



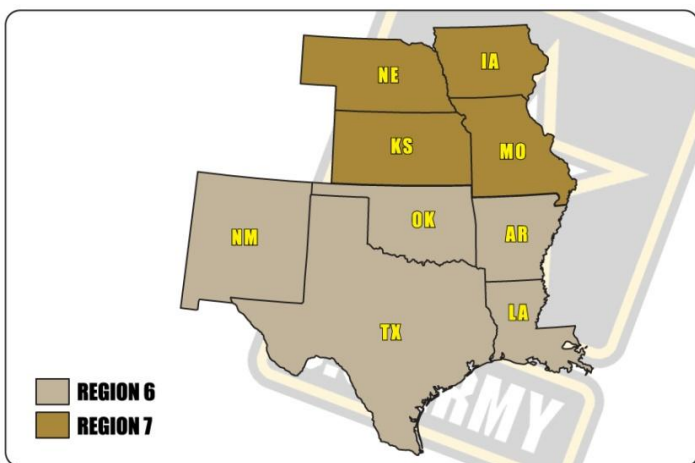
# Central Review of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

May 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.



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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).

### DOD 2014 Environmental Award Winners

Each year DOD honors individuals, teams and installations for outstanding achievements in environmental performance. Winners for 2014:

**Fort Hood, TX** (*Environmental Quality, Non-Industrial Installation*), led the way in environmental quality innovation and proactive community interaction, partnerships and training.

**National Guard, MN** (*Environmental Quality, Individual/Team*), employed cross-functional expertise in resource protection and conservation.

**Fort Wainwright, AK** (*Cultural Resources Management, Installation*), successfully ensured its lands remain available and preserve cultural history.

**Marine Corps Base, HI** (*Natural Resources Conservation, Small Installation*), demonstrated the innovative use of limited funding.

**Eglin Air Force Base, FL** (*Natural Resources Conservation, Individual/Team*), offered long-range solutions ensuring regulatory compliance while maximizing use of land and water resources to maintain the mission.

**Naval Weapons Station Seal Beach, CA** (*Sustainability, Industrial Installation*), exceeded goals in energy reduction, water conservation, recycling, eliminating hazardous waste, and low-impact development projects.

**Marine Corps Base Camp Lejeune, NC** (*Environmental Restoration, Installation*), demonstrated cost-effective sustainable efforts to protect human health and the environment in clean-up activities.

**Naval Air Station Cecil Field, FL** (*Environmental Restoration, Individual/Team*), initiated quick, innovative and timely responses to environmental restoration efforts.

**Wright-Patterson Air Force Base, OH** (*Weapon System Acquisition*), increased efficiencies in aircraft development, project prioritization, and resource access.

(By American Forces Press Service. [Link to complete article.](#))

# 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).**

## **FINAL RULE**

(EFFECTIVE 13 APR 14) [STATE ADMINISTRATION OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM \(NPDES\)](#) (REGULATION NO. 6). Significant changes include addition of a definition for "average flow"; a section dealing with financial assurance requirements for NPDES permits, including language exempting commercial non-municipal wastewater treatment systems that do not provide residential service from the financial assurance provisions; language involving permit renewals relating to previous compliance records and financial solvency of permit holders; language requiring the AR Department of Environmental Quality (ADEQ) to certify whether the proposed receiving stream is an existing or potential public drinking water supply source; minimum effluent limits; and any pending permit or order not in compliance upon its effective date will be stayed or waived.

## **PROPOSED RULE**

(NEW) [CAR AND TRUCK WASH GENERAL PERMIT RENEWAL](#). DEQ is seeking comments on the draft renewal of the general permit for facilities discharging wash-water under the NPDES and the AR Water and Air Pollution Control Act. Dischargers requesting coverage will be authorized to discharge to all allowable waters, as set forth in the [General Permit](#). All receiving waters are a Water of the State classified for raw water source for public, industrial, and agricultural water supplies, propagation of desirable species of fish and other aquatic life, and other compatible uses. Public hearing and written comments due 13 May 14. POC: [Katherine Benenati](#), (501) 682-0821.



