



U.S. ARMY

Western Review of Legislative & Regulatory Actions Region 8



The U.S. Army Regional Environmental & Energy Office

January 2013

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



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Western Energy Strategy and Policy

In his keynote address at the [Utah Energy Development Summit](#) this month, James D. Ogsbury, Executive Director of the Western Governors' Association (WGA), emphasized state leadership on energy issues.

In Utah, Gov. Gary Herbert's [10-Year Strategic Energy Plan](#) represents a legitimate "all-of-the-above energy strategy," Ogsbury said. "The plan, which includes specific proposals, policies and recommendations, synthesizes and balances Utah's economic development objectives and its critical environmental protection goals."

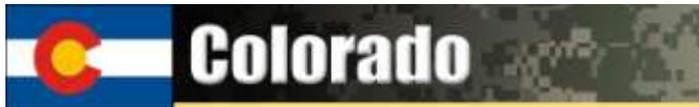
Similarly, the WGA is developing a 10-year regional energy strategy for the Western U.S. The intent is to create a dynamic template for the pursuit of regional energy policies. Although the WGA strategic energy plan is expected to be complete in mid 2013, several states are proceeding with energy plans and initiatives.

- Gov. Matt Mead of Wyoming is developing an energy plan that calls for streamlined energy regulations and a program of energy education in the public schools.
- Gov. John Kitzhaber of Oregon released his [10-Year Energy Action Plan](#) in 2012. It calls on the state to meet new electric load growth through efficiency and conservation measures over the next 10 years and for the conversion of 20% of large fleets to alternative-fuel vehicles.
- Gov. Butch Otter of Idaho oversaw development of the WGA's policy paper on the future role of nuclear energy in the West. The paper includes state strategies to pursue new methods for advanced nuclear energy production.
- Arizona Gov. Jan Brewer's Office of Energy Policy is administering the Arizona Renewable Energy Tax Incentive Program. The program is designed to stimulate new investments in manufacturing and headquarter operations of renewable energy companies.

For more information, visit the Western Governors' Association website at www.westgov.org.

Region 8

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



AIR

REGULATION 11: VEHICLE INSPECTION/MAINTENANCE The Colorado Department of Public Health and Environment (CDPHE) is proposing revisions to Regulation 11 (Motor Vehicle Emissions Inspection Program). The amendments would increase the new vehicle model-year exemptions from emissions testing from four to seven years and require on-board diagnostics testing for the next two inspection cycles. Other amendments would require the current inspection/maintenance 240 testing commencing with the third inspection cycle, maintain the remote sensing provisions of the current program, and address other minor program deficiencies and housekeeping issues. Additionally, the agency issued a supplemental notice clarifying that the proposed changes affecting Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson counties would be submitted to the U.S. Environmental Protection Agency (USEPA) for incorporation into the Colorado State Implementation Plan (SIP), but that provisions affecting Larimer and Weld Counties would remain as state-only provisions, and not be submitted for incorporation into the Colorado SIP. A public hearing was held December 20, 2012. For more information, contact Doug Decker at (303) 692-3126 or at Doug.Decker@state.co.us. The notice of public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00860>. Proposed amendments are available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00860.DOC>. Additional information is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/AddInfoAttach2012-00860.DOC>. The supplemental notice is available at <http://www.sos.state.co.us/pubs/CCR/files/2012/20121125DPHESupp.pdf>.

WASTE

WASTE GREASE The CDPHE revised the definitions of trap grease and grease in 6 Colorado Code of Regulation (CCR) 1007-2 as pertains to waste grease transporters, facilities, and users. This action is being taken in response to [Senate Bill 77 \(2012\)](#) which repealed statutory provisions pertaining to yellow grease. This final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00923>. Additional information is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/AddInfoAttach2012-00923.RTF>. The final adopted rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORrequest/AdoptedRules02012-00923.RTF>.

HAZARDOUS WASTE LISTING: HYDROLYSATE The CDPHE added waste code K903 listing at 6 CCR 1007-3, Part 261.32 (Hazardous Waste from Specific Sources); and Part 261, Appendix VII and Part 268, section 268.40. This action defines hydrolysate (derived from the treatment of mustard agent) as a hazardous waste. The final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at

brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00933>. The proposed rule is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00933.RTF>. The permanent rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00933.RTF>.

HAZARDOUS WASTE CONDITIONAL EXCLUSION The CDPHE adopted an amendment to state rules regarding claims that materials are not solid wastes or are conditionally exempt from regulation. This action clarifies that any person conducting recycling must be able to demonstrate that the recycling is legitimate, irrespective of whether or not the CDPHE is pursuing an enforcement action. This final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00928>. The proposed rule text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00928.RTF>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00928.RTF>.

HAZARDOUS WASTE DEFINITION: RECLAIMED The CDPHE amended the definition of "reclaimed" in 6 CCR 1007-3 Part 99. The agency replaced the existing definition with one analogous to the federal definition. In 2010, the agency amended the definition in an attempt to distinguishing legitimate recycling from "sham" recycling practices. The revised definition resulted in unintended consequences for multi-stage recycling facilities, which this action corrects. This final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00927>. The proposed amendment is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00927.RTF>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00927.RTF>.

HAZARDOUS WASTE NOTIFICATION The CDPHE amended the hazardous waste notification requirements in 6 CCR 1007-3, Part 99. This action clarifies that persons who have previously filed a notification of regulated waste activity are required to file an updated notification whenever their generator status changes. This amendment also eliminates the option to delay filing the updated notification until the Colorado Solid and Hazardous Waste Commission fee is due. This final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00926>. The proposed amendment is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00926.RTF>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00926.RTF>.

HAZARDOUS WASTE GENERATOR FEE: 2013 The CDPHE extended its temporary fee decrease from 2012 to calendar year 2013. This final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00925>. Proposed text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00925.RTF>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00925.RTF>.

WASTE TIRE FUND The CDPHE amended its regulations pertaining to the waste tire processor and end user reimbursement program. This action would amend 6 CCR Part 4. This action being taken in response to House Bill (HB) 1034 (2012) which modified the processor and end user fund requirements in an effort to eliminate illegal tire dumping and to promote the recycling or reuse of waste tires in newer technologies. This final rule was effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00936>. The proposed rule text is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00936.RTF>. Additional information is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/AddInfoAttach2012->

00936.RTF. This final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00936.RTF>.

WASTE TIRE REGULATION The CDPHE adopted revisions to 6 CCR 1007-2, Part 1, Sections 1.2 (Definitions) and 10 (Waste Tire) to implement the requirements of [HB 1034 \(2012\)](#). The amendments clarify exemption language for solid waste landfills, transfer stations, and recycling facilities that divert waste tires from the solid waste stream and government road side cleanup activities; remove waste tire hauler decal inconsistencies; and standardizing annual reporting submittal dates. The final rules were effective December 30, 2012. For more information, contact Brandy Valdez Murphy at (303) 692-3467 or at brandy.valdezmurphy@state.co.us. The notice of rulemaking hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00924>. The proposed rule is available at <http://www.sos.state.co.us/CCR/Upload/NoticeOfRulemaking/ProposedRuleAttach2012-00924.RTF>. The final rule is available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00924.RTF>.

