 2012 Plan and is requesting public comment on the Preliminary Plan. EPA POC: [William Swietlik](#), (202) 566-1129.

**WATER QUALITY STANDARDS AND REGULATORY CLARIFICATIONS.** EPA proposes changes to federal water quality standards (WQS) regulation in program areas including ([78 FR 54517](#)):

- EPA determinations that new or revised Water Quality Standards are necessary,
- Designated uses of water bodies,
- Antidegradation Implementation,
- Provisions authorizing use of permit-based compliance schedules, and
- Requirements of triennial reviews.

[A informational meeting and a webinar will be held for the proposed rule](#) 23 Oct 13 in Washington, DC. The webinar will be held 14 Nov 13. Comments due 3 Dec 13. EPA POC: [Janita Aguirre](#), (202) 566-1860.

**PROPOSED NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM INDUSTRIAL ACTIVITIES.** EPA's Regions 1, 2, 3, 5, 6, 7, 8, 9, and 10 are proposing the 2013 National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges from industrial activity, also referred to as the Multi-Sector General Permit (MSGP) ([78 FR 59672](#)). This proposed permit will replace existing permit covering stormwater discharges from industrial facilities in EPA's Regions 1, 2, 3, 5, 6, 9, and 10 expiring 29 Sep 13, and will provide coverage for industrial facilities in areas where EPA is NPDES permitting authority in EPA's Regions 7 and 8. EPA proposes to issue permit for five years. Significant proposed changes include:

- Additional specificity for several technology-based effluent limits (i.e., the control measures) for clarity;
- Requirement that facilities discharging to a small number of federal Superfund sites notify their Regional EPA office prior to filing Notice of Intent (NOI);
- Streamlining of Stormwater Pollution Prevention Plan (SWPPP) documentation (i.e., facilities do not have to expound on their compliance with certain effluent limits);
- Public accessibility to SWPPP information, either by posting on the Internet or by incorporating salient information into NOI.
- Electronic submission for NOI, Notice of Termination (NOT), annual report, and monitoring (waivers may be granted);
- Requirement for pavement wash water discharges to be treated by control measures;
- Reduced requirements for inspections (i.e., facilities no longer have to conduct a separate comprehensive site inspection);
- Specific deadlines for taking corrective actions;
- Inclusion of saltwater benchmark values for metals; and
- Inclusion of Airport Deicing Effluent Limitation Guideline.

[Additional information](#), along with a [fact sheet](#), is available on the EPA website. Comments due 26 Nov 13. EPA POC: [Bryan Rittenhouse](#), (202) 564-0577.

### **THREATENED & ENDANGERED SPECIES**

**ENDANGERED STATUS AND CRITICAL HABITAT FOR THE SHARPNOSE SHINER AND SMALLEYE SHINER.** USFWS proposed listing as endangered the sharpnose shiner and smalleye shiner, two fish species in the upper Brazos River (TX) ([78 FR 47582](#)). USFWS determined both species are vulnerable to extinction because of reduced range and highly specific reproductive strategies. These species are currently restricted to the upper Brazos River and its major tributaries representing a greater than 70% reduction in range for the sharpnose shiner and a greater than 50% range reduction for the smalleye shiner. USFWS also proposed to designate critical habitat for the sharpnose shiner and smalleye shiner for approximately 623 river miles of river segments in the upper Brazos River basin ([78 FR 47612](#)). There are no DoD lands within proposed critical habitat designation for sharpnose shiner or smalleye shiner. Additional documents and mapping information can be found on [FWS website](#). Additional information on [Sharpnose Shiner](#) and [Smalleye Shiner](#) are also on FWS website. Comments due 7 Oct 13. USFWS POC: Erik Orsak, (817) 277-1100.