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**Legislature convenes 24 Mar 14 and adjourns 5 Jun 14.**

## **PROPOSED LEGISLATION**

(NEW) [HB 1084](#) creates the Air Quality Monitoring Commission and Air Quality Monitoring Law, requiring certain facilities to monitor air quality and report data to specific agencies. Bill also outlines assistance from first responders and enforcement procedures. Sponsor: Representative Jared C. Brossett (D).

(NEW) [HB 1088](#) requires that prior to vacating any facility located on public land owned or leased from the state or any governmental entity, or prior to donation of any land to the state or such entity, the lessee or prospective donor shall conduct a remedial investigation to determine presence of any hazardous substances. Follow-up procedures and enforcement are also outlined. Sponsor: Representative Robert E. Billiot (D).

(NEW) [HB 1117](#) creates a groundwater resource classification system for LA Department of Environmental Quality (LDEQ) to use in developing minimum remediation standards. The classification system is based on use and yield of the aquifer, the quality of groundwater in terms of concentrations of total dissolved solids, and the aquifer's location relative to other aquifers of differing classification. Sponsor: Representative Robert A. Johnson (D).

(NEW) [HB 1125](#) provides for adoption and promulgation of regulations providing for closure of oxidation ponds, lagoons, or surface impoundments. Regulators shall have the option to close oxidation ponds, lagoons, or surface impoundments in place by allowing treatment of sewage sludge on site and allowing treated sewage sludge to remain on site under cover. Sponsor: Representative Richard T. Burford (R).

(NEW) [HCR 51](#) establishes the Comite River Diversion Canal Project Task Force to study and make recommendations to the legislature on actions necessary to complete construction of the project. Provides the committee submit a final report to the House of Representatives by 15 Jan 15. Sponsor: Representative Valarie Hodges (R).

(NEW) [SB 614](#) allows, prior to sale of surplus electronic devices, the state or any board, commission, department or agency of the state or any political subdivision of the state to transfer surplus electronic devices to a nonprofit entity certified by R-2 Solutions or the e-Stewards Initiative. Sponsor: Senator Eric LaFleur (D).

(NEW) [HB 1138](#) requires notification of a release of hazardous materials be made by electronic means as outlined in the bill. Sponsor: Representative Bryan Adams (R).

## **FINAL RULE**

(EFFECTIVE 20 APR 14) [RULE REVISION FOR STATIONARY INTERNAL COMBUSTION ENGINES](#) (LAC 33:III.311) will expand the existing Regulatory Permit for Emergency Engines to address non-emergency stationary internal combustion engines, and allows the LDEQ to develop regulatory permits for these engines.

## **PROPOSED RULE**

(NEW) [ANNUAL INCORPORATION BY REFERENCE OF CERTAIN FEDERAL AIR QUALITY REGULATIONS](#) (LAC 33:III.506, 507, 2160, 3003, 5116, 5311, 5901). Rulemaking necessary to maintain delegation authority granted to LA by the Environmental Protection Agency (EPA). Basis and rationale are to mirror federal regulations as they apply to LA's affected sources. Hearing scheduled and comments due 29 May 14. POC: [Deidra Johnson](#), (225) 219-3985.

(NEW) [CONDITIONAL EXCLUSIONS FOR SOLVENT CONTAMINATED WIPES](#) (LAC 33:V.105.D, 109). Rule adopts revised federal exclusions for certain solvent contaminated wipes generated in LA. LA's hazardous waste program operates under a federal grant from EPA and must maintain state hazardous waste regulations so they are equivalent to, or more stringent than, corresponding federal regulations. Hearing scheduled and comments due 29 May 14. POC: [Deidra Johnson](#), (225) 219-3985.

