



Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

June 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.

Army Uses GIS Technology for Renewable Energy Planning

The U.S. [Army Environmental Command](#) (USAEC) provides geospatial services for a variety of operations and organizations throughout the Army, including geospatial analyses and customized mapping support to the [Army's Energy Initiatives Task Force's](#) (EITF) goal of 25 percent of all energy consumed on Army installations to be from renewable energy sources by 2025.

The [Office of the Assistant Secretary of the Army for Installations, Energy and Environment](#) requested USAEC geospatial services support EITF in identifying Army lands that may be available for renewable energy projects. USAEC developed a "clear parcels" methodology that analyzed installation geospatial data nationwide.

The goal of the analysis was to identify areas on installations that were both suitable for renewable energy projects and not excluded due to a variety of mission-related factors. The factors chosen were partially determined by the availability of geospatial data for installations maintained in [Army Mapper](#), the Army's official geospatial database of record, and the relevance of the factor in eliminating sites from consideration.

This large scale geospatial analysis may be the first of its kind to illustrate the utility of Army Mapper in linking Army installations with headquarters requirements for more detailed site analyses. The same kind of large scale analysis can be used in the future for similar projects, reducing costs and saving time while providing reasonably accurate and timely information to decision makers.

(By James Russ and Nicole Sikula (USAEC). [Link to complete article.](#))

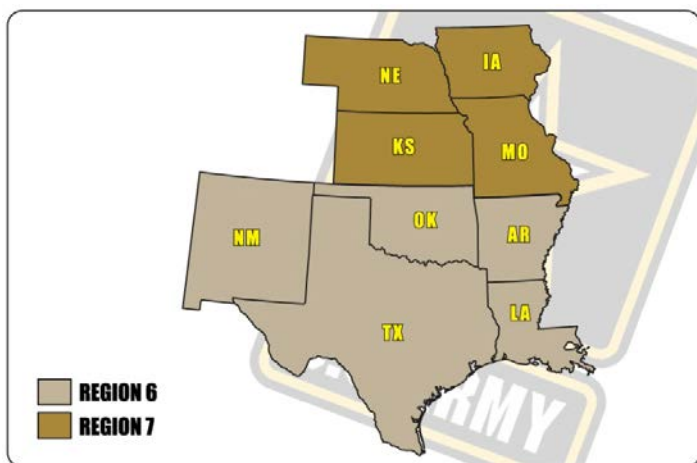


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Customer's Corner: Please send any comments, questions, lessons learned, best practices, etc. to [Jim Mayer](mailto:Jim.Mayer@james.a.mayer.ctr@mail.mil) at james.a.mayer.ctr@mail.mil.



(Photo by USACE SWD)

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) [PUBLIC WATER AUTHORITIES \(TITLE 17\)](#). The AR Natural Resources Commission (ANRC) is revising rules governing public water utilities to include public entities providing sewer services or collecting solid and industrial waste among those entities eligible to convert or transfer to a water authority. Revisions also emphasize an entity providing water or sewer service must obtain separate approval of its service area through ANRC's water plan compliance procedures (Title 6). Hearing scheduled for 11 Jun 14. Comments due 24 Jun 14. POC: ANRC, (501) 682-1611.



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Legislature convened 24 Mar 14 and adjourned 2 Jun 14.

PROPOSED RULE

(NEW) [2014 INTEGRATED REPORT ON WATER QUALITY](#). The LA Department of Environmental Quality (LDEQ) is soliciting comments on the update of Volume 5: Water Quality Inventory. Updates have been made through development of the Water Quality Integrated Report and associated Integrated Report Rationale. The Integrated Report is a two-part report, both conducted every even-numbered year to meet requirements of the Clean Water Act. The first part is an assessment of all waters in the state. The second part identifies, lists, and ranks impaired water bodies requiring a more in-depth technical analysis to determine the maximum loading of a pollutant a water body can receive and how much reduction in loading is needed to maintain water quality standards. Comments due 11 Jun 14. POC: [Al Hindrichs](#).

(NEW) [PERMIT, VOC AND MISC. RULE SIP](#). LDEQ has given notice the Office of Environmental Services, Air Permits Division, Manufacturing Section, will submit to the Environmental Protection Agency (EPA) revisions to the state implementation plan (SIP) affecting rule revisions to LAC 33:III.Air. These revisions include the Title V SIP, Volatile Organic Compounds (VOC) SIP, and General Rule Miscellaneous SIP. Comments due 20 Jun 14. POC: [Sandra Hilton](#).

