



Southern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

February 2015

THE SOUTHERN REGION REVIEW provides current information regarding environmental and energy-related actions and events throughout Federal EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The events reported may be relevant to U.S. Army and other Military Services' activities and operations. The Review is designed to alert environmental decision makers, planners, and program managers of developments potentially relevant to overall responsibilities.

The Review is a monthly electronic publication. To receive this publication, please email a request to rebecca.d.shanks.ctr@mail.mil. Please include a contact name and email address in the body of the message.

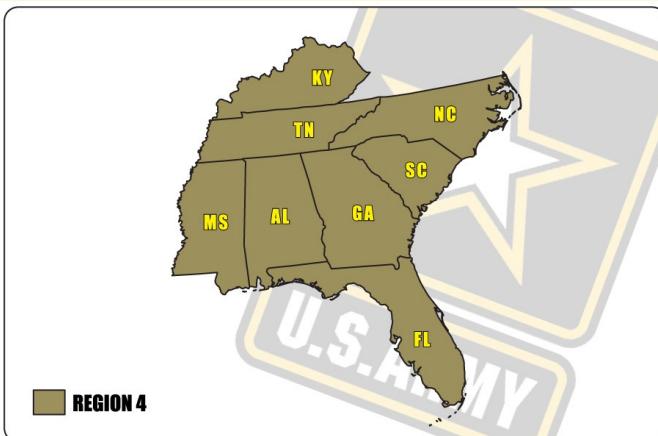


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FLOOD RISK MANAGEMENT

In January 2015, President Barack Obama issued an [Executive Order](#) (EO) establishing a new flood risk management standard for new and rebuilt federally funded structures in and around floodplains. The standard, published by the Federal Emergency Management Agency (FEMA), is available [here](#).

The standard is intended to ensure that projects are built in floodplains only where there are no practical alternatives. It requires projects to consider risks, changes in climate, and vulnerability in order to ensure projects that are built in floodplains last as long as intended. The standard provides agencies the flexibility to select one of three approaches for establishing the flood elevation and hazard area. They can:

- Use data and methods informed by best-available, actionable climate science;
- Build two feet above the 100-year (1%-annual-chance) flood elevation for standard projects, and three feet above for critical buildings (e.g., hospitals and evacuation centers); or
- Build to the 500-year (0.2%-annual-chance) flood elevation.

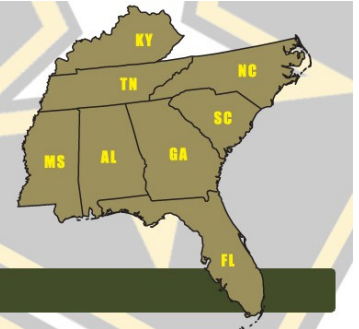
The standard closely tracks flood elevation requirements already adopted in at least 350 jurisdictions across the country. It does not alter flood standards for levees and will not affect the standards or rates of the National Flood Insurance Program.

In addition, FEMA also issued [draft flood risk management standard implementing guidelines](#). The guidelines will be used by federal agencies (including military departments) to develop their own agency-specific guidelines and procedures in order to comply with requirements in the standard.

For additional information, view this [fact sheet](#) released by the White House Council on Environmental Quality (CEQ) or this White House [news article](#).

Region 4

For more information on any state issue in Region 4, please contact [Dave Blalock](#), REEO Regional Counsel, (404) 545-5655.



PROPOSED RULES

SOLVENT CONTAMINATED WIPES (335-14-1-.02, 335-14-2-.01, 335-14-2-.05, 335-14-3-.08, 335-14-3 APPENDIX II) The Alabama Department of Environmental Management (ADEM) has proposed revisions to Division 14 due to a newly codified federal rule 40 CFR 261.4(a)(26), which conditionally excludes from the definition of solid waste solvent-contaminated wipes that are cleaned and reused ("reusable wipes"). 40 CFR 261.4(b)(18) conditionally excludes from the definition of hazardous waste solvent-contaminated wipes that are disposed ("disposable wipes"). This update removes the numbering system from definitions in chapter 1 and adds definitions to accompany the solvent-contaminated wipes rule. Notices of Intended Action were filed 26 OCT 14 and 31 OCT 14. A hearing was held and comments were due 10 DEC 14.