(NEW) [RADIATION PROTECTION REGULATIONS](#) (LAC 33:XV.102, 304, 322, 328, 410, 417, 431, 499, 573 and 763). Rule updates state regulations to be compatible with changes in federal regulations and addresses 23 comments from the Nuclear Regulatory Commission (NRC) on eight different amendments to state regulations. Changes will meet NRC requirements for LA to remain an NRC Agreement State. Hearing scheduled and comments due 29 May 14. POC: [Deidra Johnson](#), (225) 219-3985.

(NEW) [STATE IMPLEMENTATION PLAN \(SIP\) FOR REGIONAL HAZE](#). DEQ announced it will submit a proposed revision to the SIP for the Regional Haze Program to EPA as required under the Clean Air Act. Regional haze is visibility impairment caused by cumulative air pollutant emissions from numerous sources over a wide geographic area. Hearing scheduled and comments due 22 May 14. POC: [Vivian Aucoin](#), (225) 219-3389.

(NEW) [LA POLLUTANT DISCHARGE ELIMINATION SYSTEM \(LPDES\) GENERAL PERMIT](#). DEQ is soliciting comments on a draft LPDES General Permit for discharges of treated sanitary wastewater and/or other accepted wastewater types totaling less than 100,000 gallons per day maximum expected flow into surface waters of the state. Facilities covered include, but are not limited to, residential subdivisions, trailer parks, on-site residential laundry facilities, coin operated laundromats, restaurants, schools, shopping centers, office buildings, and publicly owned treatment works. Public hearing requests and comments due 21 May 14. POC: Rachel Davis, (225) 219-3515.



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

**PROPOSED RULE**

(NEW) [AMENDMENTS TO WATER QUALITY REGULATIONS, DEFINITION OF LIQUID WASTE](#) (20.6.2.7, 20.6.2.3105, 20.6.2.5002, 20.6.2.5101 NMAC). Water Quality Control Commission proposes to remove current numerical threshold definition of "liquid waste" from Ground Water Regulations and amend Liquid Waste Regulations. Proposal amends definition of "liquid waste" to increase the volumetric maximum limit from 2,000 gallons per day or less, to 5,000 gallons per day or less. Hearing scheduled 13 May 14. POC: Pam Castaneda, (505) 827-2425.

(NEW) [STATE IMPLEMENTATION PLAN \(SIP\) - TRANSPORTATION PLANS, PROGRAMS AND PROJECTS](#) (20.2.99 NMAC). Environmental Improvement Board proposes replacing 20.2.99 NMAC in response to amendments issued by EPA to 40 CFR Part 93, Subpart A - Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects. Information meeting is 16 May 14 and public hearing is 11 Jul 14. POC: [Cindy Hollenberg](#), (505) 476-4356.

(NEW) [TRIENNIAL REVIEW OF WATER QUALITY STANDARDS](#). Surface Water Quality Bureau issued a draft of [proposed triennial amendments](#) to NM's Surface Water Quality Standards. Review is conducted periodically as required by the Clean Water Act and state's water quality standards (20.6.4 NMAC). Comments due 30 Apr 14. POC: [Kristine Pintado](#).



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**Legislature convened 2 Feb 14 and adjourns 31 May 14.**

**PROPOSED RULE**

(NEW) [SIP CERTIFICATION - PRIMARY AND SECONDARY OZONE](#) (OAC 252:100-2-3, 252:100-17-2, 252:100-17-60 to 252:100-17-76). OK DEQ is requesting comments on proposed certification that OK has adequate resources and authority to implement, maintain, and enforce 2008 Primary and Secondary Ozone National Ambient Air Quality Standards (NAAQS). Public hearing requests and comments due 30 Apr 14. POC: [Cheryl Bradley](#), (405) 702-4100.