(NEW) [SURFACE WATER QUALITY REGULATIONS](#) (LAC 33:IX.1105, 1109, 1119) contains revisions to LAC 33:IX.Chapter 11 that corrects outdated and unclear language in Sections 1109 and 1119 of the water Antidegradation Policy. Public hearing scheduled for 25 Jun 14. Comments due 2 Jul 14. POC: [Deidra Johnson](#).



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.

PROPOSED RULE

(NEW) [TRIENNIAL REVIEW OF WATER QUALITY STANDARDS](#) (20.6.4 NMAC). The NM Environment Department (NMED) Surface Water Quality Bureau (SWQB) issued a draft of proposed triennial amendments to Surface Water Quality Standards. Standards must establish designated uses for surface waters across the state, specify water quality criteria to protect those uses, and contain an antidegradation policy. SWQB has considered a number of issues and proposes triennial amendments, including the following:

- Reclassification of certain streams from unclassified to ephemeral;
- Secondary contact recreation uses for certain streams are updated to primary contact recreation uses and criteria based on EPA's most recent recommendations;
- Procedures to adopt temporary water quality criteria;
- Update to pesticide applications already covered under permits.
- Comments due 30 May 14. POC: [Kristine Pintado](#).

(NEW) [LIQUID WASTE DISPOSAL AND TREATMENT](#) (20.7.3 NMAC) amendments would increase the quantity necessary to be covered by the regulation from 2,000 gallons per day or less of liquid waste received by an onsite treatment system, to 5,000 gallons per day or less. Public hearing scheduled for 11 Jul 14. POC: [Brian Schall](#), (505) 222-9513.

(NEW) [PREVENTION OF SIGNIFICANT DETERIORATION - PARTICULATE MATTER](#) (20.2.74 NMAC). NMED is proposing to remove the Particulate Matter (PM) 2.5 Significant Impact Levels (SILs) and revise the PM 2.5 Significant Monitoring Concentrations (SMC). Public hearing scheduled for 11 Jul 14. POC [Gail Cooke](#), (505) 476-4319.



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Legislature convened 2 Feb 14 and adjourned 31 May 14.

PROPOSED RULE

(UPDATED) [TAKING AND USE OF GROUNDWATER](#) (OAC 785:30). The OK Department of Environmental Quality (ODEQ) amended groundwater regulations by adding language governing spacing between new or proposed wells drilled and completed in a sensitive sole source groundwater basin, and springs and streams emanating from such a basin. New requirements are applicable to sensitive sole source groundwater basins or subbasins after the maximum annual yield and equal proportionate share have been determined. Additional time may also be granted for a temporary permit in such a basin or subbasin to continue in effect before a succeeding regular permit becomes effective. This has been submitted to the legislature and Governor for approval. PC: Julie Cunningham, (405) 530-8800.

(NEW) [2010 PRIMARY SULFUR DIOXIDE NAAQS](#) is a certification that OK has adequate resources and authority to implement, maintain, and enforce the 2010 Primary Sulfur Dioxide (SO₂) National Ambient Air Quality Standards (NAAQS). ODEQ prepared the proposed certification to comply with requirements contained in Section 110 of the federal Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans. Comments due 5 Jun 14. POC: [Cheryl Bradley](#).



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Legislature not in session in 2014.

PROPOSED RULE

(NEW) [TRANSPORTATION OF HAZARDOUS MATERIALS](#) (37 TAC 4.1). The Department of Public Safety proposed amendments on Transportation of Hazardous Materials, necessary to harmonize updates in Title 49, Code of Federal Regulations with those laws adopted by TX. Amendments are proposed pursuant to TX Transportation Code, 644.051, which authorizes the director to adopt rules regulating the safe transportation of hazardous materials and the safe operation of commercial motor vehicles; and authorizes the director to adopt all or part of the federal safety regulations, by reference. Comments due 8 Jun 14. POC: Chris Nordloh, (512) 424-2775.

