



Central Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

December 2014

THE CENTRAL 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 Review monitors and targets proposed and final regulations and legislation that may affect Army or DOD operations. Find out more about the Army Regional Environmental and Energy Offices [here](#). Click [here](#) to browse back issues of the Central Review. To read back issues of other Regional Office Reviews, click on a region of the REEO website's U.S. map and then select "Publications."

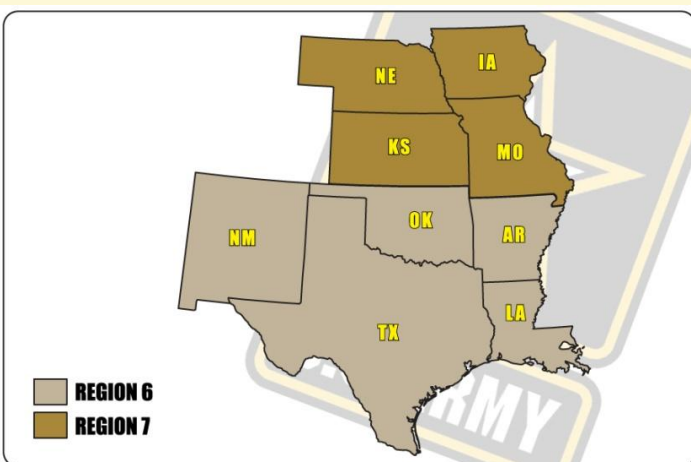


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Secretary of the Army Recognizes Excellence in Energy and Water

Eight Secretary of the Army awards recognizing outstanding achievements in Energy and Water Management were presented to installations and personnel during a Pentagon ceremony on 29 Oct 14.

The awards were presented for achievements in several energy efficiency, energy management and water conservation categories on behalf of the Secretary of the Army by Hon. Katherine Hammack, Assistant Secretary of the Army (Installations, Energy & Environment), who was assisted by Mr. Richard Kidd, Deputy Assistant Secretary of the Army for Energy and Sustainability, and Lt. Gen. David Halverson, Assistant Chief of Staff for Installation Management.

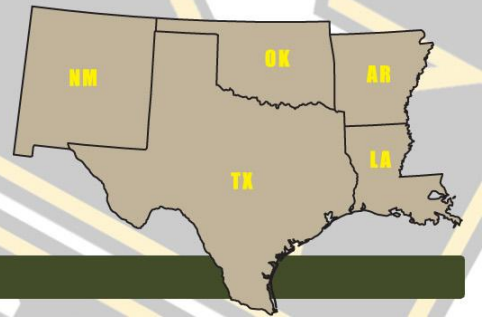
Two awardees from the Central Region included Fort Hood, TX, and White Sands Missile Range, NM.

Fort Hood invested \$1.8 million of Energy Conservation and Investment Program (ECIP) funding to replace over 3,600 permanent split capacitor motors (PSC) with electronically commutated motors (ECM) for a projected lifetime savings of over \$2.5 million. The ECM motors have a brushless permanent magnet design that is more efficient than the PSC motors commonly found in air handlers, furnaces, heat pumps, air conditioners and refrigerating applications. Various benefits include greater efficiency, less heat generation, less noise, soft ramp up, less power factor penalties and a longer lifespan. The effort resulted in an annual cost avoidance of \$172,000 and saved 9 billion British thermal units (BTUs) of energy per year.

White Sands Missile Range constructed a \$16.8 million, 4.5 megawatt ground-mounted solar photovoltaic power plant system spread across 42 acres. Construction was completed in December 2012, which was funded through an Energy Savings Performance Contract (ESPC). The system includes: the ability to track the sun across the sky, a solar carport with a two car charging system, and can provide power for the headquarters building -- making it a Net Zero energy building. Power not consumed by the headquarters building is redirected to the government owned distribution system for use by other facilities. All energy generated is consumed by the installation. These efforts resulted in annual cost avoidance of \$698,000 and save 30,000 million BTUs of energy per year.

The complete article and award program description can be found [here](#).

Region 6



Arkansas

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 convenes 12 Feb 15 and adjourns 12 Mar 15.

PROPOSED LEGISLATION

(NEW PREFILED) [**HB 1003**](#) creates the Arkansas Nighttime Environment Protection Act. The purpose of this act is to regulate outdoor night lighting fixtures to promote safety, conserve energy, save tax dollars, and preserve the state's natural nighttime environment for astronomy and the health and welfare of citizens and wildlife. Sponsor: Representative Stephen Meeks (R).

REEO-C COMMENT: This bill will restrict lighting at state funded facilities and agencies such as, National Guard facilities and installations. In addition, the bill contains language concerning landfill disposal of bulbs containing hazardous levels of mercury. Contact the Region 6 Army REC if you have any questions or need assistance.

(NEW PREFILED) [**HB 1004**](#) would require electric utilities to compensate net-metering customers for net excess generation credits in certain circumstances. Sponsor: Representative Stephen Meeks (R).

FINAL RULE

(EFFECTIVE 27 OCT 14) [**REVISED ARKANSAS HISTORY COMMISSION RULES**](#). The History Commission has adopted changes to the Arkansas History Commission Rules. Revisions were made in the areas of collection, acquisition, material loan, facilities, research, and others.

(EFFECTIVE 30 NOV 14) [**RULES AND REGULATIONS FOR CONTROL OF SOURCES OF IONIZING RADIATION**](#). The Department of Health has adopted revisions to the Arkansas State Board of Health Rules and Regulations for Control of Sources of Ionizing Radiation, i.e., gamma and x-rays, alpha and beta particles, high speed electrons, neutrons and other nuclear particles; but not sound, radio waves, visible, infrared or ultraviolet light.

