



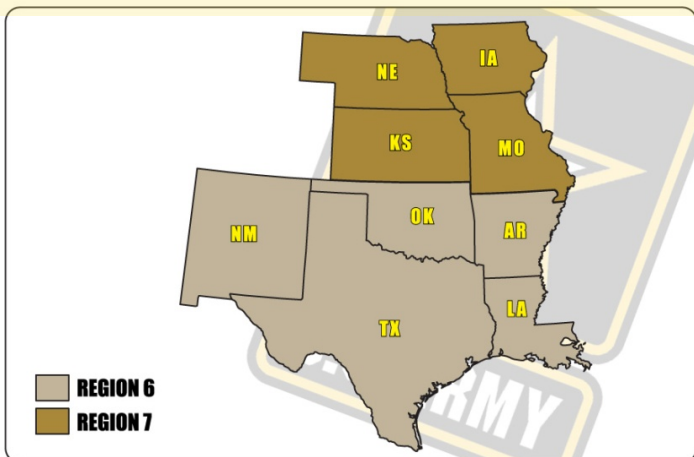
Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

January 2015

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."



ARMY VISION AND STRATEGY FOR INSTALLATIONS, ENERGY AND ENVIRONMENT THROUGH 2025

The Office of the Assistant Secretary of the Army for Installations, Energy and Environment (OASA (IE&E)) released the Army's vision and strategy through 2025 to help meet future challenges and succeed in future operating environments.

[OASA \(IE&E\) Strategy 2025](#) is important as it serves to guide and shape the Army's future and current actions related to Installations, Energy and Environment, as well as provide the strategic roadmap to achieve its vision.

In the OASA (IE&E) Strategy 2025 foreword, Hon. Katherine Hammack, ASA (IE&E), explained the importance of the strategy for the Army. "During this time of constant change, it has never been more important to ensure our vision and strategy is well aligned with our plans and resources," said Hammack. "Through a shared vision and strategic objectives, we will ensure the Army is ready, resilient and capable of accomplishing its mission of defending our Nation."

OASA (IE&E) Strategy 2025 covers fiscal years 2016-2025 and will be updated as required to ensure relevance and currency with the Army's planning and resourcing efforts. The strategy pertains to all Soldiers, Civilians and Families within the Army, and aligns with overarching National, Department of Defense and Army strategies -- including the Army's vision of Force 2025 and Beyond.

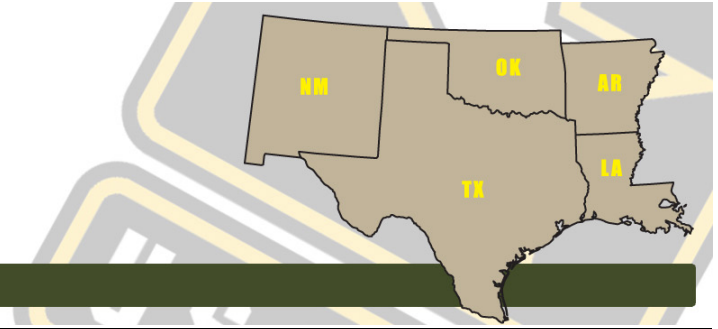
The mission of the ASA (IE&E) is to establish policy, provide strategic direction and supervise all matters pertaining to infrastructure, Army installations and contingency bases, energy and environmental programs to enable global Army Operations.

Customer's Corner: Please send any comments, questions, lessons learned, best practices, subscription requests, etc. to [Jim Mayer](#).

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Region 6



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

Legislature convened 12 Jan 15 and adjourns 12 Mar 15.

FINAL RULE

(EFFECTIVE 19 DEC 14) [BROWNFIELDS REDEVELOPMENT](#) (Regulation 29) amends Arkansas Pollution Control and Ecology Commission Regulation No. 29, Arkansas Brownfields Redevelopment, and deals with procedures for the cleanup and redevelopment of contaminated sites for productive re-use. Proposed revisions involve minor changes in various sections of the regulation text to conform to regulation style and format changes.

(EFFECTIVE 29 DEC 14) [EMERALD ASH BORER QUARANTINE](#) makes 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 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.



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Legislature convenes 13 Apr 15 and adjourns 11 Jun 15.

FINAL RULE

(EFFECTIVE 20 DEC 14) [COASTAL MITIGATION](#) (LAC 43:I.724) amends rules and procedures for mitigation. This amendment provides information on how the Coastal Mitigation Account contribution amounts are derived.