(NEW) [WATER QUALITY MANAGEMENT PLAN](#). The TX Commission on Environmental Quality (TCEQ) requested public comments on the draft update to the state's Water Quality Management Plan (WQMP). The WQMP is developed in accordance with requirements of the Federal Clean Water Act. The draft update includes projected effluent limits of specific domestic dischargers for planning in future permit actions and may contain service area populations for listed wastewater treatment facilities, designated management agency information, and total maximum daily load (TMDL) revisions. Comments due 9 Jun 14. POC: [Nancy Vignali](#), (512) 239-1303.

(NEW) [COMPREHENSIVE WATER MANAGEMENT](#) (Ch. 715). The Edwards Aquifer Authority (EAA) proposed amendments to requirements of the groundwater conservation plan and EAA's water conservation grant program. Amendments would identify the conservation-related best management practices that applicable EAA groundwater permit holders are required to implement through a groundwater conservation plan. Additionally, EAA's groundwater conservation plan landscape watering provisions are amended to require plans to contain provisions prohibiting landscape watering during times of high evapotranspiration rather than prescribing specific timeframes. Hearings scheduled for 28 May, and 3 and 4 Jun 14. Comments due 23 Jun 14. POC: [Terri Herbold](#).

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.

PROPOSED RULE

(NEW) [RESTRICTED USE OF PESTICIDES](#) (21 IAC 45.30). The IA Agriculture and Land Stewardship Department proposed amendments to update the reference list for restricted pesticides and their classification. Comments were due 20 May 14. POC: [Margaret Thomson](#).



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.

LEGISLATIVE SUMMARY OF ITEMS PREVIOUSLY REPORTED

[HB 2118](#) (replaced [SB 281](#)), Repeal the Nongame and Endangered Species Conservation Act: Failed to pass upon sine die adjournment.

[HB 2455](#), Property Tax Exemptions: Approved by Governor.

[HB 2465](#), Renewable Energy Facility: Failed to pass upon sine die adjournment.

[HB 2499](#), Wildlife Management or Conservation: Failed to pass upon sine die adjournment.

[HB 2549](#), Hazardous Waste: Approved by Governor.

[HB 2551](#), PCB Disposal Facilities: Approved by Governor.

[HB 2652](#), Definition of "airport hazard": Failed to pass upon sine die adjournment.

[SB 293](#), Municipal Solid Waste: Failed to pass upon sine die adjournment.

[SB 323](#), Conservation Easements Amendments: Failed to pass upon sine die adjournment.

FINAL LEGISLATION

[HB 2636](#), **KANSAS AUTHORIZES SEPARATE STANDARDS OF PERFORMANCE FOR CARBON DIOXIDE EMISSIONS** allows the Secretary of Health and Environment to establish separate performance standards for carbon dioxide emissions for coal-fired and natural gas electric generating units constructed or received a prevention of significant deterioration permit by 1

Jul 14. Bill allows Secretary to use flexible regulatory mechanisms, including averaging of emissions, emissions trading, or other alternative implementation measures, and to enter into voluntary agreements with utilities that operate fossil-fuel-based electric generating units within Kansas to implement standards.



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.

PROPOSED RULE

(NEW) [NONPOINT SOURCE MANAGEMENT PLAN](#). The Department of Natural Resources (DNR) made a draft copy of MO's Nonpoint Source Management Plan available for public review and comment. This five-year plan serves as the guiding document for nonpoint source water pollution remediation and protection. Public meetings scheduled for 9 Jun 14. Comments due 8 Jul 14. POC: [Greg Anderson](#).

(NEW) [DRAFT TOTAL MAXIMUM DAILY LOADS AND IMPLEMENTATION PLANS FOR FOUR STREAMS IN ST. LOUIS COUNTY](#). DNR invited comment on draft TMDLs and Implementation Plans for four streams in St. Louis County ([Watkins Creek](#), [Creve Coeur Creek](#), [Fishpot Creek](#), [Coldwater Creek](#)). Changes to TMDL documents include data error corrections, removal or clarification of any inaccurate statements, and revisions to the pollutant source assessment. In addition, TMDL implementation activities, including pollutant load reductions, were removed from each TMDL document and incorporated into a separate draft Implementation Plan. Comments due 21 Aug 14. POC: [Water Protection Program](#).



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.

