



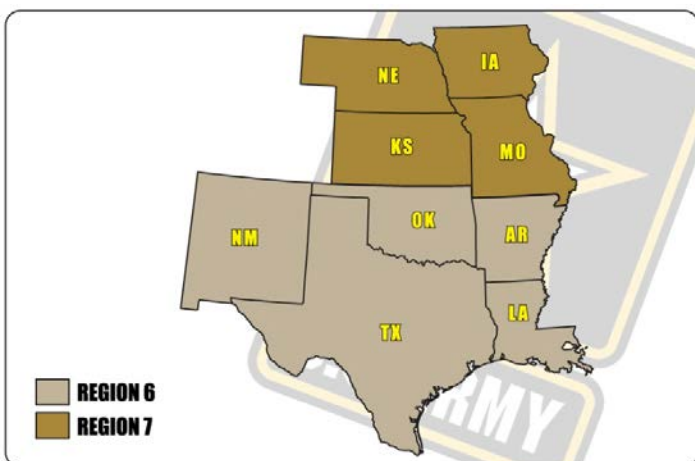
# Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

July 2014

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



## New Award Memorializes DOD Land Conservation Leader

Nancy Natoli's job at the Department of Defense's [Readiness and Environmental Protection Integration Program \(REPI\)](#) was to support "...military sustainability by addressing and removing restrictions to allow commanders the greatest flexibility to ensure our military men and women can test, train, and operate now and into the future." She did that with a passion and commitment that benefited not only America's warfighters, but also those who work daily to protect our Nation's conservation lands and natural resources. The Nancy Natoli Élan Award for Innovation in Land Conservation celebrates Nancy's spirit, achievements, and impact on the land conservation community.

"This annual award recognizes individuals, teams, or organizations, which, in Nancy's spirit, have taken existing, undersized land conservation opportunities and tweaked them for unexpected or outsized results, or identified and implemented new land conservation opportunities," said Peter Stangel, Senior Vice President at the U.S. Endowment for Forestry and Communities (Endowment), one of several of Nancy's colleagues who helped develop the award.

To read more and to submit a nomination, [click here](#).

For more information on [The U.S. Endowment for Forestry & Communities, Inc.](#) contact: [Peter Stangel](#), Senior Vice President, (404) 915-2763. The U.S. Endowment for Forestry and Communities (the Endowment) is a not-for-profit public charity working collaboratively with partners in the public and private sectors to advance systemic, transformative, and sustainable change for the health and vitality of the nation's working forests and forest-reliant communities.

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**Customer's Corner:** Please send any comments, questions, lessons learned, best practices, etc. to [Jim Mayer](mailto:Jim.Mayer@james.a.mayer.ctr@mail.mil) at [james.a.mayer.ctr@mail.mil](mailto:james.a.mayer.ctr@mail.mil).

# 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 10 Feb 14 and adjourned 26 Mar 14 (fiscal session only).**

## PROPOSED RULE

(NEW) [ONSITE WASTEWATER TREATMENT RULES REVISIONS](#) (Code 14-236-101) establish 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. Comments were due 10 Jul 14. POC: [Terry Paul](#).



**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 24 Mar 14 and adjourned 2 Jun 14.**

## LEGISLATIVE SUMMARY OF ITEMS PREVIOUSLY REPORTED

- [HB 168](#), Prohibits outdoor smoking: Signed by the Governor.
- [HB 810](#), Prohibits operating any freshwater diversions: Died upon adjournment.
- [HB 811](#), (HCR 51 Companion), Creates the Comite River Diversion Canal Project Task Force: Died upon adjournment.
- [HB 850](#), Coastal Protection and Restoration Authority hazardous substances: Signed by the Governor.
- [HB 1067](#), Sustainable building standards: Died upon adjournment.
- [HB 1084](#), Creates Air Quality Monitoring Law: Died upon adjournment.
- [HB 1088](#), State leases and remedial investigation of any hazardous substances: Died upon adjournment.
- [HB 1117](#), Creates a groundwater resource classification system: Died upon adjournment.
- [HB 1125](#), Closure of oxidation ponds, lagoons, or surface impoundments: Died upon adjournment.
- [HB 1138](#), Electronic notification of a release of hazardous materials: Died upon adjournment.
- [SB 75](#), Water system minimum disinfectant levels: Signed by the Governor.
- [SB 305](#), Directs Coastal LA Levee Consortium to be an advisory commission: Signed by the Governor.
- [SB 408](#), At-store plastic carryout bag recycling program: Died upon adjournment.
- [SB 421](#), Iron and manganese control for community water systems: Died upon adjournment.