(EFFECTIVE 20 DEC 14) [COASTAL USE PERMITS](#) (LAC 43:I.723) amends application procedures for coastal use permits, and related matters. The amendment is part of an update of agency rules in order to remove overlooked requirements rendered obsolete by the implementation of technology to assist with permit processing, and to correct names in the wake of government re-organization.

(EFFECTIVE 20 DEC 14) [EXPLOSIVES - INVENTORY REPORTING AND RECORDKEEPING](#) (LAC 33:V.10107, LAC 55:I.1505)

amends rules regulating to hazardous materials and explosives to establish a five year retention period for explosives records and to specify inventory reporting requirements for explosives magazines.

PROPOSED RULE

(NEW) [EXCEPTION TO ENVIRONMENTAL ASSESSMENT REQUIREMENTS AS THEY RELATE TO REISSUED PERMITS](#) (LAC 33:IX.2905.B) identifies facilities and permit changes considered minor when they are associated with permit renewal applications. This rule also provides flexibility with respect to classification of additional changes as minor during the permit renewal process. It specifies when an environmental assessment should accompany the reissuance of an existing permit. A hearing is scheduled for 27 Jan 15. Comments are due 3 Feb 15. POC: [Deidra Johnson](#).



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Legislature convenes 20 Jan 15 and adjourns 21 Mar 15.

PROPOSED LEGISLATION

(NEW PREFILED) [HB 38](#) enacts the Forest and Watershed Restoration Act, which provides long-term funding for forest and watershed restoration; creates the forest and watershed restoration board; creates the forest and watershed restoration fund; provides for a distribution from the insurance department suspense fund to the forest and watershed restoration fund; and makes an appropriation. Sponsor: Representative Paul C. Bandy (R).

PROPOSED RULE

(NEW) [RETAIL NATURAL GAS REGULATIONS](#) (19.15.112 NMAC). The NM Department of Agriculture has proposed a new rule establishing the Retail Natural Gas Regulations in order to set forth minimum standards for the operation of retail/wholesale natural gas fueling facilities, including mobile refueling vehicles and equipment as defined under the Petroleum Products Standards Act, Chapter 57, Article 19, Sections 23 through 38, New Mexico Statutes Annotated 1978 Compilation. Hearings have been scheduled for 26-28 Jan 15, and comments are due 29 Jan 15. POC: Joe Gomez, (575) 646-1616.

(NEW) [REVIEW AND ELIGIBILITY OF PROPOSED WATER PROJECTS](#) (19.25.10 NMAC). The proposed amendments relate to the review and eligibility of proposed water projects, to provide the appropriate means for approval of qualified water projects, to clarify terms and conditions of financial assistance, and to ensure that the Rules are compatible with the Water Project Finance Act, Section 72-4A-1 et seq., NMSA 1978. "Qualifying entity" means a state agency, a political subdivision of the state, an intercommunity water or natural gas supply association or corporation organized under Chapter 3, Article 28 NMSA 1978, a recognized Indian nation, tribe or pueblo, the boundaries of which are located wholly or partially in New Mexico or an association of such entities created pursuant to the Joint Powers Agreement Act. A hearing is scheduled for 3 Feb 15, and comments are due 30 Jan 15. POC: [Yolanda Valenzuela](#), (505) 992-9632.



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Legislature convenes 2 Feb 15 and adjourns 29 May 15.

PROPOSED LEGISLATION

(NEW PREFILED) [SB 16](#) states that impounded water shall be considered the private property of the landowner with the exceptions of providing for codification and declaring an emergency. Sponsor: Senator Eddie Fields (R).

(NEW PREFILED) [SB 17](#) states that certain streams shall be considered the private property of the landowner with the exceptions of providing for codification and declaring an emergency. Sponsor: Senator Eddie Fields (R).



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Legislature convened 13 Jan 15 and adjourns 1 Jun 15.

PROPOSED LEGISLATION

(NEW PREFILED) [HB 417](#) proposes new fire prevention standards for ammonium nitrate storage facilities. Sponsor: Representative Joseph C. Pickett (D).

(NEW PREFILED) [HB 423](#) prohibits the land disposal of computer equipment and certain television equipment. Sponsor: Representative Joe Farias (D).