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**Legislature not in session in 2014.**

### **FINAL RULE**

(EFFECTIVE 17 Apr 14) **STATE IMPLEMENTATION PLAN (SIP) REVISIONS**. TX Commission on Environmental Quality (TCEQ) adopted amendments to SIPs, which include TCEQ authority to regulate certain emissions of greenhouse gasses (GHGs) ([30 TAC 116.12, 116.111, 116.160, 116.610, 116.611, 116.164, 116.169](#)); ([30 TAC §§122.10, 122.122, 122.130](#)); ([30 TAC 101.1, 101.10, 101.27, 101.201](#)); ([30 TAC 106.2, 106.4](#)); ([30 TAC 39.411, 39.412, 39.419, 39.420](#)).

(EFFECTIVE 1 May 14) **DIESEL EMISSIONS REDUCTION INCENTIVE PROGRAM** (30 TAC 114.622, 114.629). Rulemaking amends existing rules implementing the Diesel Emissions Reduction Incentive (DERI) Program established under Texas Health and Safety Code (THSC), Chapter 386, Subchapter C. DERI Program provides financial incentives for reducing emissions of on-road heavy-duty motor vehicles and non-road equipment.

(EFFECTIVE 17 APR 14) **TX CLEAN SCHOOL BUS PROGRAM (TCSB) - SIP REVISIONS** (30 TAC 114.640, 114.642, 114.644, 114.646, 114.648). TCSB funds efforts by school districts and other local or regional planning entities or nonprofit organizations to improve health of children by reducing emissions of diesel exhaust from school buses. Under adopted sections, eligible applicants can apply for grants for use of emission reducing catalysts, particulate filters, qualifying fuels, and other emission reducing add-on equipment or technology the commission finds will reduce emissions.

(EFFECTIVE 1 May 14) **TX CLEAN FLEET PROGRAM (TCFP)** (30 TAC 114.650, 114.653, 114.656) is one of several incentive programs under the [TX Emissions Reduction Plan \(TERP\)](#) to create monetary incentives to improve air quality. Projects eligible for funding under TERP are intended to reduce nitrogen oxide (NOX) emissions and other pollutants of concern. TCFP is designed to encourage owners of eligible vehicle fleets to replace diesel vehicles with alternative fuel or hybrid vehicles.

### **PROPOSED RULE**

(NEW) **STAGE I TESTING REQUIREMENTS RULE REVISION** (30 TAC 115.10, 115.221, 115.222, 115.224 - 115.227, 115.229) implements requirements for Stage I vapor recovery testing. It specifies Stage I testing requirements for gasoline dispensing facilities located in the 12 ozone nonattainment and four ozone maintenance counties affected by the decommissioning of the Stage II vapor recovery equipment, and in the 95 counties subject to the state Stage I rule but not Stage II requirements. Hearing scheduled 6 May 14, comments due 12 May 14.

(NEW) **LOW RVP GASOLINE PROGRAM RULE REVISION** (30 TAC 114.301, 114.306, 114.307, 114.309, 114.304) proposes revisions to control air pollution from volatile organic compounds, and corresponding revisions to the SIP. Rule would remove the prohibition on increased use of methyl-tertiary-butyl-ether (MTBE) in gasoline to conform to low Reid vapor pressure (RVP) gasoline requirements, remove registration requirements for gasoline producers and importers supplying low RVP gasoline to affected counties, and remove annual reporting and certification requirements on use of MTBE in low RVP gasoline. Comments due 12 May 14.

(NEW) **SLUDGE USE, DISPOSAL, AND TRANSPORTATION** (30 TAC 312.4, 312.8, 312.10 - 312.13, 312.41, 312.42, 312.44, 312.45, 312.47, 312.50, 312.65, 312.81 - 312.83) (See p.2779) addresses nuisance odors and unauthorized discharges of bulk sewage sludge by establishing new "core requirements" applicable to all classes of sewage sludge, establishing a new classification structure with corresponding requirements based upon treatment processes, and clarifying executive director's authority to include additional requirements as needed. Comments due 12 May 14.