**DETERMINATION TO LIST THE RATTLESNAKE-MASTER BORER MOTH.** USFWS determined listing the rattlesnake-master borer moth as endangered or threatened is warranted ([78 FR 49422](#)). Currently, however, listing the rattlesnake-master borer moth is precluded by higher priority actions to amend Lists of Endangered and Threatened Wildlife and Plants. USFWS will develop a proposed rule to list the rattlesnake-master borer moth as its priorities allow. FWS will address status of

candidate taxon through its annual Candidate Notice of Review (CNOR). The rattlesnake-master borer moth is currently known to occur in five states: IL, **AR**, KY, NC, and **OK**. Threats to the species include conversion of remaining prairie remnants for non-agricultural purposes to some of the rattlesnake-master borer moth sites. Two known AR sites are within military installations (Pine Bluff Arsenal and Little Rock Air Force Base) and are under pressure of potential changes in land-use based on base priorities. An incinerator was constructed on top of one site containing the rattlesnake-master borer moth within the Pine Bluff Arsenal. USFWS said Air Force officials are considering allowing development in one area of the Little Rock Air Force Base containing populations of rattlesnake-master borer moth. Although researchers did not find rattlesnake-master borer moths within the area in 1997, removal of this area would decrease the opportunity of the moth to expand into other habitat. [Additional information](#) is on USFWS website.

**REVIEW OF LISTING STATUS OF FIVE SOUTHWESTERN SPECIES.** USFWS announced a 90-day finding on a petition to delist the gypsum wild-buckwheat (*Eriogonum gypsophilum*), and downlist the black-capped vireo (*Vireo atricapilla*), lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*), Kuenzler hedgehog cactus (*Echinocereus fendleri var. kuenzleri*), and Tobusch fishhook cactus (*Sclerocactus brevihamatus ssp. tobuschii*) from endangered to threatened under the Endangered Species Act ([78 FR 55046](#)). USFWS finds the petition presents substantial scientific or commercial information indicating the petitioned actions may be warranted and is initiating a review of the status of these species to determine if respective actions of delisting and reclassifying are warranted. USFWS is requesting information for the status review by 8 Nov 13. FWS POC: Michelle Shaughnessy, (505) 248-6920.

**(EFFECTIVE 17 OCT 13) ENDANGERED STATUS FOR THE NEOSHO MUCKET AND THREATENED STATUS FOR THE RABBITSFOOT FRESHWATER MUSSELS.** USFWS issued a final rule listing two freshwater mussels, the Neosho mucket as endangered, and the rabbitsfoot, as threatened ([78 FR 57076](#)). The Neosho mucket occurs in **AR, KS, MO, and OK**. The rabbitsfoot occurs in AL, **AR**, GA, IL, IN, **KS**, KY, **LA**, MS, **MO**, OH, **OK**, PA, TN, and WV. Habitats of freshwater mussels are vulnerable to water quality degradation and habitat modification from a number of activities associated with modern civilization. Threats include siltation, industrial and municipal effluents, modification of stream channels, impoundments, pesticides, heavy metals, invasive species, and the loss of host fish. Chief among causes of decline in distribution and abundance of the Neosho mucket and rabbitsfoot, and in no particular order of ranking, are impoundment, channelization, sedimentation, chemical contaminants, mining, and oil and natural gas development. Neosho mucket and rabbitsfoot are both found within medium to large river drainages exposed to a variety of landscape uses. USFWS POC: James F. Boggs, (501) 513-4470.

**LISTING ALABAMA SHAD AS THREATENED OR ENDANGERED.** National Marine Fisheries Service (NMFS) will conduct a status review of the Alabama shad to determine if listing the species is warranted ([78 FR 57611](#)). The Alabama shad (*Alosa alabamae*) is a euryhaline (adapted to a wide range of salinities), anadromous species that spawns in medium to large flowing rivers from the Mississippi River drainage to the Suwannee River, FL. The petition states species' current range includes Apalachicola River system below Jim Woodruff Lock and Dam (JWLD); Pascagoula River drainage in MS; Conecuh, Choctawhatchee, and Mobile Rivers in AL; **Ouachita River, AR**; and, **Missouri, Gasconade, Osage, and Meramec Rivers, MO**. NMFS files indicate the current range of Alabama shad is larger than described in the petition. In addition to the rivers listed, the current range of Alabama shad includes Apalachicola, Chattahoochee, Flint (ACF) River system above JWLD in FL/GA/AL, Pea River in AL, **Pearl River, LA** and **Mississippi, and Little Missouri River, AR**. Comments and information due 18 Nov 13. NMFS POC: Kelly Shotts, (727) 824-5312.