FINAL RULE

(EFFECTIVE 11 DEC 14) **CLASS III UIC AREA PERMITS** (30 TAC §§ 55.201, 305.49, 305.154, 331.82, 331.107, 331.108, 331.122, 331.110). The Texas Commission on Environmental Quality (TCEQ) has adopted revisions to 30 Texas Administrative Code (TAC) [Chapter 55](#), Requests for Reconsideration and Contested Case Hearings; Public Comment; [Chapter 305](#), Consolidated Permits; and [Chapter 331](#), Underground Injection Control (UIC), under the requirements of Texas Government Code, Chapter 2001, Subchapter B. The rule requires that all new, amended, or renewed Class III UIC permits include a permit range table. This table will have concentration ranges for each of the groundwater quality parameters listed in the restoration table of each Production Area Authorization (PAA) associated with a permit. The rule also changes the conditions that determine when an application for a PAA may be subject to an opportunity for a contested case hearing.

PROPOSED RULE

(NEW) **CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES** (30 TAC §§114.2, 114.7, 114.53, 114.60, 114.62, 114.64, 114.70, and 114.87). TCEQ has proposed amendments to incorporate a procedure for counties to opt out of the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) and to be released from program obligations, including remittance of the fee to fund the LIRAP. The commission also proposes to add language

that differentiates between a LIRAP participating county and non-participating county. Comments were due 9 Jan 15. POC: Robert Martinez, (512) 239-6812.

(NEW) [RADIOACTIVE SUBSTANCES RULES](#) (30 TAC §§336.2, 336.105, 336.1111, and 336.1127; and new §336.739). TCEQ has proposed amendments in order to implement Senate Bill (SB) 347, 83rd Texas Legislature, 2013, and its amendments to Texas Health and Safety Code, Chapter 401 (also known as the Texas Radiation Control Act) and to add non-substantive changes to rules to ensure the commission's continued compatibility with the United States Nuclear Regulatory Commission. This proposed rulemaking also creates new provisions in Chapter 336 for the compact waste disposal facility license holder who may accept nonparty compact waste for disposal at the facility only if it has been volume reduced. Comments are due 20 Jan 15. POC: Robert Martinez, (512) 239-6812.

(NEW) [DRAFT 2014 TEXAS INTEGRATED REPORT OF SURFACE WATER QUALITY](#). TCEQ announced the availability of the Draft 2014 Texas Integrated Report of Surface Water Quality. The Integrated Report is developed as a requirement of the federal Clean Water Act (CWA), §305(b) and §303(d). The Integrated Report is an overview of the status of surface waters in the state. Factors considered in evaluating the status of water bodies include concerns for public health, fitness for use by aquatic species and other wildlife, and specific pollutants and their potential sources. The Integrated Report includes summaries of water bodies that do not support beneficial uses or water quality criteria and those water bodies that demonstrate cause for concern. The Integrated Report is used by the TCEQ to support water quality management activities including monitoring; water quality standards revisions; total maximum daily loads; watershed protection plans; and best management practices to control pollution sources. Comments are due 2 Feb 15. Email for [additional information](#).

(NEW) [EMISSIONS BANKING AND TRADING UPDATES](#). TCEQ has proposed amendments to §§101.300 - 101.303, 101.306, 101.309, 101.350 - 101.354, 101.356, 101.359, 101.360, 101.370 - 101.373, 101.376, 101.378, 101.379, 101.390 - 101.394, 101.396, 101.399, and 101.400; and the repeal of §§101.304, 101.358, and 101.374. If adopted, the amended and repealed sections will be submitted to the United States Environmental Protection Agency (EPA) as revisions to the state implementation plan (SIP). The proposed rulemaking would revise the Emission Reduction Credit and Discrete Emission Reduction Credit Programs by repealing the rules for generating credits from area and mobile sources and for use by mobile sources; clarifying how reductions are surplus to the SIP; updating for changed federal standards; clarifying provisions for substituting credits from one ozone precursor for another; removing the requirement to submit original certificates for trades and use; clarifying the equations for generating credits; and clarifying that limitations on protocols apply to both generation and use. Comments are due 30 Jan 15. Hearings are scheduled for 15 and 20 Jan 15. POC: Robert Martinez, (512) 239-6812.

(NEW) [NOX RACT RULES FOR THE DALLAS/FORT WORTH 2008 EIGHT-HOUR OZONE NONATTAINMENT AREA](#). If adopted, the amended, repealed, and new sections of Chapter 117 will be submitted to the EPA as a revision to the SIP, except for the following: §§117.210(c), 117.225, 117.405(d), 117.410(d), 117.425, 117.1110(b), 117.1125, 117.1310(b), and 117.1325. Sections 117.210(c), 117.225, 117.410(d), 117.425, 117.1110(b), 117.1125, 117.1310(b), and 117.1325 correspond to portions of the existing rule previously excluded from the EPA-approved Texas SIP and will not be submitted with this revision. Similarly, proposed new §117.405(d) will not be submitted to the EPA as a SIP revision. The proposed rulemaking would revise Chapter 117 to implement reasonably available control technology (RACT) for all major sources of NOx in the Dallas/Fort Worth 2008 eight-hour ozone nonattainment area. Hearings are scheduled for 15 and 22 Jan 15, and comments are due 30 Jan 15. POC: Robert Martinez, (512) 239-6812.

