

Central Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

September 2015

The Central Review publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the nine states and territories in Federal Regions 6 and 7, the *Central Review* gives early notice of legislative and regulatory activities relevant to DOD interests. The *Review* also helps installations meet ISO 14001 environmental management system requirements.

Find out more about the Army Regional Environmental and Energy Offices here. Click here to browse back issues of the Central Review. To read back issues of other Regional Office Reviews, click on a region of the REEO website's U.S. map and then select "Publications."



TABLE OF CONTENTS

Region 6	2
Arkansas	2
Louisiana	
New Mexico	
Oklahoma	
Texas	4
Region 7	4
lowa	
Kansas	
Missouri	
Nebraska	
DOD Activity	6
Federal Activity	7
Professional Development	13
Internet Resources	17
Staff Directory	18

LANDFILLS TO CONTROL METHANE EMISSIONS

The Environmental Protection Agency (EPA) is proposing two new rules to reduce emissions of landfill gas and its components, including methane, from new and existing municipal solid waste (MSW) landfills.

According to EPA, MSW landfills are the third-largest source of human-related methane emissions in the U.S., accounting for 18% of methane emissions in 2013. Under the proposed rules, new, modified, and existing landfills would begin collecting and controlling landfill gas at emission levels nearly a third lower than current requirements. Both actions are part of the President's Climate Action Plan – Strategy to Reduce Methane Emissions.

In the first rule, *Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills*, EPA is proposing to lower the threshold at which an *existing* landfill must install controls to limit emissions of landfill gas (80 FR 52099). The proposed rule would update emission guidelines for MSW landfills. It incorporates new data and information received in response to an earlier proposed rulemaking and addresses other regulatory issues including surface emissions monitoring, wellhead monitoring, and the definition of landfill gas treatment system.

In the second rule, *Standards of Performance for Municipal Solid Waste Landfills*, EPA is proposing to lower the landfill gas emission rate threshold at which *new and modified* MSW landfills must install controls (80 FR 52162). This supplemental proposal would amend the standards of performance for MSW landfills. It modifies a 2014 proposal by further lowering proposed emission threshold at which controls would be required. EPA is requesting comment specifically on whether this lower threshold is appropriate and on the number of facilities that may become subject to the new requirements.

For more information, click here to view proposed rules and associated fact sheets, or here for a news article. Comments on both proposals are due 26 OCT 15.

Region 6

For more information or to comment on any state issues in Region 6, contact your Regional Environmental Coordinator listed in the <u>Staff Directory</u>.





LEGISLATIVE SESSION: 12 JAN THROUGH 22 APR 15

Nothing significant to report.



LEGISLATIVE SESSION: 13 APR THROUGH 11 JUN 15

Nothing significant to report.



LEGISLATIVE SESSION: 20 JAN THROUGH 21 MAR 15

PROPOSED RULE

NEW SOURCE PERFORMANCE STANDARDS (NSPS), NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) The New Mexico Environmental Improvement Board has proposed rulemaking to amend 20.2.77 NMAC, 20.2.78 NMAC, and 20.2.82 NMAC by incorporating by reference the new rules, corrections, revisions, and amendments to the federal NSPS, NESHAP, and Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants (MACT) that were promulgated by the U.S. Environmental Protection Agency (EPA). A hearing is scheduled for 15 OCT 15. POC: Cindy Hollenberg, (505) 476-4356.



LEGISLATIVE SESSION: 2 FEB THROUGH 29 MAY 15

FINAL RULE

(EFFECTIVE 30 JUN 15) <u>ALTERNATIVE FUELS LICENSING AND STORAGE</u> The Oklahoma Department of Labor has adopted new Chapter 80 governing the licensing of alternative fuels conversion technicians and companies, and alternative fuels compression technicians and companies; and the enforcement of standards. The rules previously in effect in OAC 580:55 served as the foundation for these rules. The rules also govern construction standards for compressed natural gas compression, storage, and dispensing systems as well as their inspection. The rules clarify the existing fee schedule, establish a uniform schedule of fines for violations of rules and standards, and establish fees for the inspection of compressed natural gas fill stations. The Alternative Fuels program was transferred to the Oklahoma Department of Labor in 2014, making the Department of Labor responsible for licensing alternative fuels technicians and companies, and for developing the rules. Additionally, the Department of Labor has been tasked with inspecting compressed natural gas fill stations. The rules are authorized by 40 O.S. § 142.1 and 40 O.S. §142.2; their intended effect is to provide a uniform program for testing, licensing, and enforcement related to alternative fuels technicians and companies and to provide clear standards for the construction and inspection of compressed natural gas fill stations.

(EFFECTIVE 17 AUG 15) HAZARDOUS WASTE COMPLIANCE AND INSPECTION The Oklahoma Department of Environmental Quality (DEQ) has adopted an amendment to 252:205-3-1 to incorporate by reference the federal hazardous waste regulations in 40 CFR Parts 124 and 260-279, revised as of 1 JUL 14. Changes to the federal regulations for this time period include Conditional Exclusions for Solvent-Contaminated Wipes. The purpose of the final rule is to provide a consistent regulatory framework that is appropriate to the level of risk posed by solvent-contaminated wipes in a way that maintains protection of human health and the environment, while reducing overall compliance costs for industry, many of which are small businesses.

(EFFECTIVE 15 SEP 15) OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS DEQ has adopted rulemaking to: (1) reference the applicable laboratory accreditation rules; (2) include a citation to the Oklahoma Water Quality Standards; (3) add or modify definitions for "accredited laboratory," "compliance testing," "DMR (discharge monitoring report)," and "control tests;" (4) delete the definitions of "approved laboratory" and "laboratory checks;" (5) replace all language using "approved laboratory" with "accredited laboratory," which is consistent with simultaneous changes being made in OAC 252:301 (revoke) and OAC 252:307 (new); (6) update the CFR publication date to the most recent CFR publication year; (7) clarify the language regarding the OPDES permit applications, including adding section titles; (8) add section 606-3-7 that authorizes the continuation and/or enforcement of expired state permits; (9) allow a university familiar with Oklahoma crops and soils to perform certain soil analyses; (10) clarify that analytical results for compliance tests are to be from an accredited laboratory; (11) clarify that DMRs are to include all valid compliance test results; (12) and other minor language clarifications.