(Effective 1 Dec 14) [**ONSITE WASTEWATER TREATMENT RULES REVISIONS**](#). This rule establishes minimum standards for the design and construction of onsite wastewater systems in suitable soils for the renovation of wastewater and the return of renovated wastewater to the hydrologic cycle. Significant revisions include definition of "standard system"; connection requirements, loading rates, location requirements, design requirements, and other changes.

PROPOSED RULE

(NEW) [**EMERALD ASH BORER QUARANTINE**](#). The State Plant Board has proposed rulemaking to make permanent the Emerald Ash Borer (EAB) Quarantine Emergency Rule, adopted 11 Sep 14. The EAB is an exotic invasive pest that attacks and kills ash trees. It is spread primarily by human movement of ash-related articles such as logs, firewood, nursery

stock, etc. The proposed quarantine will restrict the movement of ash-related articles with the goal of stopping or slowing the spread of the pest throughout the rest of the state. Comments are due 12 Dec 14. POC: Darryl Little, (501) 225-1598.

(NEW) [ARKANSAS AIR POLLUTION CONTROL CODE REGULATION NO. 18 REVISIONS](#). The Arkansas Department of Environmental Quality (ADEQ) has issued a Petition to Initiate Rulemaking regarding proposed revisions to Regulation No. 18, Arkansas Air Pollution Control Code. Regulation No. 18 is applicable to any source that emits or has the potential to emit any air contaminant as defined in Chapter 2 of Regulation No. 18. ADEQ is proposing revisions to Regulation No. 18 to include revised 2012 federal National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM2.5).

(NEW) [ARKANSAS OPERATING AIR PERMIT PROGRAM REGULATION NO. 26 REVISIONS](#). ADEQ has issued a Petition to Initiate Rulemaking regarding proposed revisions to Regulation No. 26 of the Arkansas Operating Air Permit Program. ADEQ is proposing revisions to Regulation No. 26 to include 2012 revised federal NAAQS for PM2.5.

(NEW) [ARKANSAS PLAN OF IMPLEMENTATION FOR AIR POLLUTION CONTROL REGULATION NO. 19 REVISIONS](#). ADEQ has issued a Petition to Initiate Rulemaking regarding proposed revisions to Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control. Regulation No. 19 is applicable to minor sources and sources subject to Prevention of Significant Deterioration (PSD) regulation. ADEQ is proposing revisions to Regulation No. 19 to include revised 2012 federal NAAQS for PM2.5.



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Legislature convenes 13 Apr 15 and adjourns 11 Jun 15.

FINAL RULE

(EFFECTIVE 20 NOV 14) [SURFACE WATER QUALITY REGULATIONS](#) (LAC 33:IX.1105, 1109, 1119) contains revisions to LAC 33:IX, Chapter 11 that corrects outdated and unclear language in Sections 1109 and 1119 of the water Antidegradation Policy.

(EFFECTIVE 3 NOV 14) [MINIMUM DISINFECTANT RESIDUAL LEVELS IN PUBLIC WATER SYSTEMS](#) (LAC 51:XII.311, 355, 357, 361, 363, 367, 903, 1102, 1105, 1113, 1117, 1119, 1125, 1133, 1135, 1139, 1503) increases minimum disinfection residual levels required for public water systems. Among other items addressed, this rule:

- Increases the number of monthly residual measurements by 25 percent;
- Clarifies that daily residual measurements are required at the point of maximum residence time in the distribution system;
- Clarifies that chlorine residual measurements are to be taken in the distribution system aside from the treatment plant(s) itself, and shall be recorded and retained by the public water system as required by the National Primary Drinking Water Regulations.



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Legislature convenes 20 Jan 15 and adjourns 21 Mar 15.

PROPOSED RULE

(NEW) [**STANDARDS FOR INTERSTATE AND INTRASTATE SURFACE WATERS AMENDMENTS**](#) (20.6.4 NMAC). The Water Quality Control Commission has proposed amendments to various parts of 20.6.4 NMAC, Standards for Interstate and Intrastate Surface Waters. The proposed amendments include amendments by the New Mexico Environment Department (NMED), Surface Water Quality Bureau, as well as amendments proposed by Amigo Bravos, Peabody Energy Corporation, and Freeport-McMoRan Chino Mines Company. Proposed amendments include, among other amendments, revisions to various definitions, general and numeric criteria, compliance provisions, use attainability analysis requirements, uses and criteria for unclassified waters and some classified segments, provisions for site-specific criteria, and other provisions. A hearing is scheduled for 14 Apr 15. POC: Pam Castaneda, (505) 827-2425.

(NEW) [**NEW MEXICO STATE IMPLEMENTATION PLAN AMENDMENTS**](#) (20.2.1 NMAC). The NMED has proposed an amendment of the New Mexico State Implementation Plan (SIP) regarding 20.2.1 NMAC, General Provisions. The proposed amendments to 20.2.1 NMAC codify the Department's authority to request and receive documents required from regulated sources in an electronic format. The proposed amendments are pursuant to the Cross-Media Electronic Reporting Rule (CROMERR) as defined by Title 40 of the Code of Federal Regulations (CFR) Part 3; and the Uniform Electronic Transactions Act, NMSA 1978, §§ 14-16-1 to -21 (2001 as amended through 2013). Amendments stipulate any submittal to the Department required by any part under Chapter 2, Air Quality (Statewide), of Title 20, Environmental Protection, of the New Mexico Administrative Code, for which the Department has notified persons subject to the applicable requirement that it is accepting specified electronic documents in lieu of paper, shall be submitted electronically, provided that the method of submittal complies with applicable federal and state standards for electronic submissions. Comments are due 23 Jan 15. Pam Castaneda, (505) 827-2425.