(NEW) [VOC RACT RULES FOR THE DALLAS/FORT WORTH 2008 EIGHT-HOUR OZONE NONATTAINMENT AREA](#). If adopted, the new, amended, and repealed sections of Chapter 115 will be submitted to the EPA as revisions to the SIP. The proposed rulemaking would revise Chapter 115 to implement RACT for all Control Techniques Guidelines (CTG) emission sources categories and all non-CTG major sources of volatile organic compounds (VOC) in the Dallas/Fort Worth 2008 eight-hour ozone nonattainment area. Hearings are scheduled for 15 and 22 Jan 15, and comments are due 30 Jan 15. POC: Robert Martinez, (512) 239-6812.

(NEW) [RENEWAL OF THE MULTI-SECTOR GENERAL PERMIT NO. TXGR050000](#). TCEQ is proposing to renew the Multi-Sector General Permit (MSGP) TXR050000, which authorizes the discharge of stormwater associated with industrial activity. The current MSGP expires on 14 Aug 16. The TCEQ is seeking stakeholder input on the renewal. Comments are due 23 Jan 15. POC: [Stormwater and Pretreatment Team](#).

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 convened 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). These amendments allow dock permittees more flexibility in removing aquatic vegetation without a permit around boat docks and when creating boating pathways to open water. Recent efforts by the Iowa Department of Natural Resources to improve water quality have been successful, due to the department's Lake Restoration Program. Clear water is a benefit of improved water quality, but it may result in the growth of dense-rooted aquatic plant life. Some dock permittees, including private individuals as well as cities and counties, have complained about excessive growth of rooted aquatic plants around boat docks and in pathways to open water. They have requested that action be taken to streamline the process for removing such vegetation. These amendments are intended to give dock permittees additional justification to remove aquatic vegetation without a permit, thereby reducing the department's 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) [RENEWAL OF GENERAL PERMIT NO. 6 - DISCHARGE OF WASTEWATER ASSOCIATED WITH WELL CONSTRUCTION ACTIVITIES](#) (567 IAC 64.15(6)) purposes to renew General Permit No. 6, which continues to authorize the discharge of wastewater associated with well construction activities through the use of best management practices (BMPs) and requires the monitoring of the wastewater effluent to determine compliance with the state's water quality standards. Comments were due 9 Jan 15. POC: [Wendy Hieb](#).

(NEW) [AIR QUALITY AMENDMENTS](#) (IAC 20.2, 20.3, 22.1 to 22.3, 22.100, 22.200 to 22.209, 22.300, 23.1, 25.3, 31.20(1), 33.3(1)). The Iowa Environmental Protection Commission has proposed to amend Chapters 20, 22, 23, 25, 31, and 33, of the Iowa Administrative Code (IAC), relating to pollution control, emissions measurements, and air quality. The purpose of the proposed rule making is to rescind unnecessary rules and to update other rules to reduce regulatory requirements. A hearing is scheduled for, and comments are due, 26 Jan 15. POC: [Christine Paulson](#).



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Legislature convened 12 Jan 15 and adjourns ~10 Jun 15.

Nothing Significant to Report During this Period.



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Legislature convened 7 Jan 15 and adjourns 30 May 15.

PROPOSED LEGISLATION

(NEW PREFILED) [HB 92](#) changes the definition of "waters of the state" by repealing Missouri Revised Statutes sections 260.500 and 644.016, and to enact instead two new sections relating to the definition of waters of the state. "Waters of the state" include all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state, which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common. Sponsor: Representative Rocky Miller (R).

(NEW PREFILED) [SB 74](#) establishes the Capital Green Program to provide funding for energy efficiency improvements including geothermal, wind, and solar energy resources to certain state buildings. The provisions of this act will sunset six years after the effective date. Sponsor: Senator Jason R. Holsman (D).

(NEW PREFILED) [HB 119](#) requires a public water system to notify the Missouri Department of Natural Resources, the Department of Health and Senior Services, and its customers at least 30 days prior to a vote to cease fluoridation. Sponsor: Representative Donna Lichtenegger (R).