[SB 491](#), Public building secondhand smoke, and smoking: Died upon adjournment.  
[SB 514](#), Prohibits smoking within 200 feet of elementary or secondary school: Signed by the Governor.  
[SB 537](#), Proper notification of release of hazardous materials: Signed by the Governor.  
[SB 614](#), State transfer of surplus electronic devices to a nonprofit entities: Signed by the Governor.  
[SR 159](#), Creates the Lower Pearl River Basin Ecosystem Study: Approved  
[HCR 10](#), Approves annual plan for integrated coastal protection: Approved.  
[HCR 13](#), Approves the 2014-2015 Atchafalaya Basin Annual Plan: Approved.  
[HCR 51](#), Establishes the Comite River Diversion Canal Project Task Force: Approved.

### PROPOSED RULE

(NEW) [GENERAL PERMIT FOR DISCHARGES OF TREATED SANITARY WASTEWATER](#) (LAG560000). LA Department of Environmental Quality (LDEQ) invites comment on a draft General Permit for discharges of treated sanitary wastewater and/or other accepted wastewater types totaling less than 50,000 gallons per day maximum expected flow. Existing dischargers currently covered under the previous Class III Sanitary Discharge General Permit shall automatically be covered under this general permit, provided they continue to meet all applicability requirements. Comments were due 9 Jul 14. POC: [LDEQ](#), (225) 219-3276.

(NEW) [AMBIENT AIR QUALITY STANDARDS](#) (LAC 33:III.711, 918). LDEQ proposes rulemaking to amend Air regulations mirroring federal regulations found in 40 CFR 50.5; 50.11; 50.15; 50.16; 50.17; 50.18 and 78. Rule includes LAC 33:III, Chapter 7, Ambient Air Quality, 711.Table 1, 1a, and 2. Also included is Chapter 9, General Regulations on Control of Emission and Emission Standards, 918.B, Table 6. Revisions update National Ambient Air Quality Standards (NAAQS) for certain criteria pollutants (ozone, particulate matter (2.5), nitrogen oxide, lead and sulfur dioxide) and LA designated sulfur dioxide nonattainment area standards. Hearing scheduled and comments due 29 Jul 14. POC: [Deidra Johnson](#), (225) 219-3168.

(NEW) [WATER QUALITY STANDARDS](#) (LAC 33:IX.4901, 4903). LDEQ proposes rulemaking to amend Water Quality regulations identical to federal regulations found in 40 CFR Part 136 and 40 CFR Chapter I, Subchapter N, parts 401 and 405 - 471, which are applicable in LA. Rule is the annual incorporation by reference update of water regulations and changes reference dates found in 40 CFR Part 136 and 40 CFR Chapter I, Subchapter N, Parts 401, 405-471. LAC 33: IX, Chapter 49 incorporates the following portions of federal regulations into LA water quality regulations: Guidelines Establishing Test Procedures for the Analysis of Pollutants, and Effluent Guidelines and Standards. Hearing scheduled and comments due 29 Jul 14. POC: [Deidra Johnson](#), (225) 219-3168.

(NEW) [STATE IMPLEMENTATION PLAN \(SIP\) FOR REGIONAL HAZE PROGRAM](#). LDEQ proposes a SIP revision to the EPA for the Regional Haze Program as required under the Clean Air Act, Part C, Section 169, and 40 CFR Part 51.308. Regional haze is visibility impairment caused by cumulative air pollutant emissions from numerous sources over a wide geographic area. Hearing scheduled and comments due 29 Jul 14. POC: [Vivian Aucoin](#), (225) 219-3389.

(NEW) [Hydraulic Injection for Termite Control Work](#) (7:XXV.141). Department of Agriculture and Forestry proposes hydraulic injection as an approved method of trench and treat for termite control work. Hydraulic injection is a high pressure unit that may be used in conjunction with an approved termiticide while performing perimeter treatment. This is an alternative method for perimeter treatments for termite control in and will be voluntary. Comments due 25 Jul 14. POC: Kevin Wofford, (225) 925-3763.



**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 21 Jan 14 and adjourned 20 Feb 14.**

**FINAL RULE**

**(EFFECTIVE 1 AUG 14) [LIQUID WASTE REGULATIONS](#)** (20.6.2.7, 20.6.2.3105, 20.6.2.5002, 20.6.2.5101 NMAC). The Water Quality Control Commission adopted amendments removing the current numerical threshold definition of “liquid waste” from Ground Water Regulations in conjunction with a petition to the Environmental Improvement Board to amend 20.7.3 NMAC, Liquid Waste Regulations. That petition would amend definition of “liquid waste” to increase volumetric maximum limit from two thousand gallons per day or less to five thousand gallons per day or less.