(EFFECTIVE 15 SEP 15) OPERATION AND MAINTENANCE OF WATER REUSE SYSTEMS DEQ has adopted rulemaking to: (1) remove the requirement to obtain a permit to supply for the use of reclaimed water within the wastewater treatment plant boundaries; (2) add reference to OAC 252:656 regarding buffer zone and setback distance requirements; (3) reserve Category 1 as a future category of reclaimed water; (4) add permitted uses for Category 2 and Category 3 reclaimed water; (5) add Category 6 (use of reclaimed water within boundaries of a wastewater treatment plant) to the list of categories of reclaimed water; (6) add permitted uses for Category 6 reclaimed water; (7) add a requirement for the supplier to maintain a flow measuring device in proper working order; (8) remove reference to OAC 252:627-1-6(a)(2)(H) regarding use restrictions for Category 3 and 4 reclaimed water and replace with reference to OAC 252:627-1-

6(2)(I); (9) add requirements for using Category 6 reclaimed water; and (10) clarify sampling and monthly operating report requirements regarding the use of Category 6 reclaimed water.

(EFFECTIVE 17 AUG 15) INJECTION WELL PERMIT TIERS AND TIMELINES DEQ has adopted rulemaking to amend section 76 UIC applications - Tier I, section 77 UIC applications - Tier II, and section 78 UIC applications - Tier III of subchapter 7 Water Quality Division Tiers and Time Lines. The subchapter describes underground injection control authorizations requiring Tier I, Tier II, and Tier III applications. The proposed rulemaking will make it possible to apply for a Class V injection well permit for disposal of drinking water treatment residuals into a Class II-D well, permitted by the Oklahoma Corporation Commission, by submitting a Tier I application. The proposed rulemaking is intended to reduce the burden of drinking water treatment residuals management for communities that are faced with increasing water demands and have difficulty meeting surface water discharge standards for disposal of drinking water treatment residuals.



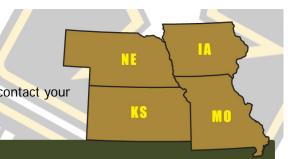
LEGISLATIVE SESSION: 13 JAN THROUGH 1 JUN 15

PROPOSED RULE

<u>UPDATE TO THE TEXAS WATER QUALITY MANAGEMENT PLAN</u> The Texas Commission on Environmental Quality (TCEQ) has requested comments from the public on the draft July 2015 Update to the Water Quality Management Plan (WQMP) for the state of Texas. The WQMP is developed and promulgated in accordance with the requirements of Federal Clean Water Act, §208. The draft update includes projected effluent limits of specific domestic dischargers, which may be useful for planning in future permit actions. The draft update may also contain service area populations for listed wastewater treatment facilities, designated management agency information, and total maximum daily load (TMDL) revisions. Once the commission certifies a WQMP update, it is submitted to the U.S. Environmental Protection Agency (EPA) for approval. For some Texas Pollutant Discharge Elimination System (TPDES) permits, the EPA's approval of a corresponding WQMP update is a necessary precondition to TPDES permit issuance by the commission. Comments were due 8 SEP 15. POC: Nancy Vignali, (512) 239-1303.



For more information or to comment on any state issues in Region 7, contact your Regional Environmental Coordinator listed in the <u>Staff Directory</u>.





LEGISLATIVE SESSION: 12 JAN THROUGH 15 MAY 15



LEGISLATIVE SESSION: 12 JAN THROUGH 1 JUN 15

PROPOSED RULE

STATE IMPLEMENTATION PLAN REVISION FOR CROSS-STATE AIR POLLUTION

The Kansas Department of Health and Environment (KDHE) has announced a public hearing, if requested, to consider the State Implementation Plan (SIP) revision for the Cross-State Air Pollution Rule (CSAPR). KDHE is revising this SIP in order to assume allocation authority for the Kansas existing unit source allocations, new unit set-aside allocations, and Indian county new unit set-aside allocations in the Transport Rule (TR) Nitrogen Oxides (NOx) Annual Trading Program for the 2017-2019 control periods under the U.S. EPA's CSAPR. The SIP revision adjusts individual unit level allocations, which will replace the allocations from the existing budget established by the CSAPR Federal Implementation Plan (FIP) for the 2017- 2019 control periods. Comments are due 7 OCT 15. POC: Zac Graves, (785) 296-8142.



LEGISLATIVE SESSION: 7 JAN THROUGH 30 MAY 15

PROPOSED RULE

Asbestos Projects Certification, Accreditation and Business Exemption Requirements. This rule requires individuals who work in asbestos projects to be certified by the Missouri Department of Natural Resources' (MDNR) Air Pollution Control Program, requires training providers who offer training for asbestos occupations to be accredited by the Missouri Department of Natural Resources' Air Pollution Control Program, and requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos occupations must first obtain accreditation from the department. Certain business entities who meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos projects. Comments were due 1 OCT 15. POC: MDNR Air Pollution Control Program.



LEGISLATIVE SESSION: 7 JAN THROUGH 5 JUN 15

Nothing significant to report.

Department of Defense Activity

DODI: POLICY FOR ENERGY COMMODITIES Department of Defense Instruction (DODI) 4140.25, DOD Management Policy for Energy Commodities and Related Services, was reissued 25 JUN 15. The DODI establishes policy, assigns responsibilities, and provides procedures for sizing, acquiring, and managing petroleum operating stocks and prepositioned war reserve stocks, and provides guidance for the procurement of alternative fuels.