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Legislature convened 7 Jan 15 and adjourns ~5 Jun 15.

FINAL RULE

(EFFECTIVE 6 DEC 14) [NOXIOUS WEED REGULATION REVISIONS](#) (025 NAC Chapter 010). The Department of Agriculture, Animal and Plant Health Protection has adopted revisions to 025 NAC Chapter 010, Noxious Weed Regulations, relating to designation, control, education, and others.

(EFFECTIVE 13 DEC 14) [SURFACE WATER QUALITY STANDARDS](#) (117 NAC 004-007). The DEQ has adopted amendments to Title 117 to add new water quality criteria for pollutants in surface waters and wetlands and update regulations.

(EFFECTIVE 31 DEC 14) [AIRPORT ZONING REGULATIONS](#) (17 NAC Chapter 001-002, 009). The Department of Aeronautics has issued a rulemaking regarding Airport Hazard Area Zoning including operation, approach, transition and turning zones height restriction, permitting, and others.

Department of Defense Activity

DoDI 7650.03: FOLLOWUP ON AUDITS AND REPORTS. Department of Defense Instruction (DoDI) 7650.03, titled [Follow-up on Government Accountability Office \(GAO\), Inspector General of the Department of Defense \(IG DoD\), and Internal Audit Reports](#), was issued 18 Dec 14. The DoDI updates established policy and assigned responsibilities for the follow-up on the findings and recommendations of GAO, IG DoD, and other DoD internal audit organizations. The DoDI states it is DoD policy that:

- Managers within the DoD components recognize, support, and use auditors as important elements of DoD management systems;
- Timely decisions and responsive actions will be taken and documented on audit findings and recommendations to reduce costs, manage risks, and improve management processes;
- Follow-up is an integral part of good management and is a responsibility shared by DoD managers and auditors;
- An effective, credible decision process will be maintained to resolve audit findings/recommendations, prevent preemptive actions and document decisions; and
- Follow-up systems will provide for a complete record of action taken on findings and recommendations.

DEFENSE MATERIAL DISPOSITION. DoD issued an interim final rule that prescribes uniform procedures for the disposition of DoD personal property and establishes the sequence of processes for disposition of personal property of DoD components ([79 FR 78143](#)). In this context, "personal property" is defined as all property except real property. The interim final rule implements policy for reutilization, transfer, excess property screening, and issue of surplus property and foreign excess personal property, scrap generated from qualified recycling programs (QRPs), and non-QRP scrap. It also provides guidance for removing excess material through security assistance programs and foreign military sales. Comments are due 27 Feb 14. For more information, contact Randal Kendrick at (571) 372-5202.

GAO REPORT: FOREIGN ENCROACHMENT ON DOD TEST AND TRAINING RANGES. GAO, directed to review encroachment on DoD training ranges, issued a report examining the extent to which DoD has conducted a risk assessment to identify the existence and extent of any threats of foreign encroachment (on domestic training ranges) ([GAO-15-149](#)). GAO also evaluated the extent to which DoD has obtained information needed on specific transactions to determine if they pose a threat. GAO found that DoD has not conducted a risk assessment that includes prioritizing test and training ranges based on mission criticality, determining their vulnerabilities to foreign encroachment, and assessing the degree to which foreign encroachment could pose a threat to the mission of the range. Foreign encroachment could include foreign entities acquiring assets, such as mines or energy projects, or otherwise conducting business transactions near test and training ranges. GAO recommends that DoD develop and implement guidance for conducting a risk assessment on foreign encroachment and collaborate with other federal agencies to obtain additional information on transactions near ranges. In written comments on a draft of the report, DoD concurred with both recommendations. For more information, contact [Brian Lepore](#) at (202) 512-4523.

SUNZIA TRANSMISSION LINE. The Bureau of Land Management (BLM) prepared an [Environmental Assessment](#) (EA) to determine whether newly identified mitigation measures for the proposed SunZia Southwest Transmission Line Project require BLM to prepare a supplement to the final Environmental Impact Statement (EIS) published June 2013 ([79 FR 70890](#)). Mitigation measures proposed by DoD would require the burial of three segments (approximately five miles) of the SunZia Southwest Transmission Line Project within the area identified as the "call up area" north of the White Sands Missile Range. BLM reached a preliminary finding of no new significant impact, as the analysis in the EA supports a conclusion that DoD's proposed mitigation is not a substantial change from the preferred alternative in the final EIS and that a supplement is not required.