**PROPOSED RULE**

(NEW) [NEW MEXICO CLEAN WATER ACT](#) (303(d)/305(b) Integrated List & Report). NM Environment Department (NMED) invites comments on the draft [2014 - 2016 State of NM Clean Water Act \(CWA\)](#) Sections 303(d)/305(b) Integrated Report, including CWA Sections 303(d)/305(b) Integrated List of Assessed Surface Waters (Integrated List) as Appendix A. The Integrated List identifies whether or not a particular state surface water is currently meeting designated uses as detailed in the NM Standards for Interstate and Intrastate Surface Waters (20.6.4 NMAC), through application of the NM Procedures for Assessing Standards Attainment for the Integrated Sections 303(d)/305(b) Water Quality Monitoring and Assessment Report (Assessment Protocols). “Category 5” waters on the Integrated List specifically constitute the CWA Section 303(d) List of Impaired Waters. Comments due 14 Jul 14. POC: [Lynette Guevara](#), (505) 827-2904.



**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 2 Feb 14 and adjourned 31 May 14.**

Nothing significant to report this period.

**LEGISLATIVE SUMMARY OF ITEMS PREVIOUSLY REPORTED**

- [HB 2618](#), Nuisance Wildlife Control Operator Permit: Signed by the Governor.
- [HB 2737](#), Scenic River Areas: Died upon adjournment.
- [HB 2847](#), Creates the Wildlife Management Act of 2014: Died upon adjournment.
- [HB 2856](#), Weed Free Hay Certification Act: Died upon adjournment.
- [HB 2857](#), Feral Swine Control: Died upon adjournment.
- [HB 2981](#), Creates the Energy Efficiency Building Codes Act of 2014: Died upon adjournment.
- [HB 3145](#), Creates the OK Used Tire Recycling Act of 2014: Died upon adjournment.
- [HB 3348](#), Anemometer Towers: Signed by the Governor.
- [SB 1167](#), Declaring Certain (EPA) Rulemaking Authority Unconstitutional: Died upon adjournment.
- [SB 1187](#), Rules Relating to Water Reuse Projects: Signed by the Governor.
- [SB 1198](#), Creates Waterways Branch within OK Department of Transportation: Signed by the Governor.
- [SB 1336](#), Solid Waste Disposal Sites and Vegetation Plans: Signed by the Governor.

[SB 1359](#), Energy Efficient Buildings and Standards Amendments: Died upon adjournment.

[SB 1884](#), Pesticide Law Modification: Signed by the Governor.



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**Legislature not in session in 2014.**

### FINAL RULE

**(EFFECTIVE 12 JUN 14)** [MANAGEMENT OF THE BEACH/DUNE SYSTEM](#) (31 TAC 15.2, 15.3, 15.10 - 15.13). General Land Office (GLO) adopted amendments relating to Management of the Beach/Dune System to add definitions for "all-terrain vehicle," "recreational vehicle" and "recreational off-highway vehicle." See rule language for additional requirements for enforcement authority, Disaster Recovery Orders, et al.

**(EFFECTIVE 26 JUN 14)** [Draining of Water from Vessels Leaving or Approaching Public Fresh Water](#) (31 TAC §57.1001). Parks and Wildlife Department adopted an amendment to §57.1001, concerning Draining of Water from Vessels Leaving or Approaching Public Fresh Water that removes a reference to "a public water body in a county listed in paragraph (3)" in paragraph (1) and replaces it with a reference to reflect the rule as adopted applies to all state public fresh water. Rule requires persons approaching or leaving public fresh water to drain all bilges, live wells, and other similar receptacles and systems holding or capable of holding water, with certain listed exceptions. Rule is intended to slow or prevent spread of zebra mussels (*Dreissena polymorpha*), an invasive exotic species that has become a major nuisance in North America.

### PROPOSED RULE

(NEW) [EXPEDITED PERMITTING PROGRAM FEES](#) (30 TAC §101.600, 101.601, 101.602) provides TX Commission on Environmental Quality authority to accept a surcharge from an applicant to cover expenses incurred by expediting application processing . Comments were due 30 Jun 14. POC: Becky Southard, (512) 239-1638.

(NEW) [DRAFT 2014 REVISION OF THE STATE WATER SUPPLY ENHANCEMENT PLAN](#) is available for public review and comment from the Soil and Water Conservation Board. The Plan serves as State's comprehensive strategy for managing brush in all state areas where brush is contributing to a substantial water conservation problem and serves as programmatic guidance for the TX State Soil and Water Conservation Board's Water Supply Enhancement Program. Comments were due 7 Jul 14. POC: [Aaron Wendt](#).

# 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 14 and adjourned 7 May 14.**

## LEGISLATIVE SUMMARY OF ITEMS PREVIOUSLY REPORTED

[HB 2112](#), Pesticides Application Certification: Died upon adjournment.

[HB 2213](#), Tire seller fees: Died upon adjournment.

[HB 2007](#), Household Hazardous Material: Died upon adjournment.