2015 LEGISLATIVE SESSION: 3 MAR 15 THROUGH 1 MAY 15

Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

HB 653 This measure authorizes use of land set-asides and land use modifications, including constructed wetlands or other water quality improvement projects, in water quality credit trading. It provides applicability of prohibited variances concerning discharges of waste into waters of the state and hazardous waste management. HB 653 establishes a solid waste landfill closure account within the Solid Waste Management Trust Fund to provide funding for closing and long-term care of solid waste facilities. The bill also authorizes the Florida Department of Environmental Protection (FLDEP) to contract with third parties for closing and long-term care under certain conditions. Last action: filed with the House 9 FEB 15.

SB 484 This measure requires the state land planning agency to identify parties that may enter into mediation relating to the compatibility of developments with military installations. It requires electric utilities to notify the county, rather than the regional planning council, of its current plans to site electric substations. SB 484 authorizes local governments to enter into agreements to create regional planning entities. It also revises requirements for the statewide emergency shelter plan to include general location and square footage of special needs shelters by county rather than by regional planning council region. Last action: referred to committee 3 FEB 15.

SB 562 This measure requires plan amendments proposing a development of regional impact to be subject to the state coordinated review process. It also provides that new proposed developments are subject to the state coordinated review process and not the development of regional impact review process. Last action: referred to committee 5 FEB 15.

SB 648 This measure removes future prohibition against land application of septage from onsite treatment and disposal systems and requires land application to be subject to certain requirements. Last action: referred to committee 6 FEB 15.

SB 714 This measure authorizes land set-asides and land-use modifications that reduce nutrient loads into nutrient-impaired surface waters to be used under the water quality credit trading program. It provides applicability of prohibited

variances relating to certain discharges of waste and establishes a solid waste landfill closure account within the Solid Waste Management Trust Fund to be used for specified purposes. Last action: Senate filed 5 FEB 15.

[SB 776](#) Last action: Senate filed 9 FEB 15

[SJR 400](#) This resolution proposes amendments to the State Constitution to require the Legislature, by general law, to exempt the assessed value of a renewable energy source device or a component thereof from the tangible personal property tax. It allows the Legislature, by general law, to prohibit consideration of installation of such device or component in determining assessed value of residential and nonresidential real property for the purpose of ad valorem taxation. SJR 400 also provides an effective date. Last action: referred to committee 28 JAN.

FINAL RULES

ENVIRONMENTAL RESOURCE PERMITS (ERPs) (40D-1.002, .1021, .602, .603, .6051, .607, .6105, .659) The Southwest Florida Water Management District (WMD) has adopted amendments to its procedural rules to make clear that ERPs and other authorizations issued pursuant to the Statewide Environmental Resource Permit Rules, Chapter 62-330, F.A.C., are processed in accordance with those rules, and that various provisions of Chapter 40D-1, F.A.C., that address ERPs and related authorizations are applicable only to permits and authorizations issued prior to 1 OCT 13, or grandfathered projects. A [Notice of Development of Rulemaking](#) was published 3 OCT 14 and a Notice of Proposed Rules was published 13 OCT 14. Comments were due 3 NOV 14. A [Notice of Development of Rulemaking](#) was published 25 NOV 14 and [Notice of Change](#) was published 17 DEC 14. The rule was filed 29 JAN 15 and the [Notice of Rule Filing](#) was published 3 FEB 15. Final rule text is not yet available. POC: [Sonya White](#), (813) 985-7481.

FEDERAL REGULATIONS ADOPTED BY REFERENCE (62-204.800) FLDEP has adopted rule amendments (OGC 14-0099) to adopt by reference air pollution regulations promulgated by EPA (40 C.F.R. Parts 50, 51, 52, 61, 60, 63, 70, and 81) to incorporate requirements of FLDEP's federally approved and delegated air pollution programs. A [Notice of Proposed Rules](#) was published 17 DEC 14. The rules were filed and became effective 14 JAN 15. A [Notice of Rule Filing](#) was published 20 JAN 15. Final rule text is not yet available. Comments were due 7 JAN 15. FLDEP POC: [Terri Long](#), (850) 717-9023.