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Legislature convenes 2 Feb 15 and adjourns 29 May 15.

PROPOSED RULE

(NEW) [**OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM \(OPDES\) STANDARDS AMENDMENTS**](#) (252:606). The Department of Environmental Quality (DEQ) amendments to 252:606 include among other things:

- Reference the applicable laboratory accreditation rules;
- Include a citation to the Oklahoma Water Quality Standards;
- Add or modify definitions for "accredited laboratory," "compliance testing," "discharge monitoring reports," and "control tests;"
- Delete the definitions of "approved laboratory" and "laboratory checks;"
- Replace all language using "approved laboratory" with "accredited laboratory," which is consistent with simultaneous changes being made in OAC 252:301 (revoke) and OAC 252:307 (new);

- Update the CFR publication date to the most recent CFR publication year;
- Clarify the language regarding the permit applications, including adding section titles;
- Add section 606-3-7 that authorizes the continuation and/or enforcement of expired state permits;
- Allow a university familiar with Oklahoma crops and soils to perform certain soil analyses;
- Clarify that analytical results for compliance tests are to be from an accredited laboratory;
- Clarify that DMRs are to include all valid compliance test results; and
- Other minor language clarifications.

A hearing was held on 13 Nov 14. POC: [Mark Hildebrand](#), (405) 702-8100.

(NEW) **PUBLIC WATER SUPPLY OPERATION AMENDMENTS** (252:631). The DEQ has proposed amendments to 252:631 to:

- Replace "approved laboratory" with "accredited laboratory," add a definition for "accredited laboratory," and add a definition for "point of connection;"
- Update the rules concerning the date of the incorporation by reference of certain federal regulations from 1 Jul 13, to 1 Jul 14;
- Remove language referring to "laboratory approval" and replace with language for "laboratory accreditation;"
- Add the minimum free and total chlorine residual requirements for points of connection;
- Add a requirement to determine the chlorine residual once daily at the point(s) of connection to the wholesale system for purchase water systems;
- Clarify the requirements for submitting fluoridation analytical reports to DEQ and Oklahoma Department of Health; and other minor clarifications.

A hearing was held on 13 Nov 14. POC: [Mark Hildebrand](#), (405) 702-8100.



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Legislature convenes 13 Jan 15 and adjourns 1 Jun 15.

PROPOSED LEGISLATION

(NEW PREFILED) **SB 77**. Not later than 1 Sep 16, and before the end of each successive four-year period after that date, each of the following entities shall publish a climate adaptation plan that will assess the entity's role with respect to climate change: the Department of Agriculture; each independent organization certified under Section 39.151, Utilities Code; (3) the Texas Commission on Environmental Quality (TCEQ); the General Land Office; the Texas Department of Housing and Community Affairs; the Texas Department of Insurance; the Parks and Wildlife Department; the Department of Public Safety of the State of Texas; the Public Utility Commission of Texas; the office of the comptroller; the Texas A&M Forest Service; and the Texas Water Development Board. Sponsor: Senator Rodney G. Ellis (D).

(NEW PREFILED) **SB 109** (Companion: **HB 201**) outlines TCEQ's procedure for reviewing a water right application. Sponsor: Senator Larry Taylor (R).

(NEW PREFILED) **HB 87** relates to the collection and recycling of computer and television equipment by certain retailers; providing for the imposition of administrative penalties. Sponsor: Representative Mary Gonzalez (D).

(NEW PREFILED) **HB 281**. TCEQ may not approve an application for the issuance, amendment, or renewal of a permit that seeks to expand the area or capacity of a landfill unless the governing body of each effected municipality described first approves by resolution or order the issuance, amendment, or renewal of the permit. Sponsor: Representative Ron Simmons (R).

(NEW PREFILED) **SB 78** pertains to the matters to be considered in developing the state water plan. Among other things, the state water plan must include an assessment of the best available science related to trends in factors affecting; future

water availability, including precipitation, evaporation, storage capacity, and environmental flow needs; and future water use, including technologies for water conservation, purification, and reuse. Sponsor: Senator Rodney G. Ellis (D).

FINAL RULE

(EFFECTIVE 6 JUL 14) [**TRANSPORTATION OF HAZARDOUS MATERIALS**](#) (37 TAC 4.1). The Texas Department of Public Safety has adopted amendments to 37 TAC 4.1, concerning Transportation of Hazardous Materials. The amendment is necessary to harmonize updates in Title 49, Code of Federal Regulations with those laws adopted by Texas.

(EFFECTIVE 13 NOV 14) [**EXPEDITED PERMITTING PROGRAM FEES**](#) (30 TAC §101.600, 101.601, 101.602) provides TCEQ authority to accept a surcharge from an applicant to cover expenses incurred by expediting application processing.

PROPOSED RULE

(NEW) [**MAXIMUM DISPOSAL RATE**](#) (30 TAC §336.1310). TCEQ has proposed a rulemaking to amend 30 TAC §336.1310 by reducing the maximum disposal rates that a licensee may charge generators for disposal of low-level radioactive waste. Comments were due 8 Dec 14. POC: Bobby Janecka, (512) 239-6415.