# 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.**

**Nothing significant to report.**



**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 18 Apr 14) [WATER RIGHTS CONSERVATION PROGRAM](#) (K.A.R. 5-7-1, 5-7-4, 5-7-4b) establishes circumstances considered due and sufficient cause for non-use of a water right, and establishes rules regarding the Water Rights Conservation Program (WRCP).



**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 adjourns 30 May 14.**

## **FINAL RULE**

(Effective 1 Jan 15) [CLEAN WATER FEES STRUCTURE](#) (10 CSR 20-6.011) establishes the clean water fee structure for operating permits, including but not limited to site-specific permits, general permits, or permits by rule.

## **PROPOSED RULE**

(NEW) [ENDANGERED SPECIES](#) (3 CSR 10-4.111) adds grotto sculpin to the list of species considered to be threatened with extinction in MO. Grotto sculpin occurs only in certain caves in tributaries of the Bois Brule River drainage in Perry County, in southeast MO. Comments due 15 May 14.

(NEW) [AIR POLLUTION CONTROL - SIP](#) (10 CSR 10-6.040) allows use of the latest equivalency methods for monitoring lead; nitrogen dioxide (NO<sub>2</sub>); particulate matter less than 2.5 microns (PM<sub>2.5</sub>); particulate matter less than 10 microns (PM<sub>10</sub>); particulate matter between 10 and 2.5 microns (PM<sub>10-2.5</sub>); and lead in total suspended particulate matter. Hearing scheduled 29 May 14, comments due 5 Jun 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.**

**Nothing significant to report.**

# **Department of Defense Activity**

**ONLINE SUSTAINABLE PRODUCTS CENTER.** DoD launched an online [Sustainable Products Center](#) (SPC) to integrate information on sustainable products, including demonstration results, success stories, technical data, lessons learned, and data on new sustainable alternatives. DoD personnel may submit questions regarding sustainable procurement and share success stories. The SPC Team will conduct outreach activities to include site visits to various military installations to collect information on areas of need for sustainable alternatives.

**COMPREHENSIVE ENERGY POLICY.** Acting Deputy Secretary of Defense Christine Fox signed [DoD Directive 4180.01](#), "DoD Energy Policy" establishing DoD policy to "enhance military capability, improve energy security, and mitigate costs in its use and management of energy." As DoD's first overarching energy policy in over 20 years, directive provides a common energy framework and will be used as guidance for a full range of defense energy activities, including operational energy, facilities energy, and energy-related elements of mission assurance.

# Federal Activity

## ***AIR***

**VOLATILE ORGANIC COMPOUNDS.** EPA is taking direct final action to revise the regulatory definition of volatile organic compounds (VOCs) under the Clean Air Act (CAA) ([79 FR 17037](#)). Action adds 2-amino-2-methyl-1-propanol (also known as AMP, CAS number 124-68-5) to list of compounds excluded from regulatory definition of VOCs because compound makes a negligible contribution to tropospheric ozone formation. EPA POC: [Souad Benromdhane](#), (919) 541-4359.

**METHANE EMISSIONS.** The White House released a [Strategy to Reduce Methane Emissions](#) summarizing sources of methane emissions, commits to new steps to cut emissions of potent GHG, and outlines Administration efforts to improve methane measurement. Methane represents nearly nine percent of all US greenhouse gas (GHG) emissions. Key steps include:

- Landfills: EPA will propose updated standards in summer of 2014 to reduce methane from new landfills and take public comment on whether to update standards for existing landfills.
- Coal Mines: Bureau of Land Management (BLM) was to release an Advanced Notice of Proposed Rulemaking in Apr 14 addressing development of a program for capture and sale, or disposal of waste mine methane on lands leased by the federal government.
- Oil and Gas Sector: Administration will take new actions to encourage additional cost-effective reductions.
- Later in 2014, BLM will propose updated standards to reduce venting and flaring from oil and gas production on public lands.
- As part of the Quadrennial Energy Review, and through DOE-convened roundtables, Administration will identify "downstream" methane reduction opportunities (e.g., leaks). Through EPA's Natural Gas STAR program, EPA will work with the industry to expand voluntary efforts to reduce methane emissions.