LEGISLATIVE SUMMARY OF ITEMS PREVIOUSLY REPORTED

- [LB 13](#), Radon Risk Mitigation: Died (Indefinitely Postponed (IP)).
- [LB 683](#), Storm Water Management Plan Program Amendment: Approved by Governor.
- [LB 695](#), Radon Monitoring at Child Care Locations: IP.
- [LB 767](#), Operator Training for Underground Storage Tanks: IP.
- [LB 772](#), Aerial Fire Suppression Funding: Approved by Governor.
- [LB 852](#), Asbestos Regulation: IP.
- [LB 896](#), Change provisions of the Erosion and Sediment Control Act: IP.
- [LB 959](#), Water Storage Reservoir Permit: IP.
- [LB 1074](#), Ground Water Management and Protection Act Amendments: Approved by Governor.
- [LR 522](#), MO River M-29 Marine Highway Connector: Resolution Passed.

FINAL LEGISLATION

[LB 402](#), NEBRASKA ENACTS SALES TAX EXEMPTION FOR RENEWABLE ENERGY GENERATION allows more projects to qualify for a wind energy sales tax exemption. Currently, private wind energy projects can qualify for a sales tax exemption on equipment and supplies used in construction if at least 33 percent of project revenue for the first 20 years is directed back to NE residents or companies. Bill defines a qualifying community-based energy development project as a new energy generation project using a wind, solar, biomass, landfill gas or low-emission fuel source that reduces overall generation system carbon emissions . LB 402 amends current statute by: 1) reducing the qualifying percentage threshold from 33 percent to 25 percent; 2) loosening corporate restrictions by allowing corporations domiciled in NE to meet definition of “qualified owner;” and 3) expanding definition of “payments to the local community” to include payments for products manufactured in NE or by NE companies and services provided by NE companies as well as lease and easement payments to property owners.

[LB 719](#), NEBRASKA MODIFIES RULE PROMULGATION PROCESS. Governor Heineman signed into law significant changes to state processes for promulgating state regulations by expanding criteria legislators will consider in reviewing final rules before approval and implementation. New changes now require state agencies to provide the Legislature a report containing a written summary of testimony offered at a public hearing, any specific issues or questions presented at the hearing or in written testimony and written responses from the agency. Legislative review of new rules traditionally focused on three issues - whether a proposed rule: 1) was unconstitutional, 2) exceeded statutory authority, or 3) was inconsistent with legislative intent of the authorizing statute. Amendments added three additional considerations: 1) whether a rule or regulation creates an undue burden; 2) whether circumstances have changed since passage of a law that a rule or regulation implements; or 3) a rule or regulation overlaps, duplicates, or conflicts with other laws, rules, or ordinances. New law also expands this process to existing rules or their repeal and new procedures increase likelihood that regulated community concerns regarding a proposed rule will be considered by elected officials.

[LB 1115](#), NEBRASKA FUNDS TRANSMISSION STUDY appropriates \$200,000 from the General Fund to study existing and future state, regional and national transmission infrastructure and policy. Bill also establishes a working group, including five members of the Legislature, to provide input to the board. Report detailing study results will be provided to the governor by 15 Dec 14.

FINAL RULE

(Effective 28 Apr 14) **[PESTICIDE REGULATIONS](#)** (25 NAC Chapter 2). The Department of Agriculture adopted changes to much of the pesticide regulation including administration, fees, fines and penalties, record keeping, worker protection, and other areas.

(Effective 13 May 14) **[AIR REGULATION](#)** (129 NAC Chapter 001, 004, 015, 018, 020, 028, 034). The Department of Environmental Quality adopted revisions to Title 129 of the NE Administrative Code. Adopted revisions correct the reference to organic compounds exempt from being classified as VOCs in Chapter 1 to include the partial exemption for t-butyl acetate; replace the definition of “solid waste” in Chapter 1 with a reference to the NE Environmental Protection Act to conform with the definition in LB203; update the National Ambient Air Quality Standards (NAAQS) in Chapter 4 to include the revised PM2.5 standard and to update the CFR reference to current version; update Chapter 15 to include language which allows “off permit” changes and update the chapter to more closely match 40 CFR Part 70; update the list of New Source Performance Standards (NSPS) in Chapter 18 and update the CFR reference to current version; update the CFR reference in Chapter 28 and add four omitted National Emission Standards for Hazardous Air Pollutants; and allow for up to 60 days to submit test results and allow for less than 30 days notice for testing in Chapter 34.