(NEW) [**DRAFT MUNICIPAL SOLID WASTE LANDFILL GENERAL OPERATING PERMIT**](#). TCEQ has provided an opportunity for public comment and a hearing on the draft Municipal Solid Waste Landfill General Operating Permit (GOP) Number 517. In addition to the federally required renewal, the draft GOP contains revisions based on recent federal and state rule changes, which include updates to the requirements tables, adds new requirements tables, and updates to the terms. This renewal also corrects typographical errors, and updates language for administrative preferences. Comments were due 8 Dec 14. POC: Mandolin Shannon, (512) 239-6541.

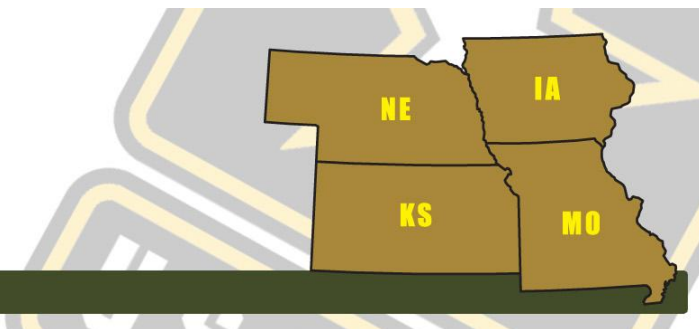
(NEW) [**HOUSTON-GALVESTON AREA COUNCIL WATER QUALITY MANAGEMENT PLAN UPDATE**](#). TCEQ has announced the availability of the Fiscal Year 2013 Update to the Water Quality Management Plan (WQMP) developed for the Houston-Galveston region of Texas and prepared by the Houston-Galveston Area Council (H-GAC). The WQMP update was developed and promulgated in accordance with the requirements of the federal Clean Water Act, §208 and §604(b). The WQMP update includes review and coordination, wastewater infrastructure planning elements, and support for watershed planning in the Lake Houston Watershed. Once the commission certifies the WQMP update, it is submitted to the United States Environmental Protection Agency (EPA) for approval. The 2013 WQMP may contain service area populations for specific wastewater treatment facilities, designated management agency information, and data to support current wastewater infrastructure planning elements. Comments were due 5 Dec 14. POC: [Megan Wilson](#), (512) 239-1165.

(NEW) [**APPLICATION OF PESTICIDES**](#) (4 TAC §§7.1, 7.21, 7.24, 7.27, 7.30, 7.32, 7.33, 7.35). The amendment to Subchapter A, §7.1, is proposed to update the definition of the term "Extension." The amendments to Subchapter C are proposed to update references, rename, and define certain pesticide categories to provide clarification. Amendments to Subchapter C also clarify points associated with continuing education unit accreditation, recordkeeping, and requirements for certification, recertification, and licensing of pesticide applicators. The amendments to Subchapter D renumber the existing list of State-Limited-Use pesticides and clarify that the list is defined by active ingredient; add a list of pesticides that have been cancelled by the EPA for distribution (EPA did not include a discontinuation of use date); add a section to classify specific methods of use of pesticides for public health purposes as State Limited Use; revise recordkeeping requirements for pesticide dealers and pesticide applicators; remove the requirement for the Department to issue identification decals to pesticide application equipment; and reiterates the Department's authority to issue a stop use, stop distribution or removal order for faulty pesticide application equipment. In addition, the amendment to §7.21(b)(1) provides that private applicators will be charged a test fee of \$52 for retesting. The fee is established in order to recover the testing cost, in accordance with Texas Agriculture Code, §12.0144, and Senate Bill 1, General Appropriations Act, Article VI, Rider 16, 83rd Regular Session, 2013, which provide that the Department shall set fees in an amount which offsets the direct and indirect state costs of administering its pesticide programs. Comments are due 21 Dec 14. POC: [Randy Rivera](#).

(NEW) [**MANAGEMENT OF THE BEACH/DUNE SYSTEM**](#) (31 TAC §15.3, §15.4). The General Land Office (GLO) has proposed amendments to §15.3 (relating to Administration) to require applicants to immediately notify adjacent landowners, where a mitigation plan is required; establish minimum standards for notice to adjacent landowners; modify language to clarify application requirements; and provide consistency of language in the rules. The GLO also proposes amendments to §15.4

(relating to Dune Protection Standards) to modify requirements related to notice to landowners immediately adjacent landowners, modify "natural line of vegetation" references to be consistent with recent amendments to other sections of the rule, and clarify language within the rule. Proposed amendments to §15.4 will also modify "natural line of vegetation" references to be consistent with recent amendments to other sections of the rule and delete references to the Attorney General to conform to amendments in HB 1457 (Acts 2003, 78th Leg., ch. 245, eff. immediately), which modified implementation and enforcement authority under the Open Beaches Act, and clarified language. Comments are due 21 Dec 14. POC: [Mr. Walter Talley](#).

Region 7



NOTICE: Request command and installation staff contact the Army Regional Environmental and Energy Office for the Central Region (REEO-C) 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 convenes 12 Jan 15 and adjourns 2 May 15.

FINAL RULE

(EFFECTIVE 3 DEC 14) [REMOVAL OF AQUATIC VEGETATION NEAR BOAT DOCKS AND IN PATHWAYS TO OPEN WATER](#) (571 IAC 54.5). Amendments to Chapter 54, "Restrictions on Introduction and Removal of Plant Life," IA Administrative Code allow dock permittees flexibility in removing aquatic vegetation around boat docks without a permit and when creating boating pathways to open water. Amendments are intended to give dock permittees additional justification to remove aquatic vegetation without a permit, thereby reducing administrative time in reviewing and issuing such permits, and to remove the vegetation in a manner that does not harm water quality or aquatic life.