[HSB 564](#), (Companion: [SSB 3004](#)) Conditional Permits for Electric Power Generating Facilities: Died upon adjournment.

## FINAL RULE

**(EFFECTIVE 16 JUL 14)** [WATER QUALITY CERTIFICATION FOR REISSUED REGIONAL PERMIT 7 AND FOR OTHER NATIONWIDE AND REGIONAL PERMITS](#) (567 IAC 61.2(2)"g") provides water quality certification pursuant to Section 401 of the federal Clean Water Act (33 U.S.C. Section 1341) for U.S. Army Corps of Engineers' 2014 Regional Permit 7 (RP 7). Section 404 of the Clean Water Act (CWA) requires a Corps of Engineers permit for discharge of dredged or fill materials into the nation's waters. Section 401 of the CWA requires the state water quality agency must certify proposed activity will not violate state water quality standards before the Corps can issue a Section 404 permit.

## OTHER

**(NEW)** [AIR MONITORING NETWORK PLAN](#). IA Department of Natural Resources (DNR) invites comment on the [air monitoring network plan](#) which will assist DNR efforts to monitor state air quality and publicize air quality problems. The plan is required by EPA's national ambient air monitoring regulations and contains detailed information on location and purpose of any monitor in IA's air monitoring network producing data for comparison with national ambient air quality standards. Comments were due 30 Jun 14. POC: [Sean Fitzsimmons](#).



**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 14 and adjourned 29 Apr 14.**

### FINAL RULE

**(EFFECTIVE 6 JUN 14)** [OFFICE OF LABORATORY FEES FOR PUBLIC WATER SUPPLY SYSTEM SAMPLES](#) (K.A.R. 28-14-1, 28-14-2). KS Office of Laboratory Services amended K.A.R. 28-14-1 and 28-14-2 regarding fees for Office of Laboratory Services analysis of public water supply system samples to update the laboratory name to the Office of Laboratory Services, clarify denial of services for nonpayment, and revise fees for analytical services.

**(EFFECTIVE 7 JUL 14)** [KANSAS SURFACE WATER QUALITY STANDARDS CLASSIFICATION AND USE DESIGNATION](#) (K.A.R. 28-16-28g): Department of Health and Environment adopted amendments to K.A.R. 28-16-28g on classification and use designation section of the KS Surface Water Quality Standards. Water bodies are evaluated by a designated use attainability analysis (UAA) to determine appropriate use designations. Designated uses of surface waters are listed in the KS Surface Water Register, adopted by reference in K.A.R. 28-16-28g. The register identifies major classified streams, lakes and wetlands and existing or attainable uses. Upon review since the last Register dated 15 Dec 10, 269 stream segments and three lakes are proposed for designated use change. Five new lakes are added with UAAs completed. Three new stream segments are added and two lakes are proposed for deletion.

### OTHER

**(NEW)** [EXECUTIVE ORDER 14-04, DECLARING A DROUGHT WATCH, DROUGHT WARNING OR DROUGHT EMERGENCY](#). The Governor issued an executive order for the purpose of declaring a Drought Watch, Drought Warning, or Drought Emergency for various counties.



**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 8 Jan 14 and adjourned 30 May 14.**

### LEGISLATIVE SUMMARY OF ITEMS PREVIOUSLY REPORTED

[HB 1074](#), Water Permits Require Independent Study: Died upon adjournment.

[HB 1077](#), Burn Ban Orders: Died upon adjournment.

[HB 1078](#), Water Treatment – Cease Fluoridation Notice: Died upon adjournment.

[HB 1716](#), Prohibits Smoking in all Government Buildings: Died upon adjournment.

[HB 2050](#), Vehicle Fleet Cost Efficiency Plan: Died upon adjournment.

[HB 2185](#) Repeals MO Clean Water Law Enforcement Provision: Died upon adjournment.

[HCR 3](#), West Lake Landfill Radioactive Wastes: Died upon adjournment.

[HCR 48](#) Urges Army Corps of Engineers to not Proceed with Jameson Island Project: Died upon adjournment.

[SB 504](#), Proposed Rules Availability – Electronic Format: Became law.

[SB 571](#), Residential Electronic Products Recycling and Reuse Act: Died upon adjournment.

[SB 572](#), Indoor Clean Air Act: Died upon adjournment.

[SB 602](#), Establish the Capital Green Program: Died upon adjournment.

[SB 678](#), Lead Abatement and Renovation Licensing and Training: Died upon adjournment.

[SB 914](#), Unlawful Placement of Sediment: Died upon adjournment.