## ***CLIMATE CHANGE***

**STATE OF THE CLIMATE REPORT.** National Oceanic and Atmospheric Administration's National Climatic Data Center released [State of the Climate report for 2013](#), a collection of monthly summaries recapping climate-related occurrences on both a global and national scale. [Ongoing monthly State of Climate summaries](#) are available.

**INVENTORY OF GREENHOUSE GAS EMISSIONS AND SINKS.** EPA released [Inventory of U.S. Greenhouse Gas Emissions and Sinks](#), its 19th annual national-level overview of overall US GHG emissions, showing a 3.4 percent decrease in 2012 from 2011. Major contributors were the decrease in energy consumption across all sectors in the US economy, and the decrease in carbon intensity for electricity generation due to fuel switching from coal to natural gas. Other factors included a decrease in transportation sector emissions attributed to an increase in fuel efficiency across different transportation modes and limited new demand for passenger transportation. In addition to tracking US GHG emissions, inventory also calculates carbon dioxide emissions removed from the atmosphere through the uptake of carbon in forests, vegetation, soils, and other natural processes (called carbon "sinks").

## ***ENERGY***

**COMMERCIAL REFRIGERATION EQUIPMENT.** Department of Energy (DOE) adopted more stringent [energy conservation standards](#) for 49 classes of commercial refrigeration equipment ([79 FR 17725](#)). Amended standards will result in significant conservation of energy, are technologically feasible, and economically justified. Effective date of rule is 27 May 14. Compliance with the standards established for commercial refrigeration equipment in the final rule is required by 27 Mar 17. DOE POC: John Cymbalsky, (202) 287-1692, [commercial\\_refrigeration\\_equipment@EE.Doe.Gov](mailto:commercial_refrigeration_equipment@EE.Doe.Gov).

**WEST-WIDE ENERGY CORRIDOR.** Departments of the Interior, Agriculture, and Energy are seeking information for the West-Wide Energy Corridor Review ([79 FR 17567](#)). By congressional mandate, federal agencies are to designate corridors for oil, gas, and hydrogen pipelines, and electrical transmission and distribution facilities on federal lands in 11 contiguous western states (Section 368 Corridors). Agencies were directed to perform environmental reviews required to complete designation of Section 368 Corridors, incorporate Section 368 Corridors into land use plans, and establish a process for identifying new Section 368 Corridors. Agencies seek information on corridor designations:



- New as a result of geographic information system mapping;
- Additional factors that should come into play for regulation, siting and permitting of energy or transmission projects; and
- Whether the focus of energy corridors should be broadened. Initially, corridors were envisioned to accommodate 100 kV and larger transmission projects, and oil, gas and hydrogen pipelines 10 inches or more in diameter.

Five provisions were established to ensure future Section 368 Corridor changes consider the following principles:

- Location of Section 368 Corridors in favorable landscapes;
- Facilitation of renewable energy projects where feasible;
- Avoidance of environmentally sensitive areas to the maximum extent practicable;
- Diminution of the proliferation of dispersed rights-of-way crossing the landscape; and
- Improvement of long-term benefits of reliable and safe transmission.

[Information](#) referenced in this request is available. Comments due 27 May 14. BLM POC: [Stephen Fusilier](#), (202) 912-7426.

## **GENERAL**

**EPA's [2014 to 2018 Strategic Plan](#)**, provides a blueprint for advancing its mission to protect public health and environment across the country and envisions a new era of partnerships with state and local governments, tribes, federal agencies, businesses, and industry leaders to achieve environmental benefits in a pragmatic, collaborative way.