DODI: EXPLOSIVE HAZARD DODI <u>4140.62</u>, Material Potentially Presenting an Explosive Hazard (MPPEH), was reissued 20 AUG 15. The DODI establishes policy and assigns responsibilities for the management and disposition of MPPEH, material documented as an explosive hazard (MDEH), and material documented as safe (MDAS).

DODM: AUDIT MANUAL Department of Defense Manual (DODM) <u>7600.07</u>, DOD Audit Manual, was reissued 3 AUG 15. The DODM implements policy, assigns responsibilities, and provides procedures for DOD audit organizations in compliance with federal standards. It is policy that adequate coverage of all DOD organizations, programs, activities, and functions will be provided as an integral part of the DOD internal control system.

DOD PRIVATIZED HOUSING SOLAR CHALLENGE Four military housing developers established new goals for generating solar energy at their housing projects as a result of a White House effort to accelerate the nation's transition to renewable energy and promote clean energy jobs. The four military housing companies — Balfour Beatty Communities, Corvias Solutions, Lincoln Military Housing, and United Communities — committed to installing 233 MW of solar capacity at more than 40 installations by the end of 2016, according to a White House press release. Among the projects:

- Balfour Beatty Communities will install 63 MW of solar at installations located at Fort Bliss, Texas; Fort Detrick, Md.; Wheaton, Md.; Fort Hamilton, NY; Fort Leonard Wood, MO; West Point, NY; Fort Carson, CO; Lakehurst, NJ; New London, Conn.; Long Island, NY; Newport, RI; and Saratoga Springs, NY.
- Corvias Solutions, along with Onyx Renewable Partners, plans to install about 100 MW of solar at housing projects on 12 installations. They have obtained initial approval from the Army to begin solar installations at Aberdeen Proving Ground and Fort Meade, Md.; Fort Bragg, NC; Fort Polk, La.; Fort Rucker, Ala.; Fort Sill, Okla.; and Fort Riley, Kan.
- Lincoln Military Housing is leveraging the current 20-MW system being installed on military housing in San Diego, Calif., to launch a project that would add 60 MW of capacity to its national portfolio of privatized military housing.
- United Communities will deploy an additional 10 MW of solar capacity serving 1,147 homes at Joint Base McGuire-Dix-Lakehurst, NJ, in 2016. The project will increase solar generation to at least 16 MW, representing 90% of the total electricity consumed by the residents of 2,000 military homes.

The privatized housing solar challenge was one of <u>a suite of initiatives</u> announced by President Obama. Among the other initiatives are new grant and loan programs for new renewable energy and distributed energy research and projects, new programs to accelerate deployment of clean energy in the housing market, monies to develop low cost solar energy, approval to construct a new transmission line to deploy solar energy, and the formation of an interagency task force to promote a clean energy future. For more information, click here.

Federal Activity

AIR

INTERSTATE OZONE TRANSPORT MODELING DATA EPA released interstate ozone transport modeling and associated data and methods for public review and comment (80 FR 46271). The data and methods will be used to inform a rulemaking that EPA is developing and expects to release later this year to address interstate ozone transport for the 2008 ozone national ambient air quality standards (NAAQS). Comments are due 23 SEP 15.

ATTAINMENT DESIGNATIONS: 2008 OZONE NAAQS EPA is proposing three separate and independent determinations related to the 36 areas that are currently classified as marginal for the 2008 ozone NAAQS (80 FR 51992). First, EPA is proposing to determine that 17 areas attained the 2008 ozone NAAQS by the applicable attainment date of 20 JUL 15, based on ozone monitoring data for 2012-2014. Second, EPA is proposing to grant one-year attainment date extensions for eight areas on the basis that the requirements for such extensions have been met. Third, the EPA is proposing to reclassify 11 areas as moderate for the 2008 ozone NAAQS. In this action, EPA is proposing and taking comment on two options for the deadline by which states would need to submit to EPA the SIP revisions required for moderate areas once their areas are reclassified. Comments are due 28 SEP 15.

PREVENTION OF SIGNIFICANT DETERIORATION AND TITLE V PERMITTING FOR GREENHOUSE GASES EPA is amending its Prevention of Significant Deterioration (PSD) and title V regulations to remove from the Code of Federal Regulations portions of those regulations initially promulgated in 2010, which the Court of Appeals for the DC Circuit specifically identified as vacated in the 10 APR 15 amended judgment, Coalition for Responsible Regulation v. EPA (80 FR 50199). This action is exempt from notice-and-comment rulemaking because it is ministerial in nature. This rule became effective 19 AUG 15.

CLIMATE CHANGE

EPA NATIONAL WATER PROGRAM CLIMATE ADAPTATION TOOLS EPA published a handout titled, National Water Program Climate Adaptation Tools, which lists and summarizes the tools developed by the EPA National Water Program for state, tribal, and local governments and others to adapt their clean water and drinking water programs to a changing climate. Additional information can be found here.

CLIMATE TRACKER WEBSITE The Sabin Center of Climate Change Law updated its Regulatory Tracker guide. The website is a comprehensive resource, compiling in one place and providing links to the federal government's climate changerelated rules and regulations.

STATE OF THE CLIMATE IN 2014 The American Meteorological Society published the State of the Climate in 2014, its 25th report. The report states that most essential indicators of Earth's changing climate continued to reflect trends of a warming planet, with several markers such as rising land and ocean temperature, sea levels, and GHG emissions setting new records. The report provides detailed summaries of climatic changes by region. Key highlights from the report include:

- Greenhouse gases continued to climb Major GHG concentrations, including carbon dioxide, methane, and nitrous oxide, continued to rise during 2014, reaching historic high values.
- Record temperatures observed near Earth's surface Four independent global datasets show that 2014 was the warmest year on record. The warmth was widespread across land areas, with Eastern North America being the only major region to experience below-average annual temperatures.