### FINAL RULE

**(EFFECTIVE 30 JUL 14) ADDITIONAL AIR QUALITY CONTROL MEASURES REQUIRED IF SOURCES ARE CLUSTERED IN A SMALL LAND AREA (10 CSR 10-5.240).** Department of Natural Resources (DNR) [adopted rescission of 10 CSR 10-5.240](#), allowing more restrictive air quality control requirements for areas where the sum of particulate and/or sulfur dioxide emissions from existing and proposed sources exceed specified limits. Rescission deletes an outdated state air rule, given section 643.050 provides the commission authority to promulgate regulations necessary to enforce provisions of the Clean Air Act.

**(EFFECTIVE 30 JUL 14) AMBIENT AIR QUALITY STANDARDS (10 CSR 10-6.010).** DNR [adopted amendments to 10 CSR 10-6.010 \(Ambient Air Quality Standards\)](#), including a compilation of standards for ambient air quality throughout MO. Amendment updates standards for ambient air quality to reflect recent changes in NAAQS for fine particulate matter (PM<sub>2.5</sub>), nitrogen dioxide (NO<sub>2</sub>), and sulfur dioxide (SO<sub>2</sub>); reorganizes standards table for clarity; and updates purpose statement to more accurately reflect the rule.

### PROPOSED RULE

(NEW) [DRAFT TMDLS AND IMPLEMENTATION PLANS FOR WATKINS CREEK, CREVE COEUR CREEK, FISHPOT CREEK AND COLDWATER CREEK ST. LOUIS AREA](#). A Total Maximum Daily Load (TMDL) provides a calculation of the maximum pollutant load a water body can incorporate without causing impairment and propose limits for E. coli bacteria, which are impairing water quality in Watkins Creek, Creve Coeur Creek, Fishpot Creek and Coldwater Creek. Implementation Plans provide guidance for achieving TMDL goals and describe ways watershed stakeholders can reduce bacteria in impaired streams; they also identify potential partnerships and potential sources of funding. Comments due 21 Aug 14.



**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 8 Jan 14 and adjourned 1 Apr 14.**

### PROPOSED RULE

(NEW) [NOXIOUS WEED REGULATIONS](#) (25 NAC Chapter 010). Department of Agriculture proposes revisions to Noxious Weed Regulations. The following weeds are designated as noxious: Canada thistle - *Cirsium arvense* (L.) Scop.; leafy spurge - *Euphorbia esula* L.; musk thistle - *Carduus nutans* L.; plumeless thistle - *Carduus acanthoides* L.; knapweed (spotted and diffuse) - *Centaurea* (*maculosa* Lam. and *diffusa* Lam.); Purple Loosestrife - *Lythrum salicaria* L. and *L.virgatum* (including any cultivars and hybrids) saltcedar - *Tamarix ramosissima* Ledeb; Japanese knotweed (*Fallopia japonica* including all cultivars and hybrids); and giant knotweed (*Fallopia sachalinensis* including all cultivars and hybrids); sericea lespedeza (*Lespedeza cuneate* G. Don) and phragmites australis, subspecies australis. Noxious weed shall mean the plant, seed, or seedlings of such weeds. Hearing scheduled 21 Jul 14. POC: [Patricia Moock](#), (402) 471-2341.



# Department of Defense Activity

**PCBS IMPORT EXEMPTION FOR DLA.** Because EPA received adverse comments, it is withdrawing its 2 Apr 14 direct final rule that would have allowed the Defense Logistics Agency (DLA) to import foreign-manufactured polychlorinated biphenyls (PCBs) from Japan beginning 1 Jul 14 ([79 FR 33867](#)). Accompanying proposed rule was not withdrawn. EPA is holding an informal hearing to receive oral comments on the proposed regulation. Procedures for rulemaking under section 6 of the Toxic Substances Control Act (TSCA) are found at 40 CFR part 750. Specific procedures for manufacturing (import) exemptions are identified in [40 CFR part 750, subpart B](#), and procedures for participation in and conduct of informal hearings are found at 40 CFR 750.18-750.20. EPA POC: [William Noggle](#), (703) 347-8769.

**EPEAT FOR GREEN PROCUREMENT.** DOD, General Services Administration, and National Aeronautics and Space Administration have issued a change to Federal Acquisition Regulations (FAR) to expand federal requirements to procure Electronic Product Environmental Assessment Tool (EPEAT)-registered products beyond personal computer products to cover televisions and imaging equipment (i.e., copiers, digital duplicators, facsimile machines, mailing machines, multifunction devices, printers, and scanners) ([79 FR 35859](#)). Executive Order 13423 required federal agencies satisfy at least 95 percent of requirements for electronic products with EPEAT-registered electronic products unless there was not an EPEAT standard for such product. Interim rule includes three contract clauses, one each for computer products, imaging equipment, and televisions and became effective 24 Jun 14. Comments due 25 Aug 14.