**FACILITIES MANAGEMENT INSTITUTE.** In Dec 13, General Services Administration (GSA) launched a "Facilities Management Institute" [website](#) to help federal agencies implement the [Federal Buildings Personnel Training Act of 2010](#) (FBPTA). Website provides links to existing knowledge portals and state-of-the-art facilities operations and management processes and publications, and is used to report status of complying with the training act. FBPTA requires GSA identify core competencies required for federal buildings personnel performing facility management, energy management, and building operations and maintenance functions; and to identify relevant certificates, certifications, degrees, licenses and registrations, and other qualifications that demonstrate compliance with core competencies. Act requires "individuals shall demonstrate each core competency (through certification, registration, etc.) not later than one year after competency is identified, or not later than one year after such date of hire, or at the start of employment for an employment period not to exceed one year." [Information](#) for competency areas is available. All affected federal agency facilities management personnel are required to meet core competencies.

## **RCRA**

**NON-WASTE FUELS.** EPA proposed amending the Non-Hazardous Secondary Materials (NHSM) Resource Conservation and Recovery Act (RCRA) regulation by adding three NHSMs to the list of categorical non-waste fuels codified in part 241.4(a) ([79 FR 21005](#)):

- Construction and demolition (C&D) wood processed from C&D debris according to best management practices (BMPs). The combustor would need to obtain written certification from the C&D processor that C&D wood has been processed by trained operators in accordance with BMPs. BMPs must include sorting by trained operators that excludes or removes non-wood materials (e.g., polyvinyl chloride and other plastics, drywall, concrete, aggregates, dirt, and asbestos), and wood treated with creosote, pentachlorophenol, chromated copper arsenate, or other copper, chromium, or arsenical preservatives. EPA further discusses sorting practices and use of x-ray fluorescence to ensure painted wood included in the final product fuel does not contain lead-based paint;
- Paper recycling residuals, including old corrugated cardboard rejects, generated from recycling of recovered paper and paperboard products and burned on-site by paper recycling mills whose boilers are designed to burn solid fuel; and
- Creosote-treated railroad ties processed and combusted in units designed to burn both biomass and fuel oil.

[Additional information](#) is available and comments are due 13 Jul 14. EPA POC: [George Faison](#), (703) 305-7652.

## ***TOXICS***

In response to a petition from Defense Logistics Agency, EPA is proposing to import foreign-manufactured polychlorinated biphenyls DoD currently owns in Japan for disposal in the US. EPA is proposing a direct final rulemaking; it views this revision as a noncontroversial action and anticipates no adverse comment. Comment period ends 2 May 14. EPA POC: [Kelly Greene](#), (703) 347-0363.

## ***WATER***

**WATERS OF THE US.** EPA and the US Army Corps of Engineers (USACE) have proposed a rule to define the scope of waters protected under the Clean Water Act (CWA) in light of recent US Supreme Court decisions ([79 FR 22187](#)). The proposed rule defines "Waters of the United States" to mean:

- Traditional navigable waters;
- Interstate waters, including interstate wetlands;
- Territorial seas;
- Impoundments of traditional navigable waters, interstate waters, including interstate wetlands, territorial seas, and tributaries, as defined, of such waters;
- Tributaries, as defined, of traditional navigable waters, interstate waters, or territorial seas; and
- Adjacent waters, including adjacent wetlands.

Waters in these categories would be jurisdictional "waters of the United States" by rule--no additional analysis would be required. The categorical finding of jurisdiction for tributaries and adjacent waters was not based on connection of a water body to downstream waters, but rather a determination that the nexus, alone or in combination with similarly situated waters in the region, is significant based on data, science, CWA, and case law. The terms "adjacent," "neighboring," and "significant nexus" and other terms are defined. Proposed rule provides a listing of items that are not "waters of the United States," to include:

- Water-filled depressions created incidental to construction activity;
- Gullies, rills, and non-wetland swales;
- Ditches that do not contribute flow to a (water of the US); and
- Waste treatment systems, including treatment ponds or lagoons, designed to meet CWA standards.