- Tropical Pacific Ocean moves toward El Niño-Southern Oscillation conditions The El Niño-Southern Oscillation was in a neutral state during 2014, although it was on the cool side of neutral at the beginning of the year and approached warm El Niño conditions by the end of the year.
- Sea surface temperatures at record high The globally averaged sea surface temperature was the highest on record. The warmth was particularly notable in the North Pacific Ocean.
- Global upper ocean heat content at record high Globally, upper ocean heat content reached a record high for the year, reflecting the continuing accumulation of thermal energy in the upper layer of the oceans.
- Global sea level at record high Global average sea level rose to a record high in 2014.
- Arctic continued to warm and sea ice extent remained low The Arctic experienced its fourth warmest year since records began in the early 20th century. The Arctic minimum sea ice extent reached 1.94 million square miles on 17 SEP 14, the sixth lowest since satellite observations began in 1979. The eight lowest minimum sea ice extents during this period have occurred in the last eight years.
- Antarctic showed highly variable temperature patterns; sea ice extent reached record high -Temperature patterns across the Antarctic showed strong seasonal and regional patterns of warmer-than-normal and cooler-than-normal conditions, resulting in near-average conditions for the year for the continent as a whole. The Antarctic maximum sea ice extent reached a record high of 7.78 million square miles on 20 SEP 14. This was the third consecutive year of record maximum sea ice extent.
- Tropical cyclones above average overall There were 91 tropical cyclones in 2014, well above the 1981-2010 average of 82 storms. There were more storms than average in the Eastern/Central Pacific and fewer than average in the North Atlantic.

CULTURAL RESOURCES

TRIBAL GREEN BUILDING TOOLKIT The toolkit provides information on how tribes and other communities can prioritize and implement green building codes, policies and practices. It summarizes priorities identified by the Tribal Green Building Codes Workgroup, tribal and federal leaders working to advance tribal green building.

ENERGY

CLEAN POWER PLAN In advance of formal publication in the Federal Register, EPA released the text of the final Green Power Plan, which addresses GHG emissions from existing electric utility generating plants, a final rule addressing GHG emissions from new, modified, and reconstructed electric utility generating units, and a proposed federal plan and model rule to assist states in implementing the Clean Power Plan. For more information about the Clean Power Plan, click here.

BETTER BUILDINGS ACT OF 2015: COMMERCIAL LEASING MODEL The General Services Administration (GSA) developed draft model commercial leasing provisions, as required under section 102 of the Better Buildings Act of 2015, and is requesting public comment (80 FR 48861). The provisions are intended to encourage building owners in the private sector, as well as state, county, and municipal governments, to invest in all cost-effective energy and water efficiency improvements, and to encourage tenants in these sectors to require spaces in which such measures have been implemented. Comments are due 14 SEP 15.

GRID-ENABLED WATER HEATERS DOE issued a final rule providing the definition of and energy conservation standards for grid-enabled water heaters (80 FR 48004). Grid-enabled water heaters are electric resistance water heaters with communication and control capability that allow utilities to use them as low-cost thermal batteries, heating the water when power is cheaper and cleaner, and deferring heating when power is expensive. Advanced controls offer the prospect of providing the grid with ancillary services such as frequency regulation and load following, reducing the need for power plants to ramp up and down as total energy consumption changes during the day. This can make the electricity system more flexible and amenable to renewable generation that has variable output, such as wind and solar. The final rule was effective 11 AUG 15.

WIND MARKET REPORT DOE'S National Renewable Energy Lab (NREL) released a report suggesting that wind could replace coal as a primary U.S. electricity source. NREL data shows that the capacity factor for wind power can reach 65% with turbine technology that may be available in the near-future (i.e., 140-meter hub height towers already commercialized in Europe). Capacity factor (CF) is the ratio of a generator's average power output over a year to its nameplate rating. Higher CF wind power improves the overall economics of not just the wind-electrical power generation but also of dedicated transmission lines, by using a higher percentage of their available capacity. The economics of low-CF wind power have required that it be built relatively close to existing transmission lines rather than building new lines. As such, only a small fraction of the country's best wind sites have been developed to date. Maps of potential wind capacity developed by NREL are available here.

PRESIDENT OBAMA ANNOUNCES NEW ENERGY EFFICIENCY AND RENEWABLE ENERGY ACTIONS As a part of the 25 AUG 15 National Clean Energy Summit, President Obama announced an extensive set of executive actions, including the DOD Privatized Housing Solar Challenge, and private sector commitments to accelerate America's transition to cleaner sources of energy and ways to cut energy waste. The White House also posted an announcement about modernizing electric transmission infrastructure. The administration announced new investments in the next generation of power transmission and smart grid technology in 13 states and executive actions to streamline the permitting process. For more information, click here.

HAZMAT

TRANSPORTATION OF RADIOACTIVE MATERIAL The Nuclear Regulatory Commission (NRC) issued a correction to its 12 JUN 15 final rule amending regulations for the packaging and transportation of radioactive material (80 FR 48683). The June 2015 amendments made conforming changes to NRC's regulations based on the International Atomic Energy Agency's 2009 standards for the international transportation of radioactive material and to maintain consistency with DOT regulations. This document corrects the final rule by revising the definition that contains these errors, and updates the contact and examination information. The final rule was effective 4 AUG 15.

NATURAL AND CULTURAL RESOURCES

NATIVE AMERICAN POLICY FWS issued a <u>draft Native American Policy</u> for public comment (<u>80 FR 46043</u>). The policy establishes a framework on which to base FWS's continued interactions with federally recognized tribes as well as interactions with Alaska Native Corporations. The policy recognizes the sovereignty of federally recognized tribes; states that FWS will work on a government-to-government basis with tribal governments; and includes guidance on comanagement, access to, and use of cultural resources, capacity development, law enforcement, and education. Comments were due 2 SEP 15.