PROPOSED RULE

(NEW) [OPPORTUNITY FOR PUBLIC COMMENT ON THE COUNCIL BLUFFS LEAD NONATTAINMENT PLAN FOR AIR QUALITY](#). The Iowa Department of Natural Resources (DNR) has announced a public hearing to receive oral and written comments on the draft of the state implementation plan (SIP) for the lead nonattainment area in Council Bluffs. In 2008 the EPA revised the NAAQS for lead. Using data from the latest public health studies, EPA reduced the permissible lead levels allowed in air by a factor of 10. A lead monitor in Council Bluffs measured levels that did not meet the revised lead NAAQS. On 22 Nov 11, EPA designated a portion of Council Bluffs as a nonattainment area for lead. The federal Clean Air Act requires the state to develop a control strategy that will bring the area into attainment with the lead NAAQS. The DNR collaborated with the lead-emitting sources within the nonattainment area to develop air pollution control measures that will result in expeditious attainment of the lead NAAQS through reductions of ambient air impacts of lead emissions. Comments are due and a hearing is scheduled for 22 Dec 14. POC: [Matthew Johnson](#).

(New) [PREVENTION OF SIGNIFICANT DETERIORATION \(PSD\) AND NON-PSD MODELING GUIDANCE UPDATES](#). The DNR has proposed revisions to two dispersion modeling guidance documents to incorporate recent EPA memorandums and to provide additional clarification on some aspects of the guidance. The details of these proposed changes are as follows:

- The Air Dispersion Modeling Guidelines for Non-PSD, Pre-Construction Permit Applications will be updated to include the Ambient Ratio Method version 2 (ARM2) for modeling the conversion of NO_x to NO₂ as detailed in the recent EPA memo dated 30 SEP 14. In addition, clarifications regarding modeling of NO₂ using negative emissions and the availability of default ozone background data will be added.
- The Air Dispersion Modeling Guidelines for PSD Projects will be updated to include the same information as listed above for the non-PSD modeling guidance document, as well as additional clarification of the in-stack NO_x to NO₂ ratio associated with nearby sources. In addition, the guidance for haul roads has been modified to better explain plume width calculations.
- Additional minor administrative changes to both of the above listed guidance documents.

These additions and revisions are intended to provide improved modeling guidance to applicants submitting projects that include emissions of NO₂ and PM_{2.5}. Comments are due 11 Dec 14. POC: [Jennifer Krzak](#), (515) 725-9532.



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Legislature convenes 12 Jan 15 and adjourns 10 Jun 15.

FINAL RULE

(EFFECTIVE 14 NOV 14) [AIR QUALITY REGULATIONS](#) (K.A.R. 28-19-720 and 28-19-750). Amendments were made to K.A.R. 28-19-720 and 28-19-750 to align with current federal New Source Performance Standards and update federal hazardous air pollutants (HAP) maximum achievable control technology (MACT) regulations into KS air quality regulations.

(EFFECTIVE 14 NOV 14) [THREATENED AND ENDANGERED SPECIES AMENDMENTS](#) (K.A.R. 115-15-1). Amendments remove three endangered species and six threatened species from the threatened and endangered species lists. These include delisting the Eskimo curlew, black-capped vireo, and many-ribbed salamander since none of these species are a viable component of the state's fauna. Six species were down-listed from threatened, including the chestnut lamprey, silverband shiner, spring peeper, smooth earth snake, and longnose snake.



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Legislature convenes 7 Jan 15 and adjourns 30 May 15.

Nothing significant to report at this time.



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Legislature convenes 7 Jan 15 and adjourns 5 Jun 15.

FINAL RULE

(EFFECTIVE 2 DEC 14) **HAZARDOUS WASTE** (128 NAC 001-003, 007, 010, 020, Appendix I). Amendments to Title 128 to remove the hazardous waste code U202 for Saccharin & Saccharin Salts and adopt EPA's conditional exclusions for solvent-contaminated wipes.

PROPOSED RULE

(NEW) **SURFACE WATER QUALITY STANDARDS** (117 NAC 004-007). The DEQ has proposed amendments to Title 117 to add new water quality criteria for pollutants in surface waters and wetlands and update regulations. The hearing date was 16 Oct 14. POC: [Tom Lamberson](#), (402) 471-3585.

(NEW) **UNDERGROUND STORAGE TANKS**. The State Fire Marshal's Office has proposed amendments to Chapters 001 to 016 relating to underground storage tanks (UST). Amendments include sections on Tank Registration and Permits, Design and Installation Standards for New UST Systems, Upgrading Requirements for Existing UST Systems, Release Detection Requirements, and others. Hearing date was 26 Aug 14. POC: [Regina Shields](#), (402) 471-9477.

Department of Defense Activity

ARMY RENEWABLE ENERGY DEVELOPMENT GUIDE. The Army's Office of Energy Initiatives released the document titled [Army Guide: Developing Renewable Energy Projects by Leveraging the Private Sector](#). The guide is intended to assist installations with the development of renewable energy projects. It outlines practices, processes, and relevant Army regulations, approvals, and notifications necessary to advance a privately-financed energy generation project from concept to execution. The guide is not a manual and does not provide a step-by-step process. Instead, it represents an evolving body of knowledge on an approach to developing privately-financed energy projects, which differ from projects using appropriated funding sources (Military Construction) or other third-party finance models such as energy savings performance contracts and utility energy savings contracts. The guide will be updated and expanded as processes, policies, and tools evolve.