WATER

WATER QUALITY STANDARDS: GUNNISON & LOWER DOLORES RIVER The CDPHE, Water Quality Control Commission adopted revised water quality classifications, standards and designations for multiple segments in the Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins, Regulation 35 (5 CCR 1002-35). This rulemaking hearing is the third and final step in a three-step process for triennial review of water quality classifications and standards in Colorado. This final rule is effective March 30, 2013. For more information, contact Sarah Johnson at (303) 692-3609 or at sarah.johnson@state.co.us. The notice of proposed rulemaking is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00460>. The permanent rules are available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00460.RTF> and <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules12012-00459.PDF>.

WATER QUALITY STANDARDS: SAN JUAN & DOLORES RIVER The CDPHE, Water Quality Control Commission adopted revised water quality classifications, standards and designations for multiple segments in the Classifications and Numeric Standards for San Juan River and Dolores River Basins, Regulation 34 (5 CCR 1002-34). This rulemaking hearing is the third and final step in a three-step process for triennial review of water quality classifications and standards in Colorado. This final rule is effective March 30, 2013. For more information, contact Sarah Johnson at (303) 692-3609 or at sarah.johnson@state.co.us. The notice of proposed rulemaking is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-00459>. The permanent rules are available at <http://www.sos.state.co.us/CCR/Upload/AGORequest/AdoptedRules02012-00459.RTF>.

WATER QUALITY STANDARDS: ARKANSAS RIVER BASIN The CDPHE is proposing amendments to the classifications and numeric standards for Arkansas River Basin. The agency is proposing to adopt temporary modifications of the arsenic standard in stream segments that have both water and fish standards and a permitted discharger with a water quality based effluent limit compliance problem. Comments are due March 27, 2013. A public hearing is scheduled for April 8, 2013. For more information, contact Sarah Johnson at (303) 692-3609 or at sarah.johnson@state.co.us. The notice of proposed rulemaking and public hearing is available at <http://www.sos.state.co.us/CCR/DisplayHearingDetails.do?trackingNumber=2012-01073>.

LEGISLATIVE DEVELOPMENTS

The Colorado 2013 legislative session began January 9, 2013 and adjourns May 8, 2013. For additional information on the Colorado legislature, go to <http://www.leg.state.co.us>.



AIR

SIP: NO₂ NAAQS The Montana Department of Environmental Quality (MDEQ) is inviting public comment on the proposed certification of the adequacy of the Montana SIP for attaining and maintaining the revised National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide (NO₂). The certification outlines the requirements of section 110(a)(2)(A) through (M) of the Clean Air Act (CAA) and addresses how Montana will implement, maintain and enforce the 2010 NO₂ NAAQS. Comments were due December 31, 2012. For more information, contact Oline Barta at (406) 444-0524 or at obarta@mt.gov. The public notice is available at http://www.statescape.com/ssu/Regs/ss_8588470375208289553.pdf.

SIP: OZONE NAAQS The MDEQ is inviting public comment on the proposed certification of the adequacy of the Montana SIP for attaining and maintaining the revised NAAQS for ozone. The certification outlines the requirements of section 110(a)(2)(A) through (M) of the CAA and addresses how Montana will implement, maintain and enforce the 2010 ozone NAAQS. Comments were due December 31, 2012. For more information, contact Oline Barta at (406) 444-0524 or at obarta@mt.gov. The public notice is available at http://www.statescape.com/RegsText/StaticDownloads/65992_99400.pdf. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=51. Revisions to the original proposed rule are available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=51.

INCORPORATION BY REFERENCE: AIR QUALITY RULES The MDEQ adopted revisions to air quality rules that were published in the July 1, 2010, edition of the Code of Federal Regulation (CFR); the 2006 edition of the United States Code (USC) Supplement IV (2010); and the 2010 edition of the Administrative Rules of Montana (ARM). The final rule was effective December 21, 2012. For more information, contact Elois Johnson at (406) 444-2630 or at ejohnson@mt.gov. The notice of proposed amendment is available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4288>.

WATER

STATE OWNED NAVIGABLE WATERS The Montana Department of Natural Resources and Conservation adopted new rules pertaining to State-owned navigable waters. The rules affect definitions, authorizations for use of navigable waters, and establish fees. The final rules were effective December 7, 2012. For more information, contact Jessica Jenewein at (406) 444-3544 or at jjenewein@mt.gov. The proposed rules and notice of public hearing are available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4188>. The notice of final rule adoption is available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4518>.

WATER AND SEWAGE SYSTEMS The MDEQ is proposing amendments to Department Circular DEQ-4 ([Montana Standards for Subsurface Wastewater Treatment Systems](#)). The revisions:

- add new systems and definitions; add new requirements and clarify existing requirements for site evaluations;
- provide a new methodology for evaluating wastewater flows in large onsite systems;
- add a new chapter discussing sewer collection systems, pumping stations, and effluent distribution systems;
- modify and clarify sizing, construction, and installation requirements for septic tanks;
- revise requirements for secondary subsurface treatment systems;
- clarify requirements and sizing criteria for drainfields and system configurations for the following advanced treatment;
- add a chapter outlining waste segregation through the use of composting and incinerating toilets; and
- revise Appendices A, B, C, D & E.

A public hearing was held January 11, 2013. Comments were due January 17, 2013. For more information, contact Elois Johnson at (406) 444-2630 or ejohnson@mt.gov. The notice of proposed rulemaking and public hearing is available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4527>.

MONTANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (MPDES) The MDEQ adopted amendments to the Montana Pollutant Discharge Elimination System (MPDES) permit program. The amendments revise definitions; clarify requirements for transferred waters; eliminate the incorporation of federal rules; add informational requirements for certain dischargers; delete outdated requirements; clarify forms; and update other incorporations by reference. The final rule was effective December 21, 2012. For more information, contact Elois Johnson at (406) 444-2630 or at ejohnson@mt.gov. The notice of proposed amendment is available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4289>.

NUTRIENT TRADING The MDEQ adopted a new rule that establishes clear guidelines and requirements for evaluating nutrient trading proposals. This action incorporates by reference Department Circular [DEQ-13](#), Montana's Policy for Nutrient Trading (Trading Policy). The Trading Policy sets out a framework for evaluating prospective nutrient trades. The final rule was effective December 21, 2012. For more information, contact Elois Johnson at (406) 444-2630 or ejohnson@mt.gov. The notice of proposed rulemaking and public hearing is available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4402>. The notice of final rule adoption is available at <http://www.mtrules.org/gateway/ShowNoticeFile.asp?TID=4563>.

LEGISLATIVE DEVELOPMENTS

The Montana 2013 legislative session began January 7, 2013 and adjourns April 27, 2013. For information on the Montana legislature, go to <http://leg.mt.gov/css/default.asp>.