FERAL SWINE DAMAGE MANAGEMENT: FINAL EIS AND ROD USDA's Animal and Plant Health Inspection Service (APHIS) announced it has released the final environmental impact statement (EIS), Feral Swine Damage Management: A National Approach, and record of decision (ROD) indicating their planned approach to feral swine management. The ROD will implement a nationally coordinated response to reduce and, in some areas, eliminate the risks and damage inflicted by feral swine to agriculture, property, natural and cultural resources, and human health. APHIS will serve as the lead federal agency in a cooperative effort with other agency partners, tribes, organizations, and local entities that share a common interest.

CONTROL AND MANAGEMENT OF RESIDENT CANADA GEESE FWS is requesting public comment on a proposed extension of information collection activities associated with control and management of resident Canada geese (80 FR 50021). In 2006, FWS issued depredation and control orders that allow certain activities associated with population management of

resident Canada geese. Entities taking actions under the orders are required to report their activities. The orders allow managers at commercial, public, and private airports and military airfields to implement management of resident Canada geese to resolve or prevent threats to public safety. Each facility exercising the privileges of the order must submit an annual report with the date, numbers, and locations of birds, nests, and eggs taken. Comments on whether the service may continue to collect information are due 19 OCT 15.

SUSTAINABILITY

SUSTAINABLE FACILITIES SUB-METERING WIZARD TOOL GSA released its sustainable facilities sub-metering wizard tool (SFtool), which addresses sub-metering and agency green building practices. The tool can be used to learn about submetering techniques and benefits related to gas, water, and electrical systems and to comply with EO 13693 (Planning for Federal Sustainability in the Next Decade) and its implementing instructions. The implementing instructions advise that agencies should:

- Appropriately install water meters and sub-meters to improve data available for development of a "water balance" analysis in water use assessments (page 31); and
- Employ metering and sub-metering to gain detailed understanding of energy use patterns and opportunities for improvement.

SOLID WASTE

TEST METHODS FOR SOLID WASTE EPA has released Final Update V to the Third Edition of the SW-846 manual, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods.

Toxics

PESTICIDE APPLICATION CERTIFICATION EPA is proposing to change regulations to the certification of applicators of restricted use pesticides (80 FR 51355). The proposed changes are intended to improve the competency of certified applicators, increase protection for noncertified applicators operating under the direct supervision of a certified applicator through enhanced pesticide safety training and standards for supervision of noncertified applicators, and establish a minimum age requirement for certified and noncertified applicators. Comments are due 23 NOV 15.

IMMUNOTOXICITY ASSOCIATED WITH EXPOSURE TO PFOA or PFOS The National Toxicology Program (NTP) is evaluating the association between exposures to perfluorooctanoic acid (PFOA) or perfluorooctane sulfonate (PFOS) and immunotoxicity (80 FR 4886). PFOA and PFOS are persistent chemicals that are widely distributed in the environment in part because of high stability and little to no expected degradation in the environment. In terms of toxicity and exposure, PFOA and PFOS are the best studied perfluoroalkyl acids, a group of compounds used extensively over the last 50 years in commercial and industrial applications including food packaging, lubricants, water-resistant coatings, and fire-retarding foams. Publications from 2012-2014 have linked PFOA and PFOS exposure to functional immune changes in humans. NTP is conducting a systematic review of the evidence for an association between exposure to PFOA or PFOS and immunotoxicity or immune-related health effects. NTP is soliciting information about ongoing studies or upcoming publications on the immune-related health effects of PFOA or PFOS that may be considered for inclusion in the evaluation.

OCCUPATIONAL EXPOSURE TO BERYLLIUM AND BERYLLIUM COMPOUNDS The Occupational Safety and Health Administration (OSHA) proposed amending its existing exposure limits for occupational exposure in general industry to beryllium and beryllium compounds and to promulgate a substance-specific standard for general industry regulating occupational exposure to beryllium and beryllium compounds (80 FR 47565). The agency is proposing a new permissible exposure limit (PEL) and ancillary provisions for employee protection such as methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping. In addition, OSHA is seeking comment on a number of alternatives, including a lower PEL, that could affect construction and maritime, as well as general industry. Beryllium oxide is used in components such as ceramics, electrical insulators, microwave oven components, military vehicle armor, laser structural components, and automotive ignition systems. High content and low content beryllium alloys are precision machined for military and aerospace applications. Some welding consumables are also manufactured using beryllium. Comments are due 5 NOV 15.

TCE IN CONSUMER PRODUCTS EPA is proposing a significant new use rule (SNUR) for trichloroethylene (TCE) to restrict or phase out the chemical in consumer products (80 FR 47441). The proposed significant new use is manufacture or processing for use in a consumer product, with a proposed exception for use of TCE in cleaners and solvent degreasers, film cleaners, hoof polishes, lubricants, mirror edge sealants, and pepper spray. Comments are due 6 OCT 15.

WASTE

SW-846 UPDATE EPA published Final Update V to the third edition of the manual, <u>Test Methods for Evaluating Solid Waste</u>, <u>Physical and Chemical Methods</u>, commonly referred to as SW-846 (<u>80 FR 48522</u>). The final update contains analytical methods, of which eight are new and 15 are revised. The methods in Update V may be used in monitoring or complying with the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations. In addition, the agency is finalizing revisions to chapters one through five of SW-846 and an Office of Resource Conservation and Recovery (ORCR) policy statement in the SW-846 methods compendium. The update is being issued as guidance because changes to analytical methods are not required by RCRA hazardous waste regulations. The update was published 4 AUG 15.