STORMWATER GENERIC PERMIT (62-621.300) FLDEP has adopted revisions to subsection 62-621.300(4), F.A.C., the existing Stormwater National Pollutant Discharge Elimination System (NPDES) Construction Generic Permit (CGP), to be consistent with EPA rule revisions adopted in 2012. Revisions include provisions authorizing construction dewatering for non-contaminated ground water with appropriate control measures for non-stormwater discharge. FLDEP is revising subsection 62-621.300(2), F.A.C., the existing Industrial Wastewater NPDES Generic Permit for the Discharge of Ground Water from Dewatering Operations (dewatering). Revisions provide that sites covered under the CGP that also have dewatering operations do not need separate coverage under the industrial wastewater generic permits. Combined revisions will allow sites covered by the CGP to conduct dewatering operations without obtaining a separate NPDES permit under the Industrial Wastewater Program. The revised dewatering generic permit is expected to reduce monitoring costs by approximately \$950 per facility during the first year of coverage, eliminating initial screening and replacing effluent monitoring with site specific control measures (best management practices). New sediment control measures are more effective at minimizing or eliminating pollutant discharges from dewatering operations to state surface waters. A [Notice of Proposed Rules](#) was published 19 JUN 14, comments were due 10 JUL 14, a [Notice of Change](#) was published 11 DEC 14, the rule was filed 21 JAN 15, a [Notice of Rule Filing](#) was published 27 JAN 15, and the rules were effective 10 FEB 15. Final rule text is not yet available. FLDEP POC: [Allen Hubbard](#), (850) 245-7606.

CONSTRUCTION AND DEMOLITION LANDFILLS (62-701.100, .200, .210, .220, .300, .315, .320, .330, .400, .410, .430, .500, .510, .520, .600, .610, .620, .630, .710, .730, .803, .900) FLDEP has adopted revisions to chapter 62-701 of F.A.C., which contains regulations for a variety of solid waste facilities including landfills, construction and demolition (C&D) debris disposal facilities, and waste processing and recycling facilities. This chapter was last amended with an effective date of 12 AUG 12. Subsection 403.707(9), F.S., requires all C&D debris landfills be constructed with liners and leachate control systems. Amendments are being made to the chapter to implement these changes in the statutes. Various simplifying changes were also adopted to chapter 62-701 to reduce unnecessary regulations, reduce costs to the regulated community, and clarify existing regulations. These measures will result in a savings to the regulated community, while continuing to provide effective environmental protection. A meeting was held 21 AUG 14 and a [Notice of Proposed Rules](#) was published 1 OCT 14. A hearing was held 23 OCT 14 and a [Notice of Change](#) was published 26 NOV 14. A workshop regarding Subsection 403.707(9), F.S. was held 5 DEC 14. The rules were filed 26 JAN 15 and the [Notice of Rule Filing](#) was published 3 FEB 15. The rules become effective 15 FEB 15. Final rule text is not yet avail-

able. FLDEP POC: [Richard Tedder](#), (850) 245-8735.

MITIGATION BANKS (62-342.100, .200, .450, .470, .650, .700, .750, .800, .850, .900) FLDEP has adopted rules to correct citations and references in Chapter 62-342, F.A.C., Mitigation Banks. The rules are the result of amendments to the new Statewide ERP rule Chapter 62-330, F.A.C., effective 1 OCT 13; repeal of rules in Chapter 62-312, F.A.C.; and repeal of Chapters 62-343 and 62-346, F.A.C., effective 25 NOV 13. Rule 62-342.200 and paragraph 62-342.750(1)(c) refer to the success criteria in Rule 62-312.350, F.A.C., which is repealed. The effective date of Chapter 62-312, F.A.C., in existence prior to its repeal, needs to be added to the above provisions in Chapter 62-342, F.A.C., so mitigation bankers can continue to rely on those criteria. The [Notice of Rulemaking Development](#) was published 31 MAR 14, a [Notice of Proposed Rules](#) was published 17 JUN 14, a [Notice of Correction](#) was published 27 AUG 14, and a [Notice of Change](#) was published 5 SEP 14. Another [Notice of Change](#) was published 19 DEC 14. The rules were filed 30 JAN 15 and a [Notice of Rule Filing](#) was published 3 FEB 15. Final rule text is not yet available. FLDEP POC: [Alice Heathcock](#), (850) 245-8483.