Department of Defense Activity

HAZMAT TRANSPORTATION. The Government Accountability Office (GAO) released a report reviewing DOD’s performance, guidance, policies, and procedures regarding hazardous materials (HAZMAT) shipments including transport of arms, ammunitions, and explosives as well as other hazardous-material classes ([GAO-14-375](#)). Findings of the year-long audit included:

- Improper documentation and packaging of HAZMAT led to delays at DOD transportation aerial ports for 27 percent of HAZMAT received at all five major domestic military aerial ports over the past five fiscal years, primarily due to noncompliant documentation and packaging.
- Occasionally, DOD installations did not provide commercial carriers access to secure hold areas for arms, ammunition, and explosives shipments, or assist them in finding alternatives, as required by DOD regulations.
- Problems with scoring of carriers by the Department of Transportation's (DOT) Safety Measurement System used by DOD to determine which carriers are eligible to participate in its Transportation Protective Services program.

GAO recommended that DOD:

- Identify root causes of improper documentation and packaging of HAZMAT throughout the DOD transportation system, identify any needed corrective actions, and develop an action plan;
- Establish a process to identify and implement necessary corrective actions to ensure DOD installations identified by Surface Deployment and Distribution Command's Emergency Response Reports provide secure hold for sensitive shipments or assist them in locating the nearest alternate means to secure those shipments; and
- Determine whether changes should be made to the process used by DOD to decide HAZMAT carrier eligibility and evaluate performance for the Transportation Protective Services program.

GAO POC: [Cary Russell](#), (202) 512-5431.

MDA AND NEPA IMPLEMENTATION. The DOD Missile Defense Agency (MDA) intends to establish National Environmental Policy Act (NEPA) implementing procedures and categorical exclusions (CATEX) specific to MDA projects and actions ([79 FR 26213](#)). As a DOD agency, MDA does not own real property. Because most MDA actions typically occur on host military service installations or other federal agency properties, MDA has historically relied upon the host installation or federal agency's NEPA implementation, including implementing procedures and CATEXs. Under proposed policies, MDA as a tenant will work with the host agency/service to fulfill MDA and host's implementing regulations or procedures and guidance in complying with NEPA and related Executive Orders. Specific requirements of the agency/service making a decision supported by the NEPA analysis and documentation will apply. If multiple agencies use the NEPA analysis and documentation, then the process followed in developing it will comply with the most stringent requirement in respective NEPA implementing procedures and regulations. Comments were due 6 Jun 14. MDA POC: [Eric Sorrells](#), (256) 450-2677.

Federal Activity

AIR

TIER 3 MOTOR VEHICLE EMISSION AND FUEL STANDARDS. EPA finalized the Tier 3 Motor Vehicle Emission and Fuel Standards to establish more stringent vehicle emissions standards and reduce sulfur contents of gasoline beginning in 2017 ([79 FR 23413](#)). These standards are intended to harmonize with CA's Low Emission Vehicle program and create a federal vehicle emissions program that will allow automakers to sell the same vehicles in all 50 states. Standards will reduce tailpipe and evaporative emissions from passenger cars, light-duty trucks, medium-duty passenger vehicles, and some heavy-duty vehicles, resulting in significant reductions in pollutants such as ozone, particulate matter, and air toxics, and help state and local agencies attain and maintain health-based National Ambient Air Quality Standards. Entities potentially affected by this rule include gasoline refiners and importers, ethanol producers, ethanol denaturant producers, butane and pentane producers, gasoline additive manufacturers, transmix processors, terminals and fuel distributors, light-duty vehicle manufacturers, independent commercial importers, alternative fuel converters, and manufacturers and converters of vehicles between 8,500 and 14,000 lbs gross vehicle weight rating. Final rule effective 27 Jun 14. EPA POC: [JoNell Iffland](#), (734) 214-4454.

CROSS-STATE AIR POLLUTION. The Supreme Court [upheld EPA's Cross-State Air Pollution Rule](#), the replacement for the earlier Clean Air Interstate Rulemaking effort. The program encompasses 28 eastern states and requires upwind states to reduce emissions of pollutants to help downwind states come into attainment.