## **REMEDATION**

**STANDARDS AND PRACTICES FOR ALL APPROPRIATE INQUIRIES UNDER CERCLA.** EPA issued a final rule amending Standards and Practices for All Appropriate Inquiries (under CERCLA) to recognize and reference ASTM International's updated standard E1527-13, [Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process](#) ([78 FR 49690](#)). EPA POC: [Rachel Lentz](#), (202) 566-2745.

## **OTHER**

**(Effective 3 Sep 13) UPDATE TO BIOBASED REPORTING REQUIREMENTS.** DoD, GSA, and NASA issued a final rule ([78 FR 46794](#)) amending the Federal Acquisition Regulation to revise biobased reporting clause requiring a contractor to submit an annual biobased report to a new [government-wide website](#) instead of the agency environmental point of contact. The new website is to be used for annual biobased reports due 31 Oct 13, and is intended to be the permanent site for reporting this information. The new website allows contractors to submit a report on a contract-by-contract basis at any time throughout the year, improving consistency in reporting across federal agencies with the goal of increasing federal

procurement of biobased products. The new website also generates a government-wide report for agency use. In addition, the new website includes instructions on how to complete the report and frequently asked questions. POC: Marissa Petrussek, (202) 501-0136.

**EPA ONLINE MAPPING TOOL FOR ENVIRONMENTAL IMPACT STATEMENTS.** EPA launched an interactive web-based mapping tool, [EIS Mapper](#), that provides public with access and information on Environmental Impact Statements filed with EPA for major projects proposed on federal lands and other proposed federal actions. When visiting the website, users can click on any state for a list of EISs, including information about the potential environmental, social and economic impacts of these projects.

## National Conferences and Symposia

NONE

## Regional Meetings

NONE

## 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](#);
- 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.

**U.S. ARMY CORPS OF ENGINEERS (USACE) FY 14 PROSPECT TRAINING.** USACE Learning Center (ULC), the Center for Learning and Training for USACE, announced its FY14 Proponent-Sponsored Engineer Corps Training (PROSPECT). . This program provides job-related training through technical and professional courses to meet the unique needs of the USACE and other government agencies. The course catalog for the PROSPECT Program, known as the Purple Book, currently lists over 200 courses that cover a wide variety of topics. These courses are available to federal, state or local government

employees. Highly dedicated instructors who excel in their areas of expertise are selected from headquarters, divisions, districts, laboratories, the ULC, or from universities or private firms to design and teach the PROSPECT courses. Please see the [Course Catalog \(a.k.a. Purple Book\)](#) for list of classes and schedules. Courses are open to all federal, state, county and city employees, and contractors. Several environmental courses are also ISEERB approved. [Course registration](#) can be found on the ULC website.

**DoD MASTER PLANNING INSTITUTE (DODMPI) 2014 COURSE SCHEDULE.** [DODMPI](#) is a virtual suite of DoD master planning courses that provides the DoD planning community with an understanding of the base planning process and has an extensive course schedule planned for 2014. . . The first class is Master Planning principles, course 75, scheduled this Fall at the USACE Savannah District in downtown Savannah, GA, 18-21 Nov 13. The class involves both lecture, applied instruction training exercises and a field trip around Savannah identifying patterns used in planning bases. Course details can be found on [DODMPI website](#) or [ULC website](#).

#### **VARIOUS DATES AND TIMES ONLINE**

**READINESS AND ENVIRONMENTAL PROTECTION INITIATIVE (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. For detailed webinar descriptions please visit [REPI WEBSITE](#).

**DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS.** U.S. Army offers numerous environmental training courses. Information on training providers and fiscal year class schedules are available on [US ARMY ENVIRONMENTAL COMMAND \(AEC\) WEBSITE](#).

**UTILITY ENERGY PROJECT INCENTIVE FUNDS** This FEMP course teaches federal agencies about financing the capital costs of energy improvement projects from savings generated through energy efficiency measures funded by utilities, public benefit funds, and other resources. [The training session is delivered live via satellite or through streaming media at your desktop.](#)

**[EPA NPDES TRAINING COURSES AND WORKSHOPS.](#)** Training courses, workshops, and webcasts explain regulatory framework and technical considerations of the NPDES Permit program. They are designed for permit writers, dischargers, USEPA officials and other interested parties.

**[INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#)** 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 environmental community members.

**[EPA RCRA TRAINING.](#)** RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA'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.