PROPOSED RULES

UNDERGROUND STORAGE TANK (UST) SYSTEMS (62-761.100, .200, .210, .300, .350, .400, .405, .420, .430, .440, .450, .500, .510, .600, .610, .640, .700, .710, .800, .820, .850, .900) FLDEP has proposed revisions to the UST Systems rules in Chapter 62-761 for clarity and to remove language that no longer applies. The [Notice of Rulemaking Development](#) was published 19 NOV 13. Workshops and meetings were held in April, May, June, and July 2014. An advisory was issued 9 JUL 14. FLDEP is also proposing changes to regulations related to federal Energy Policy Act (EPAAct) requirements for training, which could affect future deliveries if the Florida program is not meeting EPAAct requirements. POC: [William Burns, Jr.](#), (850) 245-8842.

KISSIMMEE RIVER RESTORATION PROJECT (40E-10.011,.021, 10.031,.071, .091) The South Florida Water Management District (WMD) has proposed revisions to 40E-10, F.A.C., regarding the Kissimmee River Restoration Project, a joint partnership between the WMD and the US Army Corps of Engineers (USACE). The project will restore over 40 square miles of river/floodplain ecosystem, including 44 miles of meandering river channel and 25,000 acres of wetlands. An integral component of the restoration is the protection from allocation of water needed for fish and wildlife. Water identified for the natural system will be protected through a water reservation as authorized by Florida law. The [Notice of Development of Rulemaking](#) was published 16 JUL 14, an advisory was issued 26 NOV 14, and a [workshop](#) was held 12 DEC 14. South Florida WMD POC: [Don Medellin](#), (561) 682-6340.

WATER SUPPLY PLANNING (62-40.410, 62-40.473, 62-40.520, 62-40.531) FLDEP has proposed amendments to Rules 62-40.210 and 62-40.531, F.A.C., to clarify the definition of "alternative water supplies" in Section 373.019(1), F.S., including when surface water sources are considered alternative water supplies, and guidance on designating "non-traditional" water supplies as alternative water supplies in regional water supply plans. Amendments to Rules 62-40.410 and 62-40.520, F.A.C., would provide guidance on designating Water Resource Caution Areas. Amendments to Rule 62-40.410, F.A.C., could clarify when applications are subject to competition pursuant to provisions of Section 373.233, F.S. Amendments to Rule 62-40.473, F.A.C., could provide guidance regarding implementation of minimum flows and levels, and associated recovery and prevention strategies. A [Notice of Development of Rulemaking](#) was published 7 JUL 14.

FLORIDA RENEWABLE ENERGY (RE) TECHNOLOGY SALES TAX REFUND, INVESTMENT TAX CREDIT, PRODUCTION CREDIT (50-2.001, 50-2.002, 50-2.003) The Department of Agriculture and Consumer Services (DACS) has proposed amendments to 50-2.001, 50-2.002, and 50-2.003, F.A.C. Amendments provide guidance to interested taxpayers for the application process, review, and administration of the Florida RE Technology Sales Tax Refund, the Florida RE Technology Investment Tax Credit, and the Florida RE Production Credit. A [Notice of Development of Rulemaking](#) was published 26 SEP 14, [Notice of Proposed Rules](#) was published 12 DEC 14, and comments were due 2 JAN 15. A [Notice of Change](#) was published 28 JAN 15 and a [Notice of Correction](#) was published 4 FEB 15. POC: April Groover, (850) 617-7477.

USE OF ALLYL ISOTHIOCYANATE (5E-2.0105, 5E-2.043) The DACS has proposed rulemaking regarding 5E-2.0105 and 5E-2.043, F.A.C. The proposed rule will classify any soil fumigant containing allyl isothiocyanate as a restricted-use pesticide in Florida. It will require a designated agent to be present at the application site during all phases of allyl isothiocyanate soil application. A [Notice of Development of Rulemaking](#) was published 3 OCT 14, a [Notice of Proposed Rules](#) was published 12 Dec 14, and comments were due 2 JAN 15. POC: [Kelly Friend](#), (850) 617-7850.

WATER WELLS (40D-3.037, -3.041-3.045, -3.492, -3.507, -3.517, -3.531) The Southwest Florida WMD has

proposed amendments to its rules for regulation of wells. Amendments:

- Incorporate by reference updated versions of related rules adopted by FLDEP;
- Directly incorporate by reference certain materials already incorporated into FLDEP well construction rules; and
- Adopt a new general permit for certain environmental monitoring wells.