LEGISLATIVE DEVELOPMENTS

The North Dakota 2013 legislative session began January 8, 2013 and adjourns May 1, 2013. For information on the North Dakota legislature, go to <http://www.legis.nd.gov>.



LEGISLATIVE DEVELOPMENTS

The South Dakota 2013 legislative session began January 8, 2013 and adjourns March 27, 2013. For additional information on the South Dakota legislature, go to <http://legis.state.sd.us/>.



AIR

FUGITIVE EMISSIONS AND FUGITIVE DUST The Utah Department of Environmental Quality (UDEQ) released revisions to proposed amendments to [R307-309](#) Nonattainment and Maintenance Areas for PM10: Fugitive Emissions and Fugitive Dust. The revisions clarify that the rule is applicable only to those areas with coarse particulate (PM10) and fine particulate (PM2.5) nonattainment areas; extend the compliance deadline for newly regulated areas; and clarify the

approval process for dust control plans. These revisions were made in response to comments to the original proposed amendments. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20120801.pdf#page=20. The notice of revision is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=67.

AGGREGATE PROCESSING OPERATIONS The UDEQ is proposing to establish opacity limits for aggregate processing equipment for PM_{2.5} nonattainment areas. The new Rule R307-312 would establish emission standards for sources in the aggregate processing industry, including aggregate processing equipment, hot mix asphalt plants, and concrete batch plants. The rule applies to all crushers, screens, conveyors, hot mix asphalt plants, and concrete batch plants located within Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, or Weber counties. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of proposed rulemaking is available at <http://www.rules.utah.gov/publicat/bulletin/2012/20121001/36740.htm>.

AUTOMOTIVE REFINISHING COATINGS The UDEQ released revisions to its proposed new rule (R307-354) applicable to automotive refinishing coatings operations (including related cleaning activities) that have the potential to emit 2.7 tons of volatile organic compounds (VOCs) per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. This new rule would establish reasonably available control technology (RACT) requirements to reduce VOCs (i.e., precursors to formation of PM_{2.5}) emitted from automotive refinishing coatings operations as well as clarify regulatory requirements. The revisions adjust upward emission limits for certain existing sources, remove some definitions, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=94. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62758_93086.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=83.

AEROSPACE MANUFACTURE AND REWORK FACILITIES The UDEQ released revisions to its proposed new rule (R307-355) applicable to aerospace manufacture and rework facilities that have the potential to emit five tons of VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. This new rule would establish RACT requirements to reduce VOC emissions. Hand-wipe, flush, and spray gun cleaning requirements are included in the rule. The revisions adjust upward the applicability limit, add exemptions and definitions, and clarify requirements for exempt solvents. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=97. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62757_93084.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=86.

FABRIC AND VINYL COATINGS OPERATIONS The UDEQ released revisions to its proposed new rule (R307-345) applicable to fabric and vinyl coating operations (including related cleaning activities) that have the potential to emit 2.7 tons of VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. The rule would establish RACT requirements to reduce VOC emissions from fabric and vinyl coating operations as well as clarify regulatory requirements. The revisions adjust upward the applicability limit, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=73. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62767_93106.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=58.

FLAT WOOD PANEL COATINGS The UDEQ released revisions to its proposed new rule (R307-349) applicable to flat wood panel coating operations (including related cleaning activities) that have the potential to emit 2.7 tons of VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. The rule would establish RACT requirements to reduce VOC emissions from flat wood panel coating operations as well as clarify

regulatory requirements. The revisions adjust upward the applicability limit, add definitions, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=80. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62763_93098.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=58.

LARGE APPLIANCE SURFACE COATINGS The UDEQ released revisions to its proposed new rule (R307-347) applicable to large appliance surface coating operations, including related cleaning activities, that have the potential to emit 2.7 tons VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. The rule would establish RACT requirements to reduce VOC emissions from large appliance surface coating operations as well as clarify regulatory requirements. The revisions adjust upward the applicability limit, add definitions, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=77. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62765_93102.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=63.

MAGNET WIRE COATINGS The UDEQ released revisions to its proposed new rule (R307-348) applicable to magnet wire coating operations, including related cleaning activities, that have the potential to emit 2.7 tons of VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. The rule would establish RACT requirements to reduce VOC emissions from magnet wire coating operations as well as clarify regulatory requirements. The revisions adjust upward the applicability limit, add definitions, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=79. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62764_93100.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=65.

METAL CONTAINER, CLOSURE, AND COIL COATINGS The UDEQ released revisions to its proposed new rule (R307-352) applicable to coating operations in the manufacturing or reconditioning of metal cans, drums, pails, and lids that have the potential to emit 2.7 tons of VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. The rule would establish RACT requirements reduce VOC emissions from coating operations associated with the manufacture or reconditioning of metal cans, drums, pails, and lids. The revisions adjust upward the applicability limit, add definitions, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=90. Proposed rule text is available at <http://www.airquality.utah.gov/Public-Interest/Public-Commen-Hearings/pdf-files/September2012/9-11/R307-352%20Proposed.pdf>. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=77.

MISCELLANEOUS METAL PARTS AND PRODUCTS COATINGS The UDEQ released revisions to its proposed new rule (R307-350) applicable to miscellaneous metal parts coating operations, including related cleaning activities, that have the potential to emit 2.7 tons of VOCs per year and that are located in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties. The rule would establish RACT requirements to reduce VOC emissions from miscellaneous metal parts coating operations as well as clarify regulatory requirements. The revisions adjust upward the applicability limit, add definitions, clarify requirements for exempt solvents, and revise recordkeeping requirements. For more information, contact Mark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=82. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62762_93095.pdf. The notice of revised text is

available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=69.
http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=49.

ROAD SANDING AND SALTING The UDEQ released revisions to its proposed expansion of the applicability of its rules for road sanding and salting operations (R307-307) to all persons who apply salt, crushed slag, or sand to roads in Davis, Salt Lake, and Utah counties; Cache Valley; and portions of Weber, Box Elder, and Tooele counties. Any salt applied to roads in all these areas would have to be at least 92% sodium chloride. Road salting and sanding operations contribute to particulate matter emissions. To avoid these emissions, the applicability of this rule is being expanded to include the entire PM2.5 nonattainment area. The revisions clarify the edition of the CFR incorporated by reference, specify the minimum percentage of various compounds in applied road salt, and exempt certain roads in the name of public safety. For more information, contact ark Berger at (801) 536-4000 or at mberger@utah.gov. The notice of new proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=48. Proposed rule text is available at http://www.statescape.com/RegsText/StaticDownloads/62754_93079.pdf. The notice of revised text is available at http://www.rules.utah.gov/publicat/bull_pdf/2013/b20130101.pdf#page=49.