OPACITY MONITORING SYSTEMS. EPA issued a final rule addressing quality assurance/control (QA/QC) procedures for continuous opacity monitoring systems (COMS) used to demonstrate continuous compliance with opacity standards specified in new source performance standards. "Procedure 3" is intended to establish minimum QA/QC requirements to verify and maintain an acceptable level of quality of data produced by COMS. It is presented in general terms to allow

permittees to develop an effective program. Compliance date 12 Nov 14. EPA POC: [Lula Melton](#), (919) 541-2910.

VENTING FOR REFRIGERANT SUBSTITUTES. EPA is exempting certain refrigerant substitutes from the prohibition under Clean Air Act (CAA) Section 608 on venting, release or disposal ([79 FR 29682](#)). Specifically:

- Isobutane (R-600a) and R-441A, as refrigerant substitutes in household refrigerators, freezers, and combination refrigerators and freezers, and
- Propane (R-290), as a refrigerant substitute in retail food refrigerators and freezers (stand-alone units only).

Household refrigerators, freezers and combination refrigerators and freezers are those intended primarily for residential use, although they may be used outside the home. EPA POC: [Sally Hamlin](#), (202) 343-9711.

CLIMATE CHANGE

STATE POLICY UPDATE 2012-2014. The topic of climate change remains contentious in many states, and legislative trends demonstrate states are taking a range of approaches with climate policy. National Conference of State Legislatures' [state policy update](#) lists legislative activity from 2012 through 2014, including trends such as climate action plans, responses to EPA regulations, cap and trade, CCS and adaptation.

CLIMATE-SMART CONSERVATION. The US Army Corps of Engineers (USACE) collaborated with other federal and state agencies and nonprofit organizations on a [guide](#) examining how climate change is affecting the nation's wildlife and habitats. The guide addresses how natural resource managers will need to prepare for and adapt to unprecedented changes and offers practical steps for crafting conservation actions to enhance the resilience of natural ecosystems on which wildlife and people depend. The publication was developed by a workgroup convened by the National Wildlife Federation and included experts from USACE as well as Desert Research Institute, EcoAdapt, EPA, Florida Fish and Wildlife Conservation Commission, Geos Institute, Maryland Department of Natural Resources, National Oceanic and Atmospheric Administration, National Park Service, Wildlife Conservation Society and others.

ENERGY

CONSERVATION STANDARDS. The Department of Energy (DOE) proposed amendments to energy conservation standards for general service fluorescent lamps (GSFLs) and incandescent reflector lamps (IRLs) ([79 FR 24067](#)). Proposed energy standards impact the following GSLs: 4-Foot Medium Bipin, 2-Foot U-Shaped, 8-Foot Slimline, 8-Foot Recessed Double Contact High Output, 4-Foot Miniature Bipin Standard Output, and 4-Foot Miniature Bipin High Output. Proposed standards also impact Standard and Modified Spectrum 40 W--205 W IRLs. Comments due 30 Jun 14. DOE POC: Lucy deButts, (202) 287-1604, General_Service_Fluorescent_Lamps@ee.doe.gov.

STATE AND LOCAL POLICY DATABASE. Sponsored by the American Council for an Energy-Efficient Economy (ACEEE), the database includes comprehensive information on energy efficiency policies currently implemented at the state and local level. Database tracks policy activity across multiple sectors, including state and local governments, utilities, transportation, buildings, combined heat and power, and appliance standards. Users can click on a state or city to learn more about specific policies encouraging energy efficiency. Users can also look at a particular policy type and compare approaches of all states or cities to that topic.

NREL WEBSITE. DOE's, National Renewable Energy Lab (NREL) launched the [Technology Performance Exchange](#) to serve as an information clearinghouse for energy saving and renewable energy products. Website intent is to gather performance data at the model number level, from third party or DOE testing. Site currently covers a limited number of categories including electric lighting, HVAC (boilers, heat pumps, and packaged unit equipment), photovoltaic systems, and heat pump based tank water heaters.