**HEALTH OF HONEY BEES AND OTHER POLLINATORS.** The President released a [memorandum](#) addressing federal efforts to enhance the health of pollinators, including honey bees, native bees, birds, bats, and butterflies ([79 FR 35901](#)). The memorandum establishes a Pollinator Health Task Force, co-chaired by Department of Agriculture and EPA and including other agency heads, including DOD. The task force will develop a National Pollinator Health Strategy, with explicit goals and a Pollinator Research Action Plan. Member agencies will develop and implement plans to enhance pollinator habitat on managed lands and facilities as appropriate. Member agencies will incorporate pollinator health as a component of all future restoration and reclamation projects. Consistent with law and availability of appropriations, DOD will support habitat restoration projects for pollinators and direct military service installations to use, when possible, pollinator-friendly native landscaping and minimize use of pesticides harmful to pollinators through integrated vegetation and pest management practices. US Army Corps of Engineers (USACE) will incorporate conservation practices for pollinator habitat improvement on the 12 million acres of lands and waters at resource development projects across the country, as appropriate. The Council on Environmental Quality and General Services Administration (GSA) will revise respective guidance documents for designed landscapes and public buildings to incorporate, as appropriate, pollinator-friendly practices into site landscape performance requirements to create and maintain high quality habitats for pollinators. Future landscaping projects at all federal facilities will, to the maximum extent appropriate, use plants beneficial to pollinators.

**DOD OFFICE OF ECONOMIC ADJUSTMENT (OEA) STUDIES ADAPT TO CLIMATE CHANGE.** With alarm over the potential impacts of climate change to military infrastructure and host communities growing louder, joint land use studies (JLUS) conducted by DOD's Office of Economic Adjustment (OEA) are now looking at strategies for communities to address sea-level rise and other environmental changes. Joint land use studies have been used in dozens of communities across DOD to help local officials stem urban encroachment and promote compatible development. JLUS will continue to maintain that focus, but now communities can consider adding climate adaptation planning to the analysis.

## Federal Activity

### *AIR*

**NONATTAINMENT CLASSIFICATION, SIP DEADLINES FOR 1997 AND 2006 PM2.5 NAAQS.** In response to a court remand, EPA issued a [final rule](#) affecting 1997 and 2006 Particulate Matter 2.5 (PM2.5) National Ambient Air Quality Standards (NAAQS) nonattainment areas ([79 FR 31565](#)). In 2013, the DC Circuit Court determined EPA should implement PM2.5 standards under different Clean Air Act (CAA) requirements. The new set of requirements, found in subpart 4 of Part D of Title I of the Act, require EPA to classify areas based on severity of the fine particle pollution problem. Rule deadline is 31 Dec 14 for states to submit any remaining attainment-related state implementation plans (SIPS) and nonattainment New

Source Review SIPs. A fact sheet is available [here](#). EPA POC: [Mia South](#), (919) 541-5550.

**CARBON DIOXIDE.** The Supreme Court issued a [decision](#) limiting EPA's authority to regulate carbon dioxide emissions under the Prevention of Significant Deterioration (PSD) program to sources already regulated for other air pollutants. Ruling essentially allows EPA to proceed with planned regulation of large industry sources, as they are generally subject to Title V and PSD based on traditional air pollutants. EPA repeatedly acknowledged applying PSD and Title V permitting requirements to greenhouse gas (GHG) sources at the 250 ton per year (tpy) potential to emit level would be impractical and burdensome. EPA purported to "tailor" programs to accommodate GHGs by providing, among other things, sources would not become newly subject to PSD or Title V permitting on the basis of potential to emit GHGs in amounts less than 100,000 tpy. The court opines the act neither compels nor permits EPA to adopt an interpretation of the act requiring a source to obtain a PSD or Title V permit on the sole basis of potential GHG emissions.

**SO2 NAAQS DATA REQUIREMENTS RULE.** EPA proposes rule directing state and tribal air agencies to provide data to characterize current air quality in areas with large sources of sulfur dioxide (SO2) emissions if such areas do not have sufficient air quality monitoring in place to identify maximum 1-hour SO2 concentrations ([79 FR 27445](#)). Comments due 14 Jul 14. POC: [Rich Damberg](#), (919) 541-1087.

## ***CERCLA***

**STANDARDS AND PRACTICES.** EPA proposes to amend standards and practices for conducting all appropriate inquiries under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to remove reference to ASTM International's E1527-05 standard practice ([79 FR 34480](#)). The 2005 standard practice recently was replaced with updated standard E1527-13 by ASTM International, a widely recognized standards development organization. EPA proposes to amend the All Appropriate Inquiries Rule to remove references to ASTM International's E1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. EPA POC: [Patricia Overmeyer](#), (202) 566-2774.