Low-Level Radioactive Waste (LLRW) Disposal The Nuclear Regulatory Commission reopened the public comment periods on a <u>proposed rule</u> governing low-level radioactive waste disposal sites and its associated <u>implementing guidance</u> (80 FR 51964). The proposed rule would require new and revised site-specific technical analyses, permit the development of site-specific criteria for LLRW acceptance based on the results of those analyses, facilitate implementation, and better align the requirements with current health and safety standards. The guidance addresses implementation of the proposed regulations. Comments are due 21 SEP 15.

FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET EPA updated its Federal Agency Hazardous Waste Compliance Docket, which is used to identify federal facilities that should be evaluated to determine if they pose a threat to public health or welfare and the environment (80 FR 49223). The update includes 21 additions, 90 deletions. The total number of facilities listed on the docket is 2,323. The docket identifies certain federally operated facilities that generate and/or manage hazardous waste above specific amounts and those facilities that had a reportable quantity spill. The list is current as of 13 JUL 15.

WATER

DRINKING WATER PROTECTION ACT The Drinking Water Protection Act, Public Law 114-45, amending the Safe Drinking Water Act, has been enacted. The new law tasks EPA to develop a strategic plan for assessing and managing risks associated with algal and cyanobacterial toxins in public drinking water systems. In the context of public drinking water systems, EPA is tasked to:

- Evaluate the risk to human health from algal toxins;
- Publish and update a comprehensive list of algal toxins that may have an adverse effect on human health;
- Summarize the known adverse human health effects of the listed algal toxins;
- Identify factors that cause toxin-producing cyanobacteria and algae to proliferate and to express toxins;
- Determine whether to publish health advisories for such algal toxins in drinking water;
- Establish guidance regarding feasible analytical methods and frequency of monitoring; and

Recommend feasible treatment options and source water protection practices.

The strategic plan is due to congress in November 2015. Ultimately, implementation of the Drinking Water Protection Act may lead to additional sample analysis for public drinking water systems using surface water or open storage.

2014 EFFLUENT GUIDELINES PROGRAM PLAN AND REPORT EPA released the Final 2014 Effluent Guidelines Program Plan and 2014 Annual Effluent Guidelines Review Report (80 FR 46280). The plan identifies new or existing industrial categories selected for effluent guidelines and provides a schedule. The report provides detailed information about its 2014 annual review of industrial wastewater discharges. Section 304(m) of the Clean Water Act (CWA) requires EPA to biennially publish a plan for new and revised effluent guidelines. The plan and report are available here.

WATER QUALITY STANDARDS: REGULATORY PROGRAM REVISIONS EPA is updating the federal water quality standards (WQS) regulation to provide a better pathway for states and tribes to improve water quality and protect high quality waters (80 FR 51019). The WQS regulation establishes a foundation for water quality management programs, including water quality assessments, impaired waters lists, total maximum daily loads, and water quality-based effluent limits in National Pollutant Discharge Elimination System (NPDES) discharge permits. In this rule, EPA is revising six program areas to improve the WQS regulation's effectiveness, increase transparency, and enhance opportunities for meaningful public engagement at the state, tribal, and local levels. The final rule is effective 20 OCT 15.

TRIBAL AUTHORITY TO IMPLEMENT CWA PROGRAMS EPA is proposing to reinterpret how it views tribal authority to implement the water quality standards program and other CWA regulatory programs (80 FR 47430). This reinterpretation would allow tribes to implement the congressional delegation of authority unhindered by requirements not specified in the CWA. The reinterpretation would also bring EPA's treatment of tribes under the CWA in line with EPA's treatment of tribes under the CAA. The proposed rulemaking is intended to streamline how tribes apply for authority to implement CWA water quality standards and other regulatory programs.

NATIONAL WATER PROGRAM CLIMATE ADAPTATION TOOLS EPA published a handout, *National Water Program Climate Adaptation Tools*, which lists and summarizes the tools developed by the EPA National Water Program for state, tribal, and local governments and others to adapt their clean water and drinking water programs to a changing climate. The handout presents the tools by subject headings: Climate Ready Estuaries, Climate Ready Water Utilities, Emergency/Incident Planning, Response, and Recovery, and Water Quality Tools. For more information, click here.

WATERS OF THE UNITED STATES RULE ON HOLD A U.S. court has blocked a federal clean water rule from going into effect in certain states until a legal challenge has been resolved, handing a victory to states and business groups that opposed the regulation. The U.S. District court in North Dakota granted a preliminary injunction against the so-called Waters of the United States rule finalized by EPA and USACE. EPA says it is interpreting the injunction as applying only to the states that sued in the North Dakota district court, according to a spokeswoman. The 13 states are Alaska, Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, and Wyoming. For more information, click here.

USACE FLOOD CONTROL GUIDANCE The U.S. Army Corps of Engineers (USACE) released <u>updated guidance</u> for providing in-kind credit for certain water resource development projects (<u>80 FR 52258</u>). The updated regulation provides guidance on the implementation of the in-kind contribution credit provisions of <u>section 221(a)(4)</u> of the <u>Flood Control Act of 1970</u>, as further amended by section 1018 of the <u>Water Resources Reform and Development Act of 2014</u>. It applies to all headquarters USACE elements, major subordinate commands, and district commands having civil works responsibility. Section 221 is a comprehensive authority that addresses the affording of credit for the value of in-kind contributions provided by a non-federal sponsor toward its required cost share (with exclusions) if those in-kind contributions are determined to be integral to a study or project. Comments are due 28 SEP 15.

WATER QUALITY STANDARDS EPA updates the federal water quality standards (WQS) regulation to provide a betterdefined pathway for states and authorized tribes to improve water quality and protect high quality waters. In this rule, EPA is revising six program areas to improve the WQS regulation's effectiveness, increase transparency, and enhance opportunities for meaningful public engagement at the state, tribal, and local levels (80 FR 51019). This final rule is effective 20 OCT 15.