ENERGY

ALTERNATIVE ENERGY DEVELOPMENT TAX INCENTIVES The Utah Governor's Office of Economic Development adopted a new rule that establishes the standards an alternative energy entity must meet to qualify for a tax credit. The final rule was effective November 26, 2012. For more information, contact Zachary Derr at (801) 538-8746 or at zderr@utah.gov. The notice of proposed rule is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121015.pdf#page=53. The notice of effective date is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121215.pdf#page=45.

NATURAL RESOURCES

ANCIENT HUMAN REMAINS The Utah Department of Heritage and Arts adopted a rule amendment regarding excavation of ancient human remains. The purpose of this rule amendment is to clarify the process by which department personnel conduct their excavations, particularly in situations where the ancient human remains are in a location easily accessible to the media. The department does not currently have specific statutory authority to establish a formal perimeter that can be used to shield the remains from photographers. The final rule was effective November 9, 2012. For more information, contact Michael Hansen at (801) 245-7204 or at mhansen1@utah.gov. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121001.pdf#page=118. The notice of rule effective date is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=104.

WATER

GROUNDWATER PROTECTION The UDEQ adopted a rule amendment that clarifies how sewers will be regulated within source protection zones and management areas for new wells and springs. In the amended rule, sewers within unprotected aquifers in zones one and two must be 50 feet from the well or spring collection area and be constructed in accordance with Section R309-515-6. Sewers in zone one of protected aquifers must be at least 10 feet from the well and constructed in accordance with Section R309-515-6. This final rule was effective November 15, 2012. For more information, contact Jim Martin at (801) 536-4494 or at jhmartin@utah.gov. The notice of proposed rulemaking is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20120815.pdf#page=78. The notice of rule effective date is available at http://www.rules.utah.gov/publicat/bull_pdf/2012/b20121201.pdf#page=103.

LEGISLATIVE DEVELOPMENTS

The Utah 2013 legislative session began January 28, 2013 and adjourns March 14, 2013. For additional information on the Utah legislature, go to <http://www.le.state.ut.us>.



AIR

NATIONAL ACID RAIN PROGRAM The Wyoming Department of Environmental Quality (WDEQ) is proposing changes to Wyoming Air Quality Standards and Regulations, Chapter 11, National Acid Rain Program. Changes involve annual updates to portions of the state air regulations that are adopted by reference from the CFR. A public meeting was held January 16, 2013. Comments were due the same day. For more information, contact Steven Dietrich at (307) 777-7391. The notice of proposed rulemaking is available at

http://www.statescape.com/RegsText/StaticDownloads/66501_100478.pdf. The rule text is available at http://www.statescape.com/RegsText/StaticDownloads/66501_100479.pdf.

NATIONAL EMISSION STANDARDS The WDEQ is proposing changes to Wyoming Air Quality Standards and Regulations, Chapter 5, National Emission Standards. Changes involve annual updates to portions of state air regulations that are adopted by reference from the CFR. A public meeting was held January 16, 2013. Comments were due the same day. For more information, contact Steven Dietrich at (307) 777-7391. The notice of proposed rulemaking is available at

http://www.statescape.com/RegsText/StaticDownloads/66498_100471.pdf. The rule text is available at http://www.statescape.com/RegsText/StaticDownloads/66498_100472.pdf.

PERMITTING REQUIREMENTS: PM_{2.5} The WDEQ is proposing changes to Wyoming Air Quality Standards and Regulations, Chapter 6, Permitting Requirements. Changes involve annual updates to portions of state air regulations that are adopted by reference from the CFR. The department is also proposing changes to Chapter 6, Section 4, to update Prevention of Significant Deterioration (PSD) program rules for PM_{2.5}. A public meeting was held January 16, 2013. Comments were due the same day. For more information, contact Steven Dietrich at (307) 777-7391. The notice of proposed rulemaking is available at

http://www.statescape.com/RegsText/StaticDownloads/66500_100475.pdf. The rule text is available at http://www.statescape.com/RegsText/StaticDownloads/66500_100476.pdf.

INFRASTRUCTURE SIP FOR OZONE The WDEQ is requesting comment on its infrastructure SIP to address the 2008 8-hour ozone ambient standard. A public meeting was held January 16, 2013. Comments were due the same day. For more information, contact Steven Dietrich at (307) 777-7391. The notice of public comment period is available at http://www.statescape.com/RegsText/StaticDownloads/66503_100482.pdf. The proposed infrastructure SIP is available at http://www.statescape.com/RegsText/StaticDownloads/66503_100483.pdf.

INFRASTRUCTURE SIP FOR NO₂ The WDEQ is requesting comment on its infrastructure SIP to address the 2010 1-hour NO₂ ambient standard. A public meeting was held January 16, 2013. Comments were due the same day. For more information, contact Steven Dietrich at (307) 777-7391. The notice of public comment period is available at http://www.statescape.com/RegsText/StaticDownloads/66502_100480.pdf. The proposed infrastructure SIP is available at http://www.statescape.com/RegsText/StaticDownloads/66502_100481.pdf.

PERFORMANCE STANDARDS FOR SPECIFIC EXISTING SOURCES The WDEQ is proposing changes to Wyoming Air Quality Standards and Regulations, Chapter 4, State Performance Standards for Specific Existing Sources. Changes involve annual updates to portions of the state air regulations that are adopted by reference from the CFR. The department is also proposing changes to Chapter 4, Section 5, to update regulations covering hospital and medical waste incinerators so that state regulations match federal guidelines. A public meeting was held January 16, 2013. Comments were due the same day. For more information, contact Steven Dietrich at (307) 777-7391. The notice of proposed rulemaking is available at

http://www.statescape.com/RegsText/StaticDownloads/66496_100465.pdf. The rule text is available at http://www.statescape.com/RegsText/StaticDownloads/66496_100466.pdf.

AIR QUALITY STANDARDS The WDEQ adopted amendments to its Air Quality Standards and Regulations, Chapters 2, 3, 5, and 8. Revisions to Chapter 2 align state ambient NO₂, sulfur dioxide (SO₂), and ozone standards with federal regulation. Chapter 3, Section 4, emission standards for sulfur oxides is repealed and superseded by more updated regulations. Changes to Chapter 5 involve the removal of the vacated Boiler maximum achievable control technology (MACT) from Section 3. Chapter 8, Section 3, conformity of general federal actions to SIPs, is revised to maintain consistency with the federal general conformity regulations. The final rules were effective December 19, 2012. For more information, contact Christine Anderson at (307) 675-5624 or at tina.anderson@wyo.gov. The notice of proposed rulemaking is available at http://www.statescape.com/RegsText/StaticDownloads/52133_90333.pdf. The notice of final rule adoption is available at http://www.statescape.com/RegsText/StaticDownloads/52133_100955.pdf. The final chapter 2 is available at <http://soswy.state.wy.us/Rules/RULES/8887.pdf>. Chapter 3 is available at <http://soswy.state.wy.us/Rules/RULES/8888.pdf>. Chapter 5 is available at <http://soswy.state.wy.us/Rules/RULES/8889.pdf>. Chapter 8 is available at <http://soswy.state.wy.us/Rules/RULES/8890.pdf>.