AIR FORCE V2G FLEET. The Air Force [unveiled](#) its new vehicle to grid (V2G) demonstration project at Los Angeles Air Force Base. The V2G fleet is the DoD's first non-tactical fleet composed entirely of plug-in electric vehicles. The fleet has the capability to direct power to and from the electrical grid when the vehicles are not being driven. The Air Force plans to expand the V2G demonstration to Joint Base Andrews, Md., and Joint Base McGuire-Dix-Lakehurst, N.J. It also will continue to look for additional capabilities, such as utilizing used batteries as a form of on-base energy storage, as well as pursuing additional opportunities to expand its existing partnerships.

TEAM PROTECTING GEORGIA BOMBING RANGE WINS CONSERVATION AWARD. The team of military, state and nonprofit organizations responsible for protecting a bombing range in southeastern Georgia from encroachment has been awarded the [inaugural Nancy Natoli Elan Award for Innovation in Land Conservation](#) by the U.S. Endowment for Forestry and Communities. The Townsend Bombing Range Encroachment Partnering Team — Marine Corps Air Station Beaufort, Georgia Department of Natural Resources, The Nature Conservancy and Naval Facilities Engineering Command Southeast — has helped conserve more than 30,000 acres used for training by Marine Air Corps Station Beaufort, S.C., as well as

Navy, Air Force and Army units from more than a dozen installations. Bob Barnes, who served in the Army for 32 years was also selected as a winner of the Nancy Natoli Élan Award for his efforts on behalf of the Readiness and Environmental Protection Integration ([REPI](#)) program.

PLANNING

ARMY 2020 FORCE STRUCTURE REALIGNMENT. The Department of the Army announced a Finding of No Significant Impact (FNSI) for implementation of force structure realignment to reduce the Army active duty end-strength from 562,000 at the end of Fiscal Year (FY) 2012 to 420,000 by FY 2020 ([79 FR 68225](#)). The Army concluded there will be no significant environmental impacts, other than socioeconomic impacts, likely to result from the implementation of the proposed action. The Supplemental Programmatic Environmental Assessment (SPEA) for Army 2020 Force Structure Realignment supplements the 2013 Programmatic Environmental Assessment (PEA). For more information, [click here](#).

Federal Activity

AIR

OZONE NAAQS. EPA [is proposing](#) to tighten its primary national ambient air quality standard (NAAQS) for ozone to a range between 65 and 70 parts per billion (ppb) to protect human health. The existing standard is 75 ppb. EPA is also proposing to tighten its secondary (seasonal environment-based) standard by defining ozone protection in a range of 13 to 17 parts per million-hours (ppm-hours), expressed in terms of the [W126 index](#). Comments will be due 90 days after publication in the Federal Register. For more information, contact [Susan Lyon Stone](#) at (919) 541-1146 or visit EPA's [ozone standards website](#).

RECONSIDERATION OF CERTAIN STARTUP/SHUTDOWN ISSUES. EPA adopted final amendments to the startup and shutdown provisions of its 16 FEB 12 final Mercury and Air Toxics Standards (MATS) and new source performance standards for certain utility steam generating units (Utility NSPS) ([79 FR 68777](#)). The rulemaking amends the [National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units](#) and [Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units](#), effective 19 Nov 14. For more information, contact [William Maxwell](#) (MATS) at (919) 541-5430 or [Christian Fellner](#) (Utility NSPS) at (919) 541-4003.

MATS REPORTING. EPA adopted final amendments to the MATS rule ([79 FR 68795](#)). The revisions amend reporting requirements in the MATS rule by temporarily requiring affected sources to submit required emissions and compliance reports to EPA through the Emissions Collection and Monitoring Plan System ([ECMPS](#)) Client Tool and temporarily suspending the requirement for affected sources to submit certain reports using the electronic reporting tool and the Compliance and Emissions Data Reporting Interface ([CEDRI](#)). The final rule is effective 5 Jan 15. For more information, contact [Barrett Parker](#) at (919) 541-5635.

CIVIL PENALTIES: AIR POLLUTION FROM SHIPS. EPA issued a direct final rule governing the assessment of civil penalties due to air pollution from ships ([79 FR 65897](#)). EPA had not previously established procedures to assess civil penalties under the [Act to Prevent Pollution from Ships](#). The final rule is effective 5 Jan 15 unless EPA received adverse comment by 8 Dec 14. For more information, contact [Meetu Kaul](#) at (202) 564-5472.

AMBIENT AIR MONITORING: NEW REFERENCE AND EQUIVALENT METHODS EPA designated, in accordance with Title 40 Code of Federal Regulation (CFR) Part 53, two new reference methods and two new equivalent methods ([79 FR 65392](#)). The new reference methods measure fine and coarse particulate matter (PM_{2.5} and PM₁₀) in ambient air. The new equivalent methods measure carbon monoxide and ozone in ambient air. The final rule was published 4 Nov 14. For more information, contact [Robert Vanderpool](#).

ODS LABORATORY AND ANALYTICAL USE EXEMPTION EXTENDED. EPA is proposing to extend the laboratory and analytical use exemption for the production and import of class I ozone-depleting substances (ODS) through 31 Dec 21 ([79 FR 66679](#)). The exemption allows the production and import of controlled substances in the United States for laboratory and

analytical uses that have not been already identified by EPA as nonessential. Comments were due 10 Dec 14. For more information, contact [Jeremy Arling](#) at (202) 343-9055.