Professional Development

CONFERENCES, WORKSHOPS AND MEETINGS

10-11 SEP, COLUMBIA, MONT: <u>2015 MISSOURI WATER SEMINAR</u> The Tenth Annual Missouri Water Seminar is presented by the Regulatory Environmental Group for Missouri (REGFORM). With the help of the Missouri Water Protection Program staff, REGFORM sponsors, and planning committee, REGFORM is putting together a timely and engaging program that addresses the latest developments in water protection.

10-11 SEP, DENVER, COLO: <u>2015 ENERGY POLICY RESEARCH CONFERENCE</u> Topics include the future of coal, smart grids, public lands, energy and water nexus, climate change, bioenergy, transportation, energy R&D, microgrids, natural gas, wind, and solar.

29 SEP-1 OCT, ARLINGTON, Va: DOE NATIONAL CLEANUP WORKSHOP Join senior DOE executives, officials from DOE sites, industry executives, and other stakeholders to discuss the progress DOE Office of Environmental Management is making to address the environmental legacy of the Manhattan Project and Cold War-era U.S. nuclear weapons program. Topics include major cleanup successes planned over the next two years, improving contract and project management, efforts to develop new cleanup technologies, and more.

11-14 Oct, New York, NY: AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE) CONVENTION Join civil engineering professionals to network with peers, earn professional development hours, and expand knowledge. Topics addressed include the state of the industry and profession; professional, leadership, technical training; cross-discipline technical projects; causes, effects, and mitigation of natural and man-made catastrophes; ASCE strategic issues and public policy; and significant projects.

27-28 Oct, Fort Belvoir, Va: DLA Buying Green Workshop Defense Logistical Agency Environmental Management is hosting and covering the cost of this workshop at the McNamara Complex at Fort Belvoir. To register or ask questions about the workshop, please email <u>Gail Carter</u>, contractor support for DLA Sustainability Program, or call (703) 767-1510. Register by 6 OCT 15.

DOD TRAINING SOURCES

US ARMY CORPS OF ENGINEERS (USACE) PROSPECT TRAINING USACE announces course availability for the <u>FY16 PROSPECT</u> (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to federal, state, county, and city employees and contractors. There are different registration processes for each entity. Please refer to the <u>course catalog</u> and list of classes and schedule for details. Environmental courses include, but are not limited to:

- Environmental Regulations Practical Application Course (Course Control Number (CCN) 398)
- CERCLA/RCRA Process (CCN 356)
- Hazardous Waste Manifesting & DOT Certification (CCN 223)
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429)
- Radioactive Waste Transport (CCN 441)
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)

- Environmental Remediation Technologies (CCN 395)
- Environmental Laws and Regulations (CCN 170)

NAVY AND ISEERB ENVIRONMENTAL TRAINING The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule is available. Course topics include environmental overview and management, law planning and sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

DEFENSE AND FEDERAL ENVIRONMENTAL TRAINING/AWARENESS The Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the <u>US Army Environmental Command website</u>, which has links to training provided by DOD organizations.

READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM WEBINAR SERIES The REPI Webinar Series is presented by DOD in partnership with the Land Trust Alliance. This online series covers best practices, tutorials and knowledge sharing on REPI partnerships that support military mission and accelerate the pace and rate of conservation. All webinars begin at 1:00 p.m. Eastern unless otherwise noted. Previously scheduled webinars are available anytime.

FEDERAL TRAINING SOURCES

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER <u>FedCenter.gov</u> is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas:

- 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;
- Access to free, FedCenter-sponsored courses:
 - o <u>Environmental Compliance for Federal Laboratories</u> (FedCenter membership required);
 - o <u>Environmental Management Systems</u> (FedCenter membership required);
 - o Underground Storage Tanks (FedCenter membership required);
- 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.

ONLINE TRAINING: SCHEDULED EVENTS

9 SEP: <u>USE OF NRCS CONSERVATION PRACTICE STANDARDS AND SPECIFICATIONS</u> This webinar reviews the purpose and structure of Natural Resource Conservation Services (NRCS) conservation practice standards. Practice standards define technology that can be used within a planned alternative conservation system to reduce the risks of identified resource

concerns. The presenter will discuss documenting the specifications of how an NRCS conservation practice standard is locally applied in a conservation plan.

9 SEP: PETROLEUM VAPOR INTRUSION GUIDE WEBINAR Join EPA's Office of Underground Storage Tanks (OUST) for an informational webinar on EPA's new Technical Guide For Addressing Petroleum Vapor Intrusion At Leaking Underground Storage Tanks Sites (EPA 510-R-15-001). Learn about petroleum vapor intrusion (PVI) and EPA's recommended steps for addressing PVI.

10 SEP: BIRD CONSERVATION IN THE FACE OF FUTURE CLIMATE CHANGE National Audubon Society scientists recently completed a comprehensive analysis modeling the winter and summer ranges of 588 North American bird species in response to future climate change. Using citizen science data and climate information, these models characterize the relationship between the distribution of each species and climate through the end of the century. Learn about the results and implications for bird conservation in the Eastern U.S.

16-18 SEP: Waters of the United States This six-hour webinar will review and explain changes, clarifications and potential challenges to the regulations. Discussions will cover how the regulations affect various regulatory programs. This webinar will be presented in three two-hour sessions. Sessions will be recorded and made available to all enrolled attendees. Paid registrants will receive a certificate of completion of 0.6 CEUs. Group discounts are available.

17 SEP: UNDERWATER GEOPHYSICAL SENSORS Join SERDP and ESTCP on for two presentations on DOD research efforts to develop underwater geophysical sensors. To view presentation abstracts, speaker biographies, and to register for this free webinar, please click <u>here</u>.

ONLINE TRAINING: AVAILABLE ANYTIME

SERDP AND ESTCP Webinar Series The DOD environmental research and development funding programs (<u>SERDP and ESTCP</u>) launched a <u>webinar series</u> to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding. Live webinars will be offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars will feature two 30-minute presentations and interactive question and answer sessions, on topics targeted for DOD and DOE audiences. Prior presentations are archived for viewing any time.