WATER

UNDERGROUND STORAGE TANK RULES The WDEQ adopted revisions to Chapter 17, Storage Tank Rules and Regulations. The revisions modify language to operator training (Part L) and prohibition of deliveries (Part K). The final adopted rule language specifies when Class A, B, and C operators must be licensed or trained; extends the license renewal period to 5 years; implements new notification requirements to the state regarding onsite personnel; adds two items to the list of red-tag violations; and specifies that monthly inspections are only required for service stations. The final rules were effective December 17, 2012. For more information, contact Karen Halvorsen at (307) 777-7244 or at karen.halvorsen@wyo.gov. The notice of intent to adopt rules is available at http://www.statescape.com/RegsText/StaticDownloads/61551_90939.pdf. The final rules are available at http://www.statescape.com/RegsText/StaticDownloads/61551_100651.pdf.

WATER QUALITY STANDARDS The WDEQ extended the public comment period on its proposed revisions to Chapter 1 Water Quality Rules and Regulations. Comments were due January 15, 2013. The revisions address resolution of prior USEPA disapprovals from the last revision; updates of numeric criteria for priority and non-priority pollutants; and make housekeeping corrections. For more information, contact Lindsay Patterson at (307) 777-7079 or at lindsay.patterson@wyo.gov. The notice of proposed revisions and public comment period is available at http://www.statescape.com/RegsText/StaticDownloads/62040_91740.pdf. The notice of public meeting is available at http://www.statescape.com/RegsText/StaticDownloads/62040_98044.pdf. The notice of comment period extension is available at http://www.statescape.com/RegsText/StaticDownloads/62040_100610.pdf.

LEGISLATIVE DEVELOPMENTS

The Wyoming 2013 legislative session began January 8, 2013 and adjourns March 1, 2013. For additional information on the Wyoming legislature, go to <http://legisweb.state.wy.us/>.

Department of Defense Activity

ACQUISITION, MANAGEMENT, AND USE OF NON-TACTICAL VEHICLES (NTVs) The DoD issued Department of Defense Instruction (DoDI) 4500.36 titled Acquisition, Management, and Use of Non-Tactical Vehicles (NTVs). The DoDI establishes policy, assigns responsibilities, and provides procedures for DoD-owned and DoD-controlled NTVs. The DoDI was effective December 11, 2012. A copy of DoDI 4500.36 is available at <http://www.dtic.mil/whs/directives/corres/pdf/450036p.pdf>.

Federal Activity

AIR

FIRE SUPPRESSANTS The USEPA withdrew part of its [September 19, 2012](#), direct final rule that listed C7 Fluoroketone as an acceptable (subject to narrowed use limits) substitute for Halon 1211 ([77 FR 74381](#)). This action was taken because the agency received adverse comment on its prior direct final rule. This withdraw was effective December 14, 2012. The other compounds approved in the September 19, 2012 rule are unaffected by this action. For more information, contact Bella Maranion at (202) 343-9749 or at maranion.bella@epa.gov.

DRAFT ASSESSMENT FOR LEAD The USEPA released the *Third External Review Draft Integrated Science Assessment for Lead* for public comment ([77 FR 70776](#)). The integrated science assessment (ISA) forms a foundation for the periodic review of the NAAQS for lead. The summary indicates that new studies support the findings of the previous (2006) assessment and provide additional evidence for human health effects at increasingly lower levels. Comments are due January 28, 2013. For more information, contact Ellen Kirrane at (919) 541-1340 or at kirrane.ellen@epa.gov.

EMISSION STANDARDS FOR BOILERS AND COMMERCIAL/INDUSTRIAL SOLID WASTE INCINERATORS In advance of publication in the Federal Register, the USEPA released the text of changes to final rules setting emission standards for major and area source boilers and commercial/industrial solid waste incinerators. There are three final rules, addressing area source boilers, major source boilers, and commercial/industrial solid waste incinerators. Boilers burning natural gas and located at area source facilities remain unregulated. For more information on area source boilers, contact Mary Johnson at (919) 541-5025 or at johnson.mary@epa.gov. For more information on major source boilers, contact Jim Eddinger at (919) 541-5426 or at edding.jim@epa.gov. Fact sheets for each of the rules and copies of the rule text are available at <http://www.epa.gov/airquality/combustion/actions.html>.

COLORADO SIP: VEHICLE EMISSIONS INSPECTION PROGRAM The USEPA approved a revision to the Colorado SIP amending Regulation Number 11 (Motor Vehicle Emissions Inspection Program) ([77 FR 75388](#)). This action removes the light duty vehicle emission testing limits that went into effect on January 1, 2006, for 1996 and newer model year vehicles. This final rule is effective January 22, 2013. For more information, contact Rebecca Russo at (303) 312-6064 or at russo.rebecca@epa.gov.

UTAH SIP: REGIONAL HAZE The USEPA is partially approving and partially disapproving May 26, 2011 revisions to the Utah SIP that address regional haze ([77 FR 74355](#)). Additionally, the agency is also approving the state's September 9, 2008 SIP revisions that also address regional haze. This final rule was effective January 14, 2013. For more information, contact Laurel Dygowski at (303) 312-6144 or at dygowski.laurel@epa.gov.

WYOMING SIP: REGIONAL HAZE The USEPA approved revisions to the Wyoming SIP that address regional haze ([77 FR 73926](#)). This action approves revisions to Wyoming Air Quality Standards and Regulations Chapter 14, Section 2 and Section 3 that address backstop trading in Mandatory Class I areas and revisions to Chapter 10, Section 4 that address smoke management. This final rule was effective January 11, 2013. For more information, contact Laurel Dygowski at (303) 312-6144 or at dygowski.laurel@epa.gov.

ENDANGERED SPECIES

STATUS REVIEW: PREBLE'S MEADOW JUMPING MOUSE The U.S. Fish and Wildlife Service (USFWS) is initiating a status review of the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) throughout its range ([77 FR 70410](#)). This action is being taken in response to two petitions to delist the species. In a previous review, the agency determined that the Preble's was not threatened throughout all of its range, but the portion of its range located in Colorado

represented a "significant portion of the range" where the Preble's should retain its threatened status. The Preble's is found along the foothills in southeastern Wyoming southward along the eastern edge of the Front Range of Colorado to Colorado Springs in El Paso County. Comments were due December 26, 2012. For more information, contact Susan Linner at (303) 236-4773. Additional information is available at <http://www.fws.gov/mountain-prairie/species/mammals/preble/>.

PROPOSED LISTING: LESSER PRAIRIE CHICKEN The USFWS is proposing to list the lesser prairie chicken (*Tympanuchus pallidicinctus*), a grassland bird known from southeastern Colorado, western Kansas, eastern New Mexico, western Oklahoma, and the Texas Panhandle, as a threatened (77 FR 73828). The agency is not proposing to designate critical habitat at this time. Comments are due March 11, 2013. For more information, contact Dixie Porter at (918) 581-7458. Additional information is available at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?scode=B0AZ>.