**[NATIONAL ENFORCEMENT TRAINING INSTITUTE.](#)** EPA environmental enforcement training opportunities are offered (e-learning, classroom, and webinar) for federal, state, tribal and local government environmental enforcement professionals.

# Internet Resources

## **Region 6 Regulatory & Legislative Internet Sites**

USEPA Region 6

Arkansas Dept of Environmental Quality (ADEQ)

Arkansas General Assembly

Louisiana Department of Environmental Quality (LDEQ)

Louisiana Legislature

New Mexico Environment Department (NMED)

New Mexico Legislature

Oklahoma Department of Environmental Quality (ODEQ)

Oklahoma Legislature

Texas Commission on Environmental Quality (TCEQ)

Texas Legislature

<http://epa.gov/region6/index.htm>

<http://www.adeq.state.ar.us>

<http://www.arkleg.state.ar.us/>

<http://www.deq.state.la.us/>

<http://www.legis.state.la.us/>

<http://www.nmenv.state.nm.us/>

<http://www.nmlegis.gov/lcs/>

<http://www.deq.state.ok.us>

<http://www.lsb.state.ok.us/>

<http://www.tceq.state.tx.us/>

<http://www.capitol.state.tx.us/>

## **Region 7 Regulatory & Legislative Internet Sites**

USEPA Region 7

Iowa Department of Natural Resources (IDNR)

Iowa General Assembly

Kansas Department of Health and Environment (KDHE)

Kansas Legislature

Missouri Department of Natural Resources (MDNR)

Missouri General Assembly

Nebraska Department of Environmental Quality (NDEQ)

Nebraska Legislature

<http://www.epa.gov/region7/index.htm>

<http://www.iowadnr.com/>

<http://www.legis.iowa.gov/index.aspx>

<http://www.kdheks.gov/>

<http://kslegislature.org/li/>

<http://www.dnr.mo.gov/index.html>

<http://www.moga.mo.gov/>

<http://www.deq.state.ne.us>

<http://nebraskalegislature.gov/>

## **Other Federal Agencies Internet Sites**

Department of the Interior, Bureau of Land Management State Offices

Eastern States AR, LA, MO, IA

NM, KS, OK, TX

WY, NE

U.S. Geological Survey Central Region

All Region 6 and 7 states

DOE Office of Environmental Management

All states

U.S. Fish and Wildlife Service

Southwest Region NM, TX, OK

Mountain – Prairie Region KS, NE

Midwest Region IA, MO

Southeast Region AR, LA

<http://www.blm.gov/es/st/en.html>

<http://www.blm.gov/nm/st/en.html>

<http://www.blm.gov/wy/st/en.html>

<http://www.cr.usgs.gov/>

<http://www.em.doe.gov/pages/emhome.aspx>

<http://www.fws.gov/southwest/>

<http://www.fws.gov/mountain-prairie/>

<http://www.fws.gov/midwest/>

<http://www.fws.gov/southeast/>

# Staff Directory

## REC Directory

**Director/DoD Region 7  
Regional Environmental Coordinator**

Stephen C. Scanlon  
(913) 684-4004

**Deputy Director**

David Snodgrass  
(913) 684-4002

**Army Regional Environmental  
Coordinator - Region 6**

Michael R. Weaver  
(913) 684-4006

**Army Regional Environmental  
Coordinator - Region 7**

Vacant

**Regional Counsel**

Stanley L. Rasmussen  
(913) 684-4008

**Air Force REC AR/LA/OK**

(214) 767-4650, ext 4652

**Air Force REC NM/TX**

(214) 767-4650, ext 4677

**Navy REC Region 6**

(361) 961-3776

## Office Staff

**Project Manager**

(410) 278-6137

**Regulatory Affairs Specialist**

(913) 684-4003

---

## How the Regional Offices Work for You

When used within the framework of ISO 14001, the Central 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 the cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The U.S. Army Regional Environmental and Energy Office, Central (REEO-C) monitors the following 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.

For further information please visit the [Army's Regional Environmental and Energy Offices'](#) website.

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

Please contact your Regional Environmental Coordinator listed above.

### **Acronyms used in this document can be found at:**

<http://www.asaie.army.mil/Public/InfraAnalysis/REEO/Central/docs/acronyms.doc>