Amendments will make the WMD's rules consistent with FLDEP's related rules and recent statutory changes for water well contractor licensing. They will also reduce costs associated with certain environmental monitoring wells that are part of a contaminated site assessment, remedial action plan or pilot study approved by FLDEP pursuant to Chapter 62-780, F.A.C.. A [Notice of Development of Rulemaking](#) was published on 30 OCT 14. Another [Notice of Development of Rulemaking](#) was published 17 DEC 14, and a [Notice of Proposed Rules](#) was published 7 JAN 15. Comments were due 28 JAN 15. POC: Natalia Santiago, (813) 985-7481, x4657.

ERP RULES (40E-4.091, 40E-41.321, 40E-41.323, 40E-41.363) The Southwest Florida WMD has proposed revisions to 40E-4.091, F.A.C., to correct its ERP rules and adopt updated rules of the Department of Environmental Protection. A [Notice of Development of Rulemaking](#) was published 25 NOV 14. POC: [Melinda Parrott](#), (561) 682-6324.

WATER WELL CONSTRUCTION, CONTRACTOR RULES (40E-3.011, .021, .035, .036, .038, .040, .041, .042, .051, .101, .321, .341, .411, .451, .461, .500, .502, .507, .517, .600) The South Florida WMD has proposed rulemaking regarding rules in 40E-3, F.A.C., to create a new rule for multiple wells under a single permit, include hyperlinks to delegation agreements with local governments, update materials incorporated by reference, adopt amendments to FLDEP rules, and update rule references. A [Notice of Development of Rulemaking](#) was published 25 NOV 14. WMD POC: [Kellie Madison](#), (561) 682-6906.

PETROLEUM CLEANUP CONTRACTORS (62-772.300, 62-772.401) FLDEP has proposed revisions to 62-772.300 and 62-772.401, F.A.C., to modify contractor performance evaluation forms and specific form names and dates to eliminate the annual evaluation form; modify performance criteria in the remaining evaluation form to be more objective, streamlined, and compatible with the purchase order and subtask completion process; and create a new form to more formally solicit owner/responsible party input for use in contractor performance evaluations. FLDEP also proposes to amend alternate methods for selection of petroleum cleanup contractors to add clarity and flexibility to owners and responsible parties of petroleum contaminated sites. The [Notice of Development of Rulemaking](#) was published 30 DEC 14. A workshop was held 16 JAN 15. FLDEP POC: [Charles Williams](#), (850) 245-8863.

TITLE V CLEAN AIR ACT PERMITS FLDEP has announced the opportunity to offer comments or request a public hearing on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act (CAA). Pursuant to requirements of sections 169A and 169B of the CAA and EPA implementing regulations at 40 CFR 51.308, FLDEP has developed a proposed revision to the Florida regional haze plan for approval by EPA as a revision to Florida's SIP. A [notice](#) was issued 24 DEC 14. Comments were due 23 JAN 15. FLDEP POC: [Preston McLane](#).

TOTAL COLIFORM RULE (62-550.200, .310, .340, .500, .518, .540, .550, .817, .821, .824, .828, .830; 62-560.510, .520, .610) FLDEP has proposed revisions to 62-550, F.A.C., to adopt the EPA's revisions to the Total Coliform Rule as published ([78 FR 10270](#)) and corrected ([79 FR 10665](#)). FLDEP is also updating rule references in Chapter 62-550, F.A.C. A [Notice of Proposed Rules](#) was published 16 JAN 2015 and comments were due 6 FEB 2015. FLDEP POC: [Jeffrey Lawson](#), (850) 245-8599.

COASTAL CONSTRUCTION AND EVACUATION (62B-33) FLDEP has proposed amendments to Chapter 62B-33, F.A.C., Rules and Procedures for Coastal Construction and Excavation (Permits for Construction Seaward of the Coastal Construction Control Line (CCCL) and 50-Foot Setback). Proposed amendments will clarify and update existing rule language to reflect current procedures for exemptions, marine turtle protection and vegetation maintenance criteria, siting criteria, survey requirements, 30-year erosion projections, permit time limits and extensions, general conditions, definitions, forms, and fees. FLDEP is also proposing to update and add new general permits for activities seaward of the CCCL, as well as create a CCCL Applicant's Handbook. A Notice of Development Rulemaking was published 9 JUN 14 and a workshop was held 23 JUN 14. An advisory was issued 13 JAN 15. Another workshop was held 12 FEB 15 FLDEP POC: [Sandra Powell](#), (850) 245-8604.