## ***ENERGY***

**CLEAN POWER PLAN.** Under the CAA and President Obama's Climate Action Plan, EPA proposes to cut carbon pollution from existing power plants, the largest source of US GHG emissions. Supporting technical documents, fact sheets, and a pre-publication version of the proposed rule are available [here](#).

## ***GENERAL***

**SPRING 2014 SEMIANNUAL REGULATORY AGENDA.** EPA published the Spring 2014 semiannual regulatory agenda online (the e-Agenda) providing updates on:

- Regulations and major policies currently under development;
- Reviews of existing regulations and major policies; and
- Rules and major policymakings completed or canceled since the last agenda.

The [current Unified Agenda](#) is available. Additional information of EPA's [Regulatory Information Semiannual Regulatory Agenda](#) and EPA's [Semiannual Regulatory Flexibility Agenda](#) is available. EPA POC: [Caryn Muellerleile](#), (202) 564-2855.

## ***NATURAL RESOURCES***

**EAGLE PERMITS.** US Fish and Wildlife Service (USFWS) will hold five public scoping meetings Jul - Aug 2014 as it considers whether to prepare an environmental assessment (EA) or environmental impact statement (EIS) in conjunction with an evaluation of USFWS eagle management objectives ([79 FR 35564](#)). USFWS is considering modifying current management objectives for eagles, established by 2009 eagle permit regulations and final EA of the regulatory permitting system under the Eagle Act. Different management objectives could be set for bald and golden eagles. Under current management approach, permitted take of bald eagles is capped at five percent estimated annual productivity for bald eagles. Because USFWS lacked data showing golden eagle populations could sustain additional unmitigated mortality when management objectives were established, USFWS set take thresholds at zero for all regional golden eagle populations. USFWS is considering a range of possible alternatives to current management objectives. Comments due by 22 Sep 14. USFWS POC: [Eliza Savage](#), (703) 358-2329.

## TOXICS

**FLAME RETARDANT SUBSTITUTES.** EPA is releasing a final report on alternatives to the flame retardant hexabromocyclododecane (HBCD) and an updated draft report on alternatives to the flame retardant pentabromodiphenyl ether (pentaBDE). Butadiene styrene brominated copolymer is identified as a safer alternative to HBCD used in polystyrene building insulation and is currently in commercial production in the US. Oligomeric phosphonate polyol is identified as a safer alternative to pentaBDE. Alternatives were identified through EPA's Design for the Environment (DfE) [Alternatives Assessment Program](#). Information on the [HBCD final report](#), [foam flame retardant draft update report](#), and EPA's efforts to better understand [risks of flame retardant chemicals](#) is available. EPA POC: [Emma Lavoie](#).

## WATER

**404 PERMITTING.** EPA and USACE announce availability of an interpretive rule to address the permitting exemption provided under section 404(f)(1)(A) of the Clean Water Act (CWA). The exemption is for discharges of dredged or fill material associated with certain agricultural conservation practices based on the Natural Resources Conservation Service (NRCS) conservation practice standards designed and implemented to protect and enhance water quality (79 FR 34526). EPA POC: Damaris Christensen, (202) 564-2442, [Wetlands-HQ@epa.gov](mailto:Wetlands-HQ@epa.gov).

**ALTERNATIVE TEST PROCEDURES FOR THE ANALYSIS OF CONTAMINANTS.** EPA approved alternative testing methods for use in measuring contaminant levels of in drinking water and determining compliance with national primary drinking water regulations ([79 FR 35081](#)). The Safe Drinking Water Act (SDWA) authorizes EPA to approve use of alternative testing methods through publication in the Federal Register. EPA is using this streamlined authority to make 21 additional methods available for analyzing drinking water samples. This expedited approach provides public water systems, laboratories, and primacy agencies with more timely access to new measurement techniques and greater flexibility in selection of analytical methods. EPA POC: [Glynda Smith](#), (513) 569-7652. (Federal Register; 19 Jun 14 [Rules and Regulations], pages 35081-35096).

# 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.

**28 JUL-1 AUG, NEW ORLEANS, LA:** [CONFERENCE ON ECOLOGICAL AND ECOSYSTEM RESTORATION \(CEER\)](#) is a collaborative effort of leaders of the National Conference on Ecosystem Restoration and Society for Ecological Restoration. It will bring together ecological and ecosystem restoration scientists and practitioners to address challenges and share information

about restoration projects, programs, and research from across North America.

**5-7 AUG, WICHITA, KS:** [KANSAS ENVIRONMENTAL CONFERENCE](#) provides updates on environmental issues, new technologies, regulatory information, and pollution prevention.

**19-22 AUG, MINNEAPOLIS, MN:** [NATIONAL CONFERENCE OF STATE LEGISLATURES NATIONAL SUMMIT](#). Each summer, NCSL hosts the largest gathering of legislators and staff in the country that gives attendees the opportunity to talk with Republicans, Democrats and staff, explore issues, get new ideas, hear about innovations and solutions, and learn about emerging issues.