Federal Activity

AIR

OZONE NAAQS. EPA is [proposing](#) to lower the primary national ambient air quality standard (NAAQS) for ozone to a range between 65 and 70 parts per billion (ppb) to protect human health ([79 FR 75233](#)). 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, expressed in terms of the [W126 index](#). In addition, EPA is proposing to make corresponding revisions in data handling conventions for ozone and conforming changes to the air quality index; to revise the prevention of significant deterioration program regulations by adding a transitional provision for certain applications; and to propose schedules and convey information related to implementing any revised standards. Comments are due 17 Mar 15. For more information, contact [Susan Lyon Stone](#) at (919) 541-1146 or visit EPA's [ozone standards website](#).

REQUIREMENTS TO PROMULGATE HAP EMISSION STANDARDS COMPLETE. EPA is proposing that it has completed requirements to promulgate emission standards for each of the hazardous air pollutants (HAP) identified in Clean Air Act (CAA) Section 112(c)(6) ([79 FR 74656](#)). The promulgated standards account for 90% or more of the aggregated emissions of each HAP. Comments are due 7 Feb 15. For more information, contact Nathan Topham at (919) 541-0483.

COMPLIANCE AND ENFORCEMENT

EPA FY 2014 ENFORCEMENT AND COMPLIANCE RESULTS. EPA released [enforcement annual results](#) for fiscal year (FY) 2014, including the [Fiscal Year 2014 EPA Enforcement and Compliance Annual Results](#) document. For more information, visit EPA's [enforcement website](#) to view an [interactive case map](#) that shows information on concluded enforcement actions and cases from FY 2014, view numbers at a glance, regional results, and more.

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET. EPA released an update to the Federal Agency Hazardous Waste Compliance Docket ([79 FR 78850](#)). The docket is a list of federal facilities that manage hazardous waste or from which hazardous substances have been or may be released. The docket is updated every six months. Each federal facility that is added to the docket is required to complete a site evaluation to determine whether the facility should undergo further remedial studies. The update added 29 facilities to the docket and deleted 19 facilities.

ENERGY

FEDERAL BUILDING ENERGY METERING GUIDANCE. The Department of Energy (DOE) updated its [federal building metering guidance](#). The updated document expands metering requirements to include natural gas, steam, and water; revises the definitions of appropriate and cost-effective for determining where to install meters; provides a recommended approach for prioritizing the installation of meters; and reiterates the requirement to incorporate metered data into agency data tracking systems. For more information, contact [Saralyn Bunch](#) at (202) 586-3267.

NEPA

CEQ NEPA GUIDANCE ISSUED. The Council on Environmental Quality (CEQ) has released two guidance documents for National Environmental Policy Act (NEPA) reviews:

- Updated Draft Guidance on Consideration of Greenhouse Gas (GHG) Emissions and the Effects of Climate Change and
- Final Guidance on Conducting Programmatic NEPA Reviews.

[The draft GHG and climate change guidance](#) recommends that:

- Agencies quantify greenhouse gas emissions related to a project's immediate activities and causally related resulting activities when total emissions (are likely to) exceed 25,000 metric tons CO₂ equivalent annually.
- GHG emissions of alternatives should be quantified and compared. Agencies can incorporate by reference applicable agency emission targets and consider the impact of decisions on such targets.
- Mitigation measures should be adopted into an appropriate monitoring program.
- Projects with long lifetimes, such as infrastructure, should consider future potential conditions as identified by available climate change assessments.

[The final Guidance on Programmatic NEPA Reviews](#) recommends that agencies consider the use of programmatic NEPA reviews, particularly for adopting official policy, formal plans for resource allocation, or a group of related projects or actions.

OTHER

FALL 2014 UNIFIED REGULATORY AGENDA. The Environmental Protection Agency (EPA) released the [Fall 2014 Regulatory Plan](#) and the [Unified Agenda of Federal Regulatory and Deregulatory Actions \(79 FR 76771\)](#). The regulatory plan, published once a year as part of the fall edition of the agenda, identifies the most significant regulatory actions that federal agencies expect to take in the coming year. The regulatory agenda is updated twice yearly (spring and fall). The regulatory agenda is published online at [regulations.gov](#). EPA also maintains [a website](#) providing updates on planned EPA regulations.