ITRC INTERNET BASED TRAINING The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers training courses to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming internet-based training events.

NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) E-LEARNING NCSL e-Learning features experts on public policy issues and provides professional development opportunities for members, state legislators, state legislative staff, and the public. Visit Multimedia Library for a collection of video and audio files from previous NCSL meetings and webinars. In addition, visit Plugged In, NCSL's state and federal energy newsletter, for updates on state energy news and legislative trends, federal actions, recent NCSL publications, upcoming meetings and more.

EPA RCRA TRAINING Resource Conservation and Recovery Act-related online courses, seminars, webinars, podcasts, and videos are posted throughout EPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations, and implementation. Topics include general RCRA, RCRA corrective action, Environmental Management

Systems (EMS), e-waste, groundwater characterization and cleanup, land revitalization, land disposal restrictions, sustainable materials management web academy, and environmental justice and RCRA permitting.

BEST PRACTICES FOR COMPREHENSIVE WATER MANAGEMENT FOR FEDERAL FACILITIES This comprehensive water management training provides federal facility and energy managers with knowledge and skills to assist in meeting waterrelated legislative and executive order requirements. Develop skills in increasing water efficiency and reducing water use through sound operations and maintenance practices and water-efficient technologies. Several methods for meeting needs for non-potable water through alternate water sources, such as rainwater harvesting, reclaimed wastewater, and gray water are discussed. Water metering is covered, as well as life cycle costing and establishing the overall economics for strategic water management.

DISTRIBUTED-SCALE RENEWABLE ENERGY PROJECTS: FROM PLANNING TO PROJECT CLOSEOUT This 2.5 hour webinar focuses on the planning and implementation of distributed-scale renewable energy projects (i.e., those smaller than 10 megawatts). The on-demand course outlines a detailed 10-step process from technology screening to project closeout. It explores online tools and resources for renewable energy projects on federal sites.

FEMP ETRAINING COURSES The Federal Energy Management Program (FEMP) offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy watermanagement and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide (WBDG) to host these comprehensive, FEMP-developed eTraining courses. Promotional materials are available to help federal agencies encourage the completion of FEMP's eTraining courses. For more information about FEMP eTraining courses, contact Beverly Dyer, (202) 586-7753. The following courses are available:

- Advanced Electric Metering in Federal Facilities (3.5 hours, .40 CEUs)
- Building Automation Systems for Existing Federal Facilities (3.5 hours, .40 CEUs)
- Commissioning for Existing Federal Buildings (4.5 hours, .50 CEUs)
- **Energy-Efficient Federal Purchasing (4.5 hours, .50 CEUs)**
- Energy Savings Performance Contracting (8.5 hours, .90 CEUs)
- Federal On-Site Renewable Power Purchase Agreements (2.5 hours, .30 CEUs)
- Launching a Utility Energy Services Contract (UESC): Getting to Yes! (3 hours, .40 CEUs)
- Managing Water Assessment in Federal Facilities (3.5 hours, .40 CEUs)
- Measurement and Verification in ESPCs (3 hours, .40 CEUs)
- Planning an Energy Assessment for Federal Facilities (4 hours, .50 CEUs)
- Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities (3.5 hours, .40 CEUs)
- Sustainable Institutional Change for Federal Facility Managers (3 hours, .40 CEUs)
- Utility Service Contracts and Energy Project Incentive Funds (90 minutes)

ENERGY STAR WEBCASTS This webcast shows federal energy and sustainability professionals how to use the ENERGY STAR® suite of tools for energy management.

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES This webinar series was developed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

Central Review

Internet Resources

Region 6 Regulatory & Legislative Internet Sites

USEPA Region 6

Arkansas Dept of Environmental Quality (ADEQ)

Arkansas Legislature

Louisiana Department of Environmental Quality (LDEQ)

Louisiana Legislature

New Mexico Environment Department (NMED)

New Mexico Legislature

Oklahoma Department of Environmental Quality (ODEQ)

Oklahoma Legislature

Texas Commission on Environmental Quality (TCEQ)

Texas Legislature

Region 7 Regulatory & Legislative Internet Sites

USEPA Region 7

Iowa Department of Natural Resources (IDNR)

<u>Iowa Legislature</u>

Kansas Department of Health and Environment (KDHE)

Kansas Legislature

Missouri Department of Natural Resources (MDNR)

Missouri Legislature

Nebraska Department of Environmental Quality (NDEQ)

Nebraska Legislature

Other Federal Agencies Internet Sites

Department of the Interior, Bureau of Land Management State Offices

Eastern States AR, LA, MO, IA

NM, KS, OK, TX

WY, NE

U.S. Geological Survey

DOE Office of Environmental Management

U.S. Fish and Wildlife Service

Southwest Region NM, TX, OK

Mountain - Prairie Region KS, NE

Midwest Region IA, MO

Southeast Region AR, LA

Staff Directory

Acting Director/DOD Region 7 REC	(816) 389-3448
Acting Regional Counsel	(816) 389-3661
Region 6 Army REC	(816) 389-2415
Regulatory Affairs Specialist	(816) 389-2434
Region 6 Air Force REC	(214) 333-5000
Region 7 Air Force REC	(214) 333-5012
Navy REC (AR/KS/LA/MO/OK/TX)	(904) 542-6853
Navy REC (IA/NE)	(360) 315-5400
Navy REC (NM)	(619) 532-2303

How the Regional Offices Work for You

The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues before they become laws and regulations. The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services' interests are protected.

To comment on item in the Central *Review*, please contact the Regional Environmental Coordinator listed in the staff directory.

To be added to the Central *Review* distribution list, email Jim Mayer.