The agencies seek comment on a number of areas ranging from case law to alternatives for evaluating connectivity of water bodies (significant nexus). They also seek comment on which waters should be determined non-jurisdictional, and how this might change as science develops. Comments due 21 Jul 14. EPA POC: Donna Downing, (202) 566-2428; [CWAwaters@epa.gov](mailto:CWAwaters@epa.gov). USACE POC: Stacey Jensen, (202) 761-5856; [USACE\\_CWA\\_Rule@usace.army.mil](mailto:USACE_CWA_Rule@usace.army.mil).

# Professional Development

**FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER** - [FedCenter.gov](http://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.

**19-21 MAY, ARLINGTON, VA:** [4<sup>TH</sup> DEFENSE RENEWABLE ENERGY SUMMIT](#) brings together military decision-makers with renewable energy developers and leading financiers to facilitate formation of a new renewable energy market. Summit will explore how viable and financeable projects can be developed to profit alland will provide the latest on emerging guidelines and processes for a new market that melds the complexity of federal acquisitions with risk allocation methods of project finance, as well as practical experience gained on pioneering projects.

**20-23 MAY, ORLANDO, FL:** [SOCIETY OF MILITARY ENGINEERS JOINT ENGINEER TRAINING CONFERENCE](#). Sessions include topics such as micro grids and energy security, response to national disasters, and current practices.

**5 JUN, ONLINE:** [ENERGY EFFICIENCY EXPERT EVALUATIONS: A CUSTOMIZED ASSESSMENT APPROACH](#) seminar will describe a step-by-step method to conduct an Energy Efficiency Expert Evaluation -- a customized process to meet site-specific energy goals. This approach combines the most effective features of an energy audit and retro-commissioning, while avoiding the limitations of each. Learn about a multi-disciplinary process to streamline site visit planning and on-site discovery, recommend corrective measures, establish a "Master List of Findings," and complete project handoff.

**19-22 AUG 14, MINNEAPOLIS, MN:** [NATIONAL CONFERENCE OF STATE LEGISLATURES NATIONAL SUMMIT](#). Each summer, NCSL hosts the largest gathering of legislators and staff in the country. The summit gives attendees opportunities to talk with Republicans, Democrats and staff from around the country, to explore issues, get new ideas, hear about innovations and solutions, and learn about emerging issues.

## ***VARIOUS DATES AND TIMES ONLINE***

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

**AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, [QUALIFIED RECYCLING PROGRAM MANAGEMENT](#)** purpose is to understand DoD requirements for operating a Qualified Recycling Program (QRP). Course emphasizes principles and techniques to assist students in implementing a sound QRP and focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting

methods to maximize returns, working with your DRMO, establishing contracts, recording transactions, DoD recordkeeping, and estimating future budgets.

### ***ANYTIME ONLINE***

**DEFENSE ACQUISITION UNIVERSITY (DAU)** developed online resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations to provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other documents, link to related learning and knowledge content, ask a professor a question, contribute knowledge objects (such as lessons learned, best practices, templates, or samples), or collaborate with peers on work issues.

**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.

**GO LEARN** provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

**TRAINING FOR FEDERAL GHG INVENTORIES.** A component of FedCenter's broader Greenhouse Gas Inventory Reporting site is available. The DOE Federal Energy Management Program (FEMP)-developed training offers three types of training to help in understanding processes needed to develop an agency's GHG inventory under EO 13514 section 9, to include online interactive courses, archived webinar videos and files from training courses.

**ENERGY STAR TRAINING.** Energy Star offers free online training to help improve energy performance. Training is available in the form of live web conferences, pre-recorded training available 24/7, and self-guided presentations in pdf format. Depending on the conference, session, or presentation, training is designed for facility managers, property managers, environmental managers, energy managers, financial officers, building engineers, and others interested in Energy Star.

**NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) E-LEARNING.** 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 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.adeg.state.ar.us">http://www.adeg.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

Main Office Number	913-684-4003
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Deputy Director	913-684-4002
Regional Counsel	913-684-4008
Region 6 REC	913-684-4006
Region 7 REC	913-684-4002
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>