NATURAL RESOURCES

DESTRUCTION OR ADVERSE MODIFICATION. The Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) propose changing the definition of "destruction or adverse modification" of critical habitat ([79 FR 27060](#)). Currently, destruction or adverse modification means a direct or indirect alteration that appreciably diminishes the value of critical habitat for both survival and recovery of a listed species. Such alterations include, but are not limited to, alterations adversely modifying any of those physical or biological features that were the basis for determining habitat to be critical. Under proposed definition, destruction or adverse modification means a direct or indirect alteration that appreciably diminishes the conservation value of critical habitat for listed species. Such alterations may include, but are not limited to, effects that preclude or significantly delay development of physical or biological features supporting life-

history needs of the species for recovery. To determine conservation value of critical habitat, USFWS and NMFS consider several variables including:

- Life-history needs of the species being provided for by critical habitat; and
- Current condition of the critical habitat, which requires consideration of
 - Quantity, and quality, of features and habitat necessary to support life-history needs of the species for recovery; and
 - Ability (or likelihood) for the critical habitat to fulfill its role in species recovery .

USFWS POC: Patrice Ashfield, (703) 358-2171. NMFS POC: Cathryn Tortorici, (301) 427-8405.

CRITICAL HABITAT. USFWS and NMFS proposed changes to regulations at [50 CFR 424](#) to specify procedures for designating and revising critical habitat ([79 FR 27066](#)). Among other changes, proposal would specifically address basis for exclusion of lands controlled by or used by military:

- Sec. 424.12 criteria for designating critical habitat.
 - (h) The Secretary will not designate as critical habitat land or other geographic areas owned or controlled by DOD, or designated for its use, that are subject to an approved integrated natural resources management plan (INRMP) prepared under section 101 of the Sikes Act (16 U.S.C. 670a) if the secretary determines in writing that such plan provides a conservation benefit to the species for which critical habitat is being designated. In determining whether such a benefit is provided, the secretary will consider:
 - (1) The extent of the area and features present;
 - (2) The type and frequency of use of the area by the species;
 - (3) The relevant elements of the INRMP in terms of management objectives, activities covered, and best management practices, and the certainty that the relevant elements will be implemented; and
 - (4) The degree to which the relevant elements of the INRMP will protect the habitat from the types of effects that would be addressed through a destruction-or-adverse-modification analysis.

USFWS POC: Douglas Krofta, (703) 358-2527. NMFS POC: Marta Nammack, (301) 427-8469.

EXCLUSIONS FROM CRITICAL HABITAT DESIGNATION. USFWS and NMFS request comment on a draft policy on exclusions from critical habitat under the Endangered Species Act ([79 FR 27501](#)). Policy considers partnerships and conservation plans, tribal lands, national security and homeland security impacts and military lands, federal lands, and economic impacts in the exclusion process. In determining whether to exclude an area, agencies will consider several factors including:

- Extent of public participation in the development of the conservation plan;
- Degree to which there has been agency review and required determinations;
- Whether NEPA compliance was required (indicating an in-depth review);
- Demonstrated implementation and success of the chosen mechanism;
- Degree to which the plan or agreement provides for conservation of essential physical or biological features for the species;
- A reasonable expectation that strategies and actions contained in the management plan or agreement will be implemented; and
- Whether the plan or agreement contains a monitoring program and adaptive management.

No specific changes are contemplated with respect to exclusion of military lands from critical habitat designation, however agencies reiterated such exclusion is not automatic, and DOD or the Department of Homeland Security must provide a specific justification for exclusion. Such justification could include demonstration of probable impacts. USFWS POC: Douglas Krofta, (703) 358-2527. NMFS POC: Marta Nammack, (301) 427-8469.

SUSTAINABILITY

[ENVIROATLAS](#). This web-based interactive tool integrates over 300 separate data layers to help decision makers understand implications of planning and policy decisions on ecosystems and communities. EnviroAtlas is designed for people from all levels of government, professionals, researchers, educators, non-governmental organizations, and anyone interested in considering the benefits or impacts of a decision. It uses seven broad benefit categories to organize information and data on ecosystem services: Clean Air, Clean and Plentiful Water, Natural Hazard Mitigation, Climate Stabilization, Recreation, Culture and Aesthetics, Food, Fuel and Materials, and Biodiversity Conservation.

WATER

NPDES INVENTORY SEARCH TOOL. EPA upgraded its National Pollutant Discharge Elimination System (NPDES) General Permit Inventory [search tool](#) by adding stormwater general permits. Tool allows users to search for NPDES general permits by permit number, permit name, state, EPA Region, date issued, date expired, or permit category. Search results display basic permit information and a link to electronic permit documents when available. Dataset currently contains over 700 general permits. EPA POC: [Jackie Clark](#).