RECOVERY PLAN: MEXICAN SPOTTED OWL The USFWS issued a final recovery plan for the Mexican spotted owl (*Strix occidentalis lucida*) (77 FR 74688). The species is found in Arizona, Colorado, New Mexico, Texas, and Utah, and south through the Sierra Madre Occidental and Sierra Madre Oriental in Mexico. The revised recovery plan focuses on protecting populations, managing threats, maintaining habitat, monitoring progress, and building partnerships to facilitate recovery. For more information, contact Steve Spangle at (602) 242-0210 or at incomingazcorr@fws.gov. Additional information is available at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?scode=B074>.

ENERGY

DEPARTMENT OF ENERGY LAUNCHES NEW PETROLEUM REDUCTION PLANNING TOOL The U.S. Department of Energy's (USDOE's) National Renewable Energy Laboratory launched the [Petroleum Reduction Planning Tool](#) to help fleet managers evaluate the benefits associated with alternative fuels and identify strategies for reducing petroleum use, vehicle emissions, and operating costs. Using interactive charts and graphs, fleet managers can establish and monitor different objectives, investigate potential scenarios, and identify the appropriate fuel efficiency strategies. The tool was launched as part of an update to the [Alternative Fuels Data Center](#), which contains a collection of updated information, data and tools for alternative fuels. Among the features on the site are an updated Alternative Fueling Station Locator, a large library of maps and data for customization, and case studies in alternative transportation deployment.

WIND AND SOLAR LEASES ON INDIAN LAND The Bureau of Indian Affairs adopted new regulations addressing wind energy evaluation leases and wind and solar development leases on Indian lands (77 FR 72439). This final rule was effective January 4, 2013. For more information, contact Elizabeth Appel at (202) 273-468 or at elizabeth.appel@bia.gov.

WITHDRAW OF PUBLIC LANDS FOR SOLAR ENERGY DEVELOPMENT The Bureau of Land Management (BLM) approved an amendment to a previously filed application to withdraw public lands in Arizona, California, Colorado, Nevada, New Mexico, and Utah on behalf of the BLM, to protect and preserve Solar Energy Zones (SEZ) for future solar energy development (77 FR 74690). This action would increase the proposed withdrawal term from 5 to 20 years, decrease the acreage proposed for withdrawal, and provide revised legal descriptions for the 17 remaining SEZs presented in the Final Programmatic Environmental Impact Statement (PEIS) for Solar Energy Development in Six Southwestern States. The purpose of the proposed withdrawal has also changed so that the lands would now be protected for future solar energy development. Comments are due March 18, 2013. For more information, contact Ray Brady at (202) 912-7312 or at rbrady@blm.gov.

OTHER

BIOBASED PROCUREMENT The U.S. Department of Agriculture (USDA) is proposing to designate additional product categories for biobased procurement preference (77 FR 72653). This action would add aircraft and boat cleaners, automotive care products, engine crankcase oil, gasoline fuel additives, metal cleaners and corrosion removers, microbial cleaning products, paint removers, and water turbine bearing oils. In addition, the agency is proposing to add two subcategories to previously designated product categories: countertops (to be added to the composite panels category); and wheel bearing and chassis grease and "greases not otherwise specified" (to be added to the grease category). Military equipment designed or procured for combat or combat related missions are exempt from the biobased procurement preference. However, it should be noted that the exemption does not extend to contractors performing work other than direct maintenance and support of military combat/combat-related equipment. Comments are due February 4, 2013. For more information, contact Ron Buckhalt at (202) 205-4008 or at biopreferred@usda.gov.

TOXICS

MARKING STANDARDS FOR HAZARDOUS MATERIAL (HAZMAT) The U.S. Postal Service (USPS) revised its Domestic Mail Manual adopting new mandatory marking standards for parcels containing mailable HAZMAT (77 FR 70895). This action aligns USPS requirements with recently revised U.S. Department of Transportation (DOT) requirements for parcels containing HAZMAT and responds to the USDOT's pending elimination of the "Other Regulated Material" (ORM-D) category and partial elimination of the "consumer commodity" category. The final rule was effective January 1, 2013. For more information, contact Kevin Gunther at (202) 268-7208.

PERMISSIBLE EXPOSURE LEVEL (PEL) FOR LEAD INSUFFICIENTLY PROTECTIVE An evaluation conducted by the National Academies at the request of the DoD found that Occupational Safety and Health Administration (OSHA) standards for lead inhalation are inadequate. The DoD asked the National Research Council to evaluate whether OSHA standards adequately protect military firing range employees. The current PEL for lead in the air of 50 micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$) was established so that worker blood levels would not exceed 40 micrograms per deciliter ($\mu\text{g}/\text{dL}$) of blood. The report cites recent evaluations performed by the U.S. National Toxicology Program and the USEPA that offer compelling evidence that nervous system, kidney, heart, reproductive and other health problems can be caused by blood lead levels between 10 and 40 $\mu\text{g}/\text{dL}$ or lower. These data led the committee to conclude that the currently allowable blood lead level of 40 $\mu\text{g}/\text{dL}$ provides inadequate protection. Additionally, data collected for the last five (5) years shows that the OSHA PEL of 50 $\mu\text{g}/\text{m}^3$ was frequently exceeded on Army, Navy, and Air Force firing ranges. For more information, contact Molly Galvin at (202) 334-2138. The report is available at <http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=18249>.

WASTE

LOW LEVEL RADIOACTIVE WASTE (LLW) DISPOSAL The Nuclear Regulatory Commission (NRC) is proposing amendments to its LLW disposal facility rules codified at 10 CFR 61 (77 FR 72997). The amendments would require new and revised site-specific analyses and permit disposal facilities to develop criteria for waste acceptance based on the outcome of the site-specific analyses. Comments are due February 7, 2013. For more information, contact Andrew Carrera at (301) 415-1078 or at Andrew.Carrera@nrc.gov.

WATER

FINAL STORMWATER PERMITTING RULE FOR LOGGING ROAD RUNOFF The USEPA revised its Phase I stormwater regulations to clarify that stormwater discharges from logging roads do not constitute stormwater discharges associated with industrial activity and that a National Pollutant Discharge Elimination System (NPDES) permit is not required for these stormwater discharges (77 FR 72970). This action is in response to the court case Northwest

Environmental Defense Center v. Brown, 640 F.3d 1063 (9th Cir. 2011). The final rule was effective January 7, 2013. For more information, contact Jeremy Bauer at (202) 564-2775 or at bauer.jeremy@epa.gov.

2012 RECREATIONAL WATER QUALITY CRITERIA The USEPA released the 2012 Recreational Water Quality Criteria document ([77 FR 71191](http://www.epa.gov/fr/71191)). The document contains the agency's recreational water quality criteria recommendations for protecting human health in ambient waters that are designated for primary contact recreation. For more information, contact Sharon Nappier at (202) 566-0740 or at nappier.sharon@epa.gov.