GAO REPORT: FAA PROGRESS REGULATING DRONE USE. GAO conducted a review of Federal Aviation Administration (FAA) progress toward issuing regulations governing the use unmanned aerial systems (UAS), commonly referred to as drones ([GAO-15-254T](#)). The FAA Modernization and Reform Act of 2012 put greater emphasis on the need to integrate UAS into the national airspace by requiring that FAA establish requirements governing them. FAA has developed a three-phased approach in its five-year roadmap to integrate UAS into the national airspace. FAA officials indicated that they intend to issue a notice of proposed rulemaking soon and to issue the final rule in late 2016 or early 2017. As of 4 Dec 14, FAA granted seven commercial exemptions to the filmmaking industry allowing small UAS operations. More than 140 applications for exemptions are pending approval. For more information, contact [Gerald Dillingham](#) at (202) 512-2834.

TOXICS

TOXICOLOGICAL PROFILES. The Agency for Toxic Substances and Disease Registry (ATSDR) released updated draft toxicological profiles for trichloroethylene, tetrachloroethylene, hydrogen sulfide/carbonyl sulfide and a new draft toxicological profile for the pesticide parathion ([79 FR 74093](#)). ATSDR is tasked to prepare toxicological profiles of priority hazardous substances commonly found at Superfund sites. Comments on the draft toxicological profiles are due 16 Mar 15. For more information, contact Delores Grant at (770) 488-3351 or visit the ATSDR [Toxic Substances Portal](#).

COMMUNITY GUIDANCE: PATIENT DECONTAMINATION IN A MASS CHEMICAL EXPOSURE INCIDENT. The Chemical Defense Program under the Department of Homeland Security published a document titled [Patient Decontamination in a Mass Chemical Exposure Incident: National Planning Guidance for Communities \(79 FR 75826\)](#). The guidance is focused on external decontamination of living people exposed to toxic industrial chemicals, toxic industrial materials, or chemical warfare agents resulting from either an intentional or accidental release. It covers mass casualties, chemical release, external contamination, and decontamination of people (not animals, not inanimate objects, not facilities). For more information, contact [Mark Kirk](#) or view this [press release](#).

THREATENED AND ENDANGERED SPECIES

CANDIDATE NOTICE OF REVIEW. The Fish and Wildlife Service released its annual [candidate notice of review](#) (CNOR), a yearly status appraisal of native plant and animal species that are candidates for Endangered Species Act (ESA) protections ([79 FR 72499](#)). The CNOR recognizes 23 new candidates, changes the listing priority number for one candidate, and removes one species from candidate status. Combined with other decisions for individual species that were published separately from this CNOR in the past year, 146 species are candidates for listing. The notice also includes findings on resubmitted petitions and describes progress in revising the Lists of Endangered and Threatened Wildlife and Plants during the period 1 Oct 13 through 30 Sep 14. To view the full list of candidate species, [click here](#).

WASTE

FINAL COAL ASH DISPOSAL RULES. In advance of publication in the Federal Register, EPA [released the text](#) of a final rule regulating coal combustion residuals (CCR), commonly referred to as coal ash, under the Resource Conservation and Recovery Act Subtitle D (RCRA-D). The final rule is intended to address risks from the disposal of CCRs generated from the combustion of coal at electric utilities and independent power producers. It addresses leaking of contaminants into ground water, blowing of contaminants into the air as dust, and the catastrophic failure of coal ash surface impoundments. Additionally, the rule sets out recordkeeping and reporting requirements as well as a requirement for each facility to establish and post specific information to a publicly accessible website. The final rule does not address the placement of CCR in coal mines, does not regulate beneficial use of CCR, and does not apply to CCR from non-utility boilers burning coal or apply to municipal solid waste landfills that receive CCR for disposal or use a daily cover. For more information about the final rule, including the rule summary, history, and more, [click here](#).

RECYCLING: EXCLUSION FROM HAZARDOUS WASTE RULES. In advance of formal publication in the Federal Register, EPA published [text](#) of a final rule revising several recycling-related provisions associated with the definition of a solid waste. The revisions would allow certain materials that would otherwise need to be managed as a hazardous waste to be recycled, as long as certain conditions are met. Under the exclusion, a facility that recycles the newly excluded materials (rather than dispose of them as hazardous waste) must send the material to a "verified recycler" that has obtained a variance from EPA or the authorized state. The revisions also add requirements for storage of recyclable materials (meet a new definition of "contained"), recordkeeping, and emergency preparedness and response. The final rule will be effective 180 days after publication in the Federal Register. For more information, contact [Tracy Atagi](#) at (703) 208-8672.