NATIONAL RECOMMENDED WATER QUALITY CRITERIA. EPA requests comment on draft updated national recommended water quality criteria for 94 chemical pollutants for protection of human health ([79 FR 27303](#)). Revision of these criteria represents a systematic update of EPA's national recommended 304(a) criteria. A [table](#) of current values and recommended updates is available. A fact sheet and a summary of updated input parameters (e.g., cancer slope factor, reference dose, and bioaccumulation factors) used to derive updated criteria were prepared to assist reviewers. EPA also developed chemical-specific support documents for each of 94 chemical pollutants. Documents are available in docket EPA-HQ-OW-2014- 0135 and on EPA's [website](#). Comments due 14 Jul 14. EPA POC: [Heidi Bethel](#), (202) 566- 2054.

FRESHWATER SUPPLIES. GAO released a [report](#) reviewing availability of freshwater nationally (GAO-14-430). According to state water managers, experts, and literature GAO reviewed, freshwater shortages are expected to continue into the future. Forty of 50 state water managers expect shortages in some portion of their states under average conditions in the next 10 years. GAO made no specific recommendations. GAO POC: [Anne-Marie Fennell](#), (202) 512-3841.

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.

[WORKING ALONG THE UNITED STATES - MEXICO BORDER](#) is a DVD created by the Department of Interior as a resource to share with employees, volunteers, contractors and visitors in the borderlands area and elsewhere and can be ordered via the above link or can be found on YouTube ([Part One](#), [Part Two](#), [Part Three](#)). The third module is specifically designed for wildland firefighters.

12 JUN, ONLINE: FEDERAL [GUIDING PRINCIPLES CHECKLIST IN ENERGY STAR® PORTFOLIO MANAGER](#). This webcast will teach federal energy and sustainability professionals how to use the ENERGY STAR measurement and tracking tool "Portfolio Manager" to help ensure compliance with Guiding Principles for High Performance Sustainable Buildings

required by Executive Orders 13423 and 13514. Focus is on Guiding Principles for Sustainable Existing Buildings.

30 JUN, ONLINE: [OVERVIEW OF THE SITE ASSESSMENT PROCESS UNDER CERCLA](#). The first in the Preliminary Assessment and Site Inspection Webinar Series (PA/SI), this introductory module will provide an overview of key provisions of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and response process established by the National Oil and Hazardous Substances Pollution Contingency Plan. It will provide an overview of purpose, scope, and requirements for performing a remedial PA and remedial SI at sites regulated by CERCLA. Course is open to EPA, federal, state, tribal, and contractor personnel who support site investigation programs.

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

19-22 AUG, MINNEAPOLIS, MN: [NATIONAL CONFERENCE OF STATE LEGISLATURES NATIONAL SUMMIT](#) is the largest gathering of legislators and staff in the country, giving 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](#) focuses 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.

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 [US Army Environmental Command \(AEC\) website](#).

AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, [QUALIFIED RECYCLING PROGRAM MANAGEMENT](#)
The course purpose is to understand DOD requirements for operating a Qualified Recycling Program (QRP) and emphasizes principles and techniques to assist students in implementing a sound QRP. Course 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 your DRMO, establishing contracts, recording transactions, DOD recordkeeping, and estimating future budgets.

ANYTIME ONLINE

[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 outlines a detailed 10-step process from technology screening to project closeout and explores online tools and resources available for selection of cost-effective renewable energy projects on federal sites.

[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, stormwater management, and more.

[USEPA WATERSHED ACADEMY WEBCAST SERIES](#) are free webcast seminars for local watershed organizations, municipal leaders, and others. To access a webcast, simultaneously log on to the web and/or participate by phone conference lines in live training conducted by expert instructors. Archived training sessions are also available by streaming audio.

Web-based [NPDES TRAINING](#) for permit writers is a series of web-based recordings of presentations, appropriate for those who have attended the live course and wish to review the material in a self-paced environment, and for those who wish to become familiar with the NPDES process. A certificate of completion is available for each module in the series.

[NATIONAL CONFERENCE OF STATE LEGISLATURES \(NCSL\) E-LEARNING](#) features experts on public policy issues and provides professional development opportunities for its 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.

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://nebraska.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/

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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

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>