INTEGRATED REVIEW PLAN: NAAQS FOR SO₂. EPA released the final draft Integrated Review Plan for the Primary National Ambient Air Quality Standard for Sulfur Dioxide ([79 FR 66721](#)). The document contains plans for the review of air quality criteria for health for sulfur oxides and the primary national ambient air quality standard (NAAQS) for sulfur dioxide (SO₂). The review will focus on effects associated with the gaseous species only. Effects associated with the particulate species (e.g., sulfate) are addressed in the review of the NAAQS for particulate matter. EPA expects the science assessment and risk/exposure assessment to be completed during 2015, and policy assessments during 2016. Resulting rulemaking, if any, would not be proposed until 2018. For more information, contact [Michael Stewart](#) at (919) 541-7524 or the [SO₂ website](#).

TEXAS NESHAP: DELEGATION OF AUTHORITY. EPA is proposing to delegate authority to the Texas Commission on Environmental Quality (TCEQ) to implement and enforce National Emission Standards for Hazardous Air Pollutants (NESHAP) for all sources (both part 70 and non-part 70 sources) ([79 FR 70140](#)). TCEQ has adopted certain NESHAP by reference into Texas's state regulations. In addition, EPA is waiving its notification requirements so sources will only need to send notifications and reports to TCEQ. Comments are due 26 Dec 14. For more information, contact [Rick Barrett](#) at (214) 665-7227.

CLIMATE CHANGE

FIFTH INTERNATIONAL CLIMATE ASSESSMENT REPORT. IPCC released the *Climate Change 2014 Synthesis Report*, its fifth assessment report. The report, preceded by three working group reports completed in 2013 and 2014, warns that continued emission of greenhouse gases (GHGs) will cause further warming and long-lasting changes in all components of the climate system. The report calls reducing fossil fuels in energy use to 20% by 2050 and completely phasing them out by the end of this century to avoid "severe, widespread and irreversible impacts." For more information, view a [report summary](#) or visit [IPCC's website](#) to download the complete report or the associated working group reports.

REGIONAL MONITORING NETWORK TO DETECT CLIMATE CHANGE IN STREAM ECOSYSTEMS. EPA is requesting public comment on the draft document titled [Regional Monitoring Networks to Detect Climate Change Effects in Stream Ecosystems](#) ([79 FR 70866](#)). The document describes EPA's work to establish regional monitoring networks (RMNs) at which biological, thermal, and hydrologic data will be collected from freshwater wadeable streams to quantify and monitor changes in baseline condition, including climate change effects. RMNs have been established in the Northeast, Mid-Atlantic, and Southeast, and efforts are expanding into other regions. Comments are due 29 Dec 14. For more information, contact [Britta Bierwagen](#) at (703) 347-8613 or visit EPA's [Climate Change website](#).

CLEANUP

NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN: NOMENCLATURE EPA announced a direct final rule updating terminology used throughout its regulations to align with that used in the Superfund Enterprise Management System (SEMS) ([79 FR 65589](#)). Effective 31 JAN 14, EPA decommissioned the Comprehensive Environmental Response Compensation and Liability Act Information System (CERCLIS) and adopted SEMS, a more comprehensive data management system. The rulemaking also adds a minor clarification to the description of the remedial preliminary assessment. The final rule is effective 5 Jan 15, unless the agency received adverse comment by 5 Dec 14. For more information, contact [Jennifer Hovis](#) at (703) 603-8888.

NATURAL AND CULTURAL RESOURCES

CURATION OF FEDERALLY-OWNED AND ADMINISTERED ARCHEOLOGICAL COLLECTIONS. The National Park Service is proposing to amend regulations for the curation of federally-owned and administered archeological collections ([79 FR 68640](#)). The amendments establish definitions, standards, and procedures to dispose of particular material remains that are determined to be of insufficient archeological interest. The rule is intended to promote more efficient and effective curation of these archeological collections. Comments are due 17 Feb 14. For more information, contact [David Gadsby](#) at (202) 354-2101.

DEPREDAATION ORDER REVISIONS AND YELLOW-BILLED MAGPIE. FWS removed the yellow-billed magpie from the [depredation order](#) and made other changes ([79 FR 65595](#)). The changes narrow the application of the regulation from protection of any wildlife to protection of species listed by federal, state, or tribal governments; add conditions for live

trapping; and refine reporting requirements. The final rule was effective 5 Dec 14. For more information, contact George Allen at 703-358-1825.

WETLAND MAPPING. The Natural Resource Conservation Service (NRCS) announced it will revise state technical guidance for completing wetland determinations in Iowa, Minnesota, North Dakota, and South Dakota ([79 FR 65615](#)). The revised State Technical Guide pertaining to the state offsite methods will be used as part of the technical documents and procedures to conduct wetland determinations on agriculture land as part of the Food Security Act of 1985. Comments are due 3 Feb 15.

YELLOW BILLED CUCKOO. FWS reopened the public comment period on its [15 AUG 14](#) proposal to designate habitat for the western DPS of [yellow-billed cuckoo](#) (*Coccyzus americanus*) ([79 FR 67154](#)). The western DPS of the species is known or believed to occur in Arizona, California, Colorado, Montana, Nevada, New Mexico, Texas, Utah, Washington, and Wyoming. Comments are due 12 Jan 15. For more information, contact Jennifer Norris at (916) 414-6600.