WATER

GUIDELINES FOR WATER AND RELATED LAND RESOURCES IMPLEMENTATION STUDIES. CEQ released final Interagency Guidelines on Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies ([79 FR 77460](#)). The guidelines are applicable to water resource projects conducted by the Departments of Interior, Agriculture, Commerce, EPA, the Army Corps of Engineers, Federal Emergency Management Agency, and the Tennessee Valley Authority. The guidelines modernize and lay the framework for how to determine the economic, environmental, and social impact from federal investments on water resources. For more information, contact Alexis Segal at (202) 395-5750.

STORMWATER PERMIT "FLOW" GUIDANCE REVISED. On 26 Nov 14, EPA released a [revised memorandum](#) for EPA Regional Water Division Directors to use when developing stormwater permits. The memorandum replaces the agency's [2002 guidance](#). The November 2014 memorandum abandons guidance ([in a 2010 memorandum](#)) for agencies to use "flow" as a surrogate for pollutants in stormwater permits. Among the provisions in the 2010 memorandum was the use of surrogates for pollutant parameters (such as flow or amount of impervious cover) when establishing total maximum daily load (TMDL) targets. A [2013 court ruling](#) held that the agency could not regulate stormwater "flow" through a TMDL. The 2014 revisions remove the "surrogate" language and recommend regulators establish numeric measures for quantifying the success of best management practices and technological upgrades.

DENTAL AMALGAM. EPA extended the public comment period on its proposed rule to establish technology-based effluent limits for dental amalgam from dental practices to publicly owned treatment works (POTWs) ([79 FR 75772](#)). Comments are due 20 Feb 15. For more information, contact [Damon Highsmith](#) at (202) 566-2504.

NPDES ELECTRONIC REPORTING RULE. EPA extended the public comment period on its proposed reporting rule that requires electronic reporting instead of paper-based reports under the National Pollutant Discharge Elimination System (NPDES) program ([79 FR 71066](#)). The proposed rule is intended to streamline reporting and recordkeeping, allowing

NPDES-authorized programs in states, tribes, and territories to shift resources from data management activities to solving issues. Comments are due 30 Jan 15. For more information, contact [Andrew Hudock](#) at (202) 564-6032.

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.

[EPA TMDL AND NPDES PERMIT TRAINING](#). EPA developed three web-based training modules on topics related to TMDLs and NPDES permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded PowerPoint presentations with slides and scripts. Each recorded session is approximately two hours long.

- Module 1: Understanding TMDLs: A Primer for NPDES Permit Writers
- Module 2: Understanding WLA (wasteload allocation) Implementation in Permits: A Primer for TMDL Developers
- Module 3: Understanding TMDLs with Stormwater Sources and the NPDES Stormwater Permitting Process

[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	http://epa.gov/region6/index.htm
Arkansas Dept of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us/
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://www.nmlegis.gov/lcs/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tceq.state.tx.us/
Texas Legislature	http://www.capitol.state.tx.us/

Region 7 Regulatory & Legislative Internet Sites

USEPA Region 7	http://www.epa.gov/region7/index.htm
Iowa Department of Natural Resources (IDNR)	http://www.iowadnr.com/
Iowa General Assembly	http://www.legis.iowa.gov/index.aspx
Kansas Department of Health and Environment (KDHE)	http://www.kdheks.gov/
Kansas Legislature	http://kslegislature.org/li/
Missouri Department of Natural Resources (MDNR)	http://www.dnr.mo.gov/index.html
Missouri General Assembly	http://www.moga.mo.gov/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://nebraskalegislature.gov

Other Federal Agencies Internet Sites

Department of the Interior, Bureau of Land Management State Offices	
Eastern States AR, LA, MO, IA	http://www.blm.gov/es/st/en.html
NM, KS, OK, TX	http://www.blm.gov/nm/st/en.html
WY, NE	http://www.blm.gov/wy/st/en.html
U.S. Geological Survey Central Region	
All Region 6 and 7 states	http://www.cr.usgs.gov/
DOE Office of Environmental Management	
All states	http://www.em.doe.gov/pages/emhome.aspx
U.S. Fish and Wildlife Service	
Southwest Region NM, TX, OK	http://www.fws.gov/southwest/
Mountain – Prairie Region KS, NE	http://www.fws.gov/mountain-prairie/
Midwest Region IA, MO	http://www.fws.gov/midwest/
Southeast Region AR, LA	http://www.fws.gov/southeast/

Staff Directory

Acting Director/DOD Region 7 REC	816-389-3448
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 here](#).