Professional Development

ONLINE: [Energy Star Training](#). Energy Star offers free online training to help improve energy performance. Training is available in the form of live web conferences, pre-recorded training available 24/7, and self-guided presentations in pdf format you can take with you. Depending on the conference, session, or presentation, the training is designed for facility managers, property managers, environmental managers, energy managers, financial officers, building engineers, and others interested in Energy Star.

ONLINE: [FEMP Sponsored Training](#). The USDOE's Federal Energy Management Program (FEMP) and the National Institute of Building Sciences are partnering to offer online three- to five-hour eTraining Courses through the Whole Building Design Guide website. Courses recently made available include: Sustainable Institutional Change for Federal Facility Managers; Managing Water Assessment in Federal Facilities; Planning an Energy Assessment for Federal Facilities; Advanced Electric Metering in Federal Facilities; Commissioning for Existing Federal Buildings; Federal On-Site Renewable Power Purchase Agreements; Launching a Utility Energy Services Contract (UESC): Getting to Yes; Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities. Additional information is available at <http://apps1.eere.energy.gov/femp/training/>.

ONLINE: [Air Force Civil Engineering School Seminars](#). The Air Force Civil Engineering School offers a variety of free online seminars on hazardous waste management, hazardous materials management, stormwater management, and more.

ONLINE: [USEPA Stormwater Webcast Series](#). The USEPA's NPDES Permit program offers training courses, workshops, and webcasts to explain the regulatory framework and technical considerations of the NPDES Permit program. These courses are designed for permit writers, dischargers, USEPA officials, and other interested parties. Follow the provided link to view upcoming webcasts.

ONLINE: [USEPA Reduce Runoff Video](#). The USEPA and the U.S. Botanic Garden produced a 9-minute on-line video, "Reduce Runoff: Slow It Down, Spread It Out, Soak It In," that highlights green techniques such as rain gardens, green roofs and rain barrels to help manage stormwater runoff.

ONLINE: [USEPA Watershed Academy Web Self Paced Training Modules](#). This USEPA online training website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in the time to complete, from ½ hour to 2 hours.

ONLINE: [USEPA Watershed Academy Webcast Series](#). USEPA's Watershed Academy is sponsoring free webcast seminars for local watershed organizations, municipal leaders, and others. To access a webcast, simultaneously log on to the web and/or participate by phone conference lines in live training conducted by expert instructors. Archived training sessions are also available by streaming audio.

ONLINE: [NPDES Training](#). The web-based NPDES permit writers training is a series of web-based recordings of presentations. This training is appropriate for those who have attended the live course and wish to review the

material in a self-paced environment, and for those who wish to become familiar with the NPDES process. A certificate of completion is available for each module in the series.

ONLINE: [ITRC Archived Internet-Based Training](#). The Interstate Technology and Regulatory Council (ITRC) offers **free** internet-based training events on a wide variety of topics. Archived training courses are available for online viewing or download for later viewing. Limited sessions/topics are available via podcast.

ONLINE: [CLU-IN Environmental Remediation Webcast Series](#). USEPA's Clean-up Information (CLU-IN) website provides information about innovative treatment and site characterization technologies while acting as a forum for waste remediation stakeholders. The CLU-IN website offers free podcasts, live web events, course and seminar information and more, with most lasting approximately two hours.

ONLINE: [Sustainable Materials Management Web Academy](#). The Sustainable Materials Management (SMM) Web Academy (formerly the Resource Conservation Challenge) series provides information through another year of webinars related to the USEPA's Sustainable Materials Management Program. Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what does not, and how to make your program more successful. The format for the calls is a formal presentation followed by a question and answer session and discussion time.

ONLINE: [FedCenter-Sponsored Courses](#). In conjunction with the USEPA, FedCenter is now offering FREE, web-based, on-demand training courses for federal employees. Initially, the FedCenter will be offering training for federal laboratories, environmental management systems, and underground storage tanks, but their library will expand over time to include other topic areas deemed important to the federal community. (FedCenter membership is required to view these courses).

ONLINE: [USEPA Climate & Energy Webcast Series](#). The USEPA hosts the Local Climate and Energy Webcast Series to assist local governments as they explore and plan climate change and clean energy efforts. These regular webcasts highlight EPA resources available to local governments and present examples of successful climate and energy programs and policies implemented locally.

ONLINE: [FEMP E-Learning Course – Water Management Training](#). This course was developed to provide the federal sector facility/energy manager with information to assist in meeting Executive Order and legislative requirements (EO 13514 and 13423 and Energy Independence and Security Act of 2007 [EISA 2007] and predecessors) and introduce key elements of water resource management, planning, and implementation. The course provides a comprehensive overview of water management and is made up of 11 modules, with each module expected to take up to 15-30 minutes to complete. At least two hours is required to take the entire course.

ONLINE: [Global Challenges/ Chemistry Solutions Podcast Series](#). Global Challenges/Chemistry Solutions is a series of podcasts describing some of the 21st Century's most daunting problems, and how cutting-edge research in chemistry matters in the quest for solutions. These global challenges includes dilemmas such as providing a hungry, thirsty world with ample supplies of safe food and clean water; developing alternatives to petroleum to fuel society; preserving the environment and assuring a sustainable future for our children; and improving human health.

ONLINE: [2012 First Thursday Series Seminars](#). First Thursday Seminars are FEMP training opportunities targeting federal energy, environmental, and fleet professionals offered at no cost by leading experts. Seven seminars will be held February through August on the first Thursday of each month. Archived seminars from 2010 and 2011 are also available at this site.

ONLINE: [FEMP Energy Management Program Online Training](#). FEMP trains federal energy managers on the latest energy requirements, best practices, and technologies. Training categories include design, operations, and maintenance; energy efficient products; energy management; financing; fleet; renewable energy; and water

efficiency. Search the FEMP website for all topics, specific topics, or type of training (live or on-demand) to find training opportunities. All courses are free unless otherwise noted.

ONLINE: [Solar Energy International](#). Solar Energy International offers several online courses addressing design and installation of a variety of solar energy systems. These fee-based courses generally require 10 hours per week of online instruction, accessible at any time. Courses must be completed within a 6-week window. Follow the provided link to view class schedules.

VARIES: [USACE 2013 Training Program \(Purple Book\)](#). U.S. Army Corps of Engineers (USACE) FY 2013 training program is open for registration. For further information, contact USACE at (402) 697-2559. More information on USACE training programs is available at <http://pdsc.usace.army.mil/>.

VARIES: [Navy and ISEERB Environmental Training FY 13](#). The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY13 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.

VARIES: [Air Force Civil Engineering School Training FY 2013](#). 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. Fees vary according to personnel status (i.e. active duty Air Force/civilian, other U.S. government employee, contractor).

February 4-8, 2013 Anchorage, AK: [Alaska Forum on the Environment, 2013](#). The Forum continues to offer training and information that includes plenary sessions with nationally recognized keynote speakers, and a broad range of topics included in over 80 breakout sessions on: climate change, emergency response, environmental regulations, fish and wildlife populations, rural issues, energy, military issues, business issues, solid waste, contaminants, contaminated site cleanup, mining, and others. [Online environmental training](#) is now available for a fee.