**11-14 NOV, AUSTIN, TX:** [DEFENSE ENERGY SUMMIT](#). Join stakeholders and working groups building the foundation for a new Defense Energy Center of Excellence. Summit's focus will center on this proposed initiative and how to accelerate clean energy and infrastructure solutions for DOD. Agenda topics include: Energy Generation, Microgrid Solutions; Grid Security, Information Management, Energy Storage, Efficiency and Buildings, Fleet and Transportation, Public/Private Project Models, and Utility/Military Partnerships.

### *VARIOUS DATES AND TIMES ONLINE*

**31 JUL 14,** [ENERGY DEVELOPMENT AND THE DEPARTMENT OF DEFENSE: STATE POLICY OPTIONS WEBINAR](#). As states and localities experience a dramatic increase in the number of siting and construction permits for utility-scale renewable energy, and associated electric power transmission projects, the potential for conflict with DoD activities increases. The resulting DoD impacts could be minimized by careful planning, including actions that the states and local communities may wish to support. Renewable energy and electrical transmission projects can interfere with nearby military installations and airspace by obstructing flight paths or creating electromagnetic interference. A number of states have included the DoD in the project planning or review phase with the goal to expedite the permitting process and mitigate potential impacts to DoD operations. Join us on this free webinar discuss best practices from legislators and state and federal executive offices.

**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](#).

### *ANYTIME ONLINE*

[AN INTRODUCTION TO THE REGIONAL ENVIRONMENTAL AND ENERGY OFFICES](#) is 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 the planning and implementation of distributed-scale renewable energy projects smaller than 10 megawatts. The e-learning course outlines a detailed 10-step process from technology screening to project closeout and is hosted on the Whole Building Design Guide (WBDG) learning management system. Explored are online tools and resources available for the selection of cost-effective renewable energy projects on federal sites.

[DOI LEARN](#) houses natural resource courses and training offered by all organizations within Department of Interior, to include National Park System, Fish and Wildlife Service, and Bureau of Land Management.

[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](#) offer a variety of free online seminars on hazardous waste management, hazardous materials management, storm water management, and more.

[FEMP ENERGY MANAGEMENT PROGRAM ONLINE TRAINING](#) trains federal energy managers on the latest energy requirements, best practices, and technologies. Training categories include design, operations, and maintenance; energy efficient products; energy management; financing; fleet; renewable energy; and water efficiency. Search the FEMP

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

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

# Internet Resources

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

USEPA Region 6	<a href="http://epa.gov/region6/index.htm">http://epa.gov/region6/index.htm</a>
Arkansas Dept of Environmental Quality (ADEQ)	<a href="http://www.adeq.state.ar.us">http://www.adeq.state.ar.us</a>
Arkansas General Assembly	<a href="http://www.arkleg.state.ar.us/">http://www.arkleg.state.ar.us/</a>
Louisiana Department of Environmental Quality (LDEQ)	<a href="http://www.deq.state.la.us/">http://www.deq.state.la.us/</a>
Louisiana Legislature	<a href="http://www.legis.state.la.us/">http://www.legis.state.la.us/</a>
New Mexico Environment Department (NMED)	<a href="http://www.nmenv.state.nm.us/">http://www.nmenv.state.nm.us/</a>
New Mexico Legislature	<a href="http://www.nmlegis.gov/lcs/">http://www.nmlegis.gov/lcs/</a>
Oklahoma Department of Environmental Quality (ODEQ)	<a href="http://www.deq.state.ok.us">http://www.deq.state.ok.us</a>
Oklahoma Legislature	<a href="http://www.lsb.state.ok.us/">http://www.lsb.state.ok.us/</a>
Texas Commission on Environmental Quality (TCEQ)	<a href="http://www.tceq.state.tx.us/">http://www.tceq.state.tx.us/</a>
Texas Legislature	<a href="http://www.capitol.state.tx.us/">http://www.capitol.state.tx.us/</a>

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

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

## **Other Federal Agencies Internet Sites**

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

# Staff Directory

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Deputy Director	913-684-4002
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Region 6 REC	913-684-4006
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Regulatory Affairs Specialist	913-684-4003
Air Force AR/LA/OK REC	214-767-4650, ext 4652
Air Force NM/TX REC	214-767-4650, ext 4677
Navy 6 REC	361-961-3776

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## How the Regional Offices Work for You

When used within the framework of ISO 14001, the Central Region Review can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the Review is intended for general guidance, and the reader should refer to the cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

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

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

Want to comment on a rule or bill in the Review?  
Please contact your Regional Environmental Coordinator listed above.

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

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