NORTHERN LONG-EARED BAT. FWS extended the public comment period on its [2 OCT 13](#) proposed rule to list the [northern long-eared bat](#) as an endangered species ([79 FR 68657](#)). The species' range includes 39 states. White-nose syndrome, a fungal disease known to affect bats, is currently the predominant threat to this bat, especially throughout the Northeast where the species has declined by up to 99% from pre-white-nose syndrome levels at many hibernation sites. An association of state agencies [submitted comments](#) to FWS regarding the proposed listing. The association suggested that if the service determines threatened status for the bat, then it should also issue a 4(d) rule to exempt normal forest management activities and other land management activities for which best management practices have been developed. Comments are due 18 Dec 14. The service intends to publish a listing determination for the northern long-eared bat on or before 2 Apr 15. For more information, contact Peter Fasbender at (612) 725-3548.

MEXICAN WOLF NEP. FWS released a final environmental impact statement (EIS) and draft proposed record of decision (ROD) on proposed revisions to regulations for the existing nonessential experimental population (NEP) of [Mexican wolf](#) (*Canis lupus baileyi*) ([79 FR 70154](#)). The revisions regulations would modify the geographic boundaries in which Mexican wolves are managed, modify management of the NEP, and issue a section 10(a)(1)(A) permit for Mexican wolf management area and areas outside the management area. The EIS evaluates the proposed regulation changes. Comments on the EIS are due 27 Dec 14. The ROD will be issued after the close of the comment period. For more information, contact Sherry Barrett at (505) 761-4704.

SUSTAINABILITY

GREEN PROCUREMENT The General Services Administration (GSA) updated its Green Procurement Compilation website by adding a [DoD sustainable acquisition page](#). Initially launched as a downloadable spreadsheet listing basic requirements, the Green Procurement Compilation has evolved into an online version that includes links by item category to facilitate purchasing. The agency-specific procurement page includes links to other DoD sources of sustainable product information such as the DENIX [Sustainable Products Center](#) and [Sustainable Products Demonstrations](#) and links to DoD sustainable product purchasing plans, guidance, policies, instructions and memoranda.

T&E

Professional Development

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER - FedCenter.gov is federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information with a wide variety of information in:

- 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.

VARIOUS DATES AND TIMES ONLINE

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS. The Army offers numerous environmental training courses. Information on training providers and fiscal year class schedules are available on the [US Army Environmental Command \(AEC\) website](#).

[STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM \(SERDP\) AND ENVIRONMENTAL SECURITY TECHNOLOGY CERTIFICATION PROGRAM \(ESTCP\) WEBINAR SERIES](#). Designed to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding, live 90-minute webinars will be offered every two weeks on Thursdays from 12:00 PM EST. Most webinars will feature two 30-minute presentations and interactive Q&A sessions on topics for DoD and DOE audiences.

AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, [QUALIFIED RECYCLING PROGRAM MANAGEMENT](#) presents an understanding of DoD requirements for operating a Qualified Recycling Program (QRP). Course emphasizes principles and techniques to assist students in implementing a sound QRP and focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting methods to maximize returns, working with the Defense Reutilization and Marketing Office, establishing contracts, recording transactions, DoD recordkeeping, and estimating future budgets.

ANYTIME ONLINE

[AN INTRODUCTION TO THE REGIONAL ENVIRONMENTAL AND ENERGY OFFICES](#). REEO-S presents a 45-minute webinar to provide an overview of what REEOs do, how we operate, and how we can help you.

[DISTRIBUTED-SCALE RENEWABLE ENERGY PROJECTS: FROM PLANNING TO PROJECT CLOSEOUT](#) focuses on planning and implementation of distributed-scale renewable energy projects smaller than 10 megawatts. Course is hosted on the Whole Building Design Guide (WBDG) learning management system and outlines a detailed 10-step process from technology screening to project closeout. Explored are online tools and resources available for the selection of cost-effective renewable energy projects on federal sites.

[GOLEARN](#). GoLearn provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

[NATIONAL CONFERENCE OF STATE LEGISLATURES \(NCSL\) E-LEARNING](#). NCSL e-Learning features experts on public policy issues and provides professional development opportunities for members, state legislators, state legislative staff, and the public. Visit [Multimedia Library](#) for a collection of video and audio files from previous NCSL meetings and webinars.

[ACHIEVING ENERGY SECURITY IN FEDERAL FACILITIES](#). Achieving Energy Security in Federal Facilities builds competency in protecting critical missions by integrating energy security measures into all aspects of operations. Employ critical principles to increase energy security, such as diversity, redundancy, reducing demand, planning, and emergency management. Consider technologies that support energy security and develop an understanding of key issues related to short- and long-term energy disruptions, including storage and maintenance issues.

[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.

[AVERT TUTORIAL](#). EPA launched its new on-demand training on how to use its Avoided Emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy (EE/RE) programs to displace electricity system-related SO₂, NO_x, and CO₂ emissions in the continental United States. The tool can be used to evaluate county, state and regional level emissions displaced by energy efficiency and renewable energy programs without the need to specialized resources or electricity system expertise.

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

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

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Regional Counsel	816-389-3448
Region 6 Army REC	816-389-2415
Regulatory Affairs Specialist	816-389-2434
Air Force AR/LA/OK REC	214-767-4650, ext 4652
Air Force NM/TX REC	214-767-4650, ext 4669
Navy REC (AR/KS/LA/MO/OK/TX)	904-542-6853
Navy REC (IA/NE)	360-315-5400
Navy REC (NM)	619-532-2303

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 Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues before they become laws and regulations. The REEOs 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>