FEBRUARY 5-7, 2013 JOINT BASE PEARL HARBOR-HICKHAM, HI: [Advanced Historic Preservation Law & Section 106 Compliance](#). Repeats May 7-9, 2013, Fort Belvoir, VA and June 4-6, 2013, Great Lakes, IL. Provides DoD and United States Coast Guard (USCG) military and civilian personnel with an awareness of the legal and policy requirements for cultural resources management. This course provides personnel with the knowledge necessary to manage and administer cultural resources on DoD installations. Tuition-free for DoD military, civilian, and government-sponsored contractor personnel, however, travel and per diem costs are borne by the student's organization. For assistance, contact Beverly Copeland at (805) 982-3336 or at beverly.copeland@navy.mil.

FEBRUARY 12-14, 2013 SCHOFIELD BARRACKS, HI: [Introduction to Cultural Resource Management Laws & Regulations](#). The course introduces students to requirements and responsibilities under laws, regulations, and directives that govern federal stewardship of cultural resources and DoD service and Coast Guard policies for consultation regarding cultural resources. Intended for installation cultural resource managers. Tuition-free for DoD military, civilian, and government-sponsored contractor personnel, however, travel and per diem costs are borne by the student's organization. For assistance, contact Beverly Copeland at (805) 982-3336 or at beverly.copeland@navy.mil.

FEBRUARY 13-15, 2013 SAN DIEGO, CA: [SOLAR Power-Gen Conference & Exhibit](#). Understand the challenges associated with the advancement of large-scale solar energy. This conference provides opportunities to learn from leading industry specialists, plus manufacturers and suppliers on the forefront of the ever-changing market.

FEBRUARY 20, 2013 PORTLAND OR: [AWEA Regional Wind Energy Summit – Northwest](#). The American Wind Energy Association (AWEA) summit provides a comprehensive and timely analysis of current and near-term market conditions, opportunities and the latest on siting, transmission expansion, and grid operations issues. Feature sessions include a

spotlight on recently built wind projects and business development activity, as well as a state policy roundtable with legislators and regulators on what's hot in Washington, Idaho, Oregon, and Montana.

APRIL 11-13 2013, WASHINGTON, DC: [Reclaim + Remake Symposium](#). This conference brings together the most innovative practices in education and research for current and future reuse and recycling of material resources in the built environment.

MAY 15-17, 2013, ATLANTA, GA: [Brownfields 2013](#). The focus of this conference is environmental revitalization and economic redevelopment.

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

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

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

Staff Directory

Mark Mahoney

Director /DoD REC Region 8
(303) 844-0953
mark.a.mahoney@us.army.mil

Kevin Ward

Regional Counsel
(303) 844-0955
kevin.michael.ward@us.army.mil

Park Haney

Deputy Director
(303) 844-0957
park.haney@us.army.mil

Julia Miller

Region 8 Program Coordinator (Marstel-Day, LLC)
(303) 844-0952
Julia.miller3@us.army.mil

Tim Kilgannon

Army Coordinator Region 9
(303) 844-0953
tim.kilgannon@us.army.mil

Howard Killian

Army Coordinator Hawaii
(808) 226-8517
howard.killian@us.army.mil

Jeff Andrews

Army Coordinator Region 10
(206) 764-6503
jeffrey.a.andrews.civ@mail.mil

Adriane Miller

Project Manager (Plexus Scientific Corporation)
(410) 459-3293
Adriane.miller@plexsci.com

Nancy Reese

Regulatory Affairs Specialist (Marstel-Day, LLC)
(303) 844-0954
nancy.reese2@us.army.mil

Additional Multi-Service Contacts

Clark Pitchford

Navy REC Region 8
(360) 315-5440
clark.pitchford@navy.mil

Mike Garrison

Air Force REC Region 8
(214) 767-4652
david.garrison.1@us.af.mil

Acronyms

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

LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
LID	Low-Impact Development
MACT	maximum achievable control technology
MBER	Montana Board of Environmental Review
MCL	maximum contaminant level
MCLG	maximum contaminant level goal
MDEQ	Montana Department of Environmental Quality
MDNRC	Montana Department of Natural Resources and Conservation
MERIT	Materials of Evolving Regulatory Interest Team
MGA	Midwestern Governors Association
MOU	memorandum of understanding
MMS	Minerals Management Service
MS4	municipal separate storm sewer system
MSGP	multi-sector general permit
N₂O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NCSL	National Conference of State Legislatures
NDDOH	North Dakota Department of Health
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF₃	nitrogen trifluoride
NHTSA	National Highway Transportation Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NO₂	nitrogen dioxide
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
NSPS	New Source Performance Standard
NSR	New Source Review
OMB	Office of Management and Budget
ORCR	Office of Resource Conservation and Recovery
ORW	outstanding resource water
P2	pollution prevention
PBDE	polybrominated diphenyl ethers
PFC	perfluorocarbons
PFOA	perfluorooctanoic acid
PFOS	perfluorooctane sulfonic acid
PM	particulate matter
PM_{2.5}	particulate matter 2.5 microns in diameter or less
PM₁₀	particulate matter 10 microns in diameter or less
POPs	persistent organic pollutants
ppb	parts per billion
PSD	Prevention of Significant Deterioration
PWS	public water system
RCRA	Resource Conservation and Recovery Act
RGGI	Regional Greenhouse Gas Initiative
RICE	Reciprocating Internal Combustion Engine
RoC	Report on Carcinogens
RoHS	European Union's Restriction of Hazardous Substances
RRP	Renovation, Repair, and Painting
SDDENR	South Dakota Department of Environment and Natural Resources
SERDP	Strategic Environmental Research and Development Program
SI	spark-ignition
SIP	State Implementation Plan

SNAP	significant new alternatives policy
SNUR	significant new use rule
SO₂	sulfur dioxide
SO_x	sulfur oxides
SPCC	spill prevention, control, and countermeasures
TiO₂	titanium dioxide
TMDL	total maximum daily load
tpy	tons per year
TRI	Toxics Release Inventory
TSCA	Toxic Substance Control Act
UDEQ	Utah Department of Environmental Quality
UDNR	Utah Department of Natural Resources
UFC	Unified Facilities Criteria
ug/m³	micrograms per cubic meter
UPDES	Utah Pollutant Discharge Elimination System
U.S.	United States
USACE	United States Army Corps of Engineers
USAEC	United States Army Environmental Command
USDA	United States Department of Agriculture
USDOE	United States Department of Energy
USDOI	United States Department of Interior
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
USTCA	Underground Storage Tank Compliance Act
VOC	volatile organic compound
WCI	Western Climate Initiative
WDEQ	Wyoming Department of Environmental Quality
WOSL	Wyoming Office of State Lands
WRAP	Western Regional Air Partnership