2015 LEGISLATIVE SESSION: 12 JAN 15 THROUGH 26 MAR 15

Georgia has a two-year session (2014-2015), with 2014 bills carrying over for consideration in 2015. Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

HB 44 This measure relates to regulation of aeronautics, aircraft, and airports to provide for definitions. It prohibits operation of unmanned aerial vehicles in certain areas, and amends Code Section 51-9-9 of the Official Code of Georgia Annotated. HB 44 relates to interference with property rights to provide for an exception to the right of action. Last action: second House reading 14 JAN 15.

HB 57 This measure relates to the generation and distribution of electricity generally. It provides for financing of solar technology by retail electric customers for generation of electric energy to be used on and by property owned or occupied by such customers or to be fed back to the electric service provider. Last action: passed and adopted by House 9 FEB 15.

HB 129 This measure relates to fluoridation of public water systems, state funds for cost of fluoridation equipment, chemicals and materials, and tax deduction for fluoride-removing devices. It provides that communities may impose or remove fluoridation by referendum under certain circumstances. Last action: second House reading 29 JAN 15.

HR 106 This resolution encourages Congress to, among other things, convey title and jurisdiction of federal public lands to the states. Last action: second House reading 2 FEB 15.

PROPOSED RULES

SIP Revisions GAEPD has proposed amendments to revise Georgia's State Implementation Plan (SIP). Revision includes addition of the 15-county Atlanta Nonattainment Area Emissions Inventory for the 2008 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) as required by §182(a)(1) of the Clean Air Act. Additionally, GAEPD certifies that the existing Permit Program and Emissions Statements satisfy requirements of §182(a)(2)(C) and §182(a)(3)(B), respectively. A [notice](#) was issued 14 NOV 14 and a hearing was held 9 DEC 14. Comments were due 16 DEC 14. POC: Air Protection Branch, (404) 363-7000.

NAAQS STATE/FEDERAL IMPLEMENTATION PLAN GAEPD has proposed amendments to Georgia's State SIP. Proposed SIP revision contains Georgia's request to remove Georgia Rules 391-3-1-.02(2)(aaa), Consumer and Commercial Products; and 391-3-1-.02(2)(bbb), Gasoline Marketing from the Georgia SIP; and revisions to Georgia Rule 391-3-1-.02(2)(mmm), NO_x Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity. Revisions to rules for air quality control associated with this SIP revision were adopted by Georgia's Board of Natural Resources on 25 MAR 14. A [notice](#) was issued 23 DEC 14. A hearing was held and comments were due 30 JAN 15.

HAZARDOUS WASTE MANAGEMENT (391-3-11) GAEPD has proposed amendments to the Georgia Rules for "Hazardous Waste Management," Chapter 391-3-11, to include amendments to:

- Rule 391-3-11-.01 "General Provisions," to clarify those federal regulations that have been adopted by reference in effect through 30 JUN 14;
- Rule 391-3-11-.02 "Definitions," to:
 - Incorporate by reference definitions of the terms no free liquids, solvent-contaminated wipe, wipe, cathode ray tube (CRT) exporter, electronic manifest, electronic manifest system, and user of the electronic manifest system to the regulations and
 - Revise definition of "manifest" to include electronic manifests.
- Rules 391-3-11-.05 "Financial Responsibility," to allow for a qualified professional engineer to certify closure and/or post-closure of hazardous waste management and disposal units.
- Rule 391-3-11-.07 "Identification and Listing of Hazardous Waste," to:
 - Reduce the reporting and paperwork burden for facilities that claim an exclusion for wood preserving wastewaters and spent wood preserving solutions as solid waste, and for samples undergoing treatabil-

- ity studies;
- Conditionally exclude from the definition of solid waste solvent-contaminated wipes that are cleaned and reused; and
- Revise reporting and notification requirements for CRT exporters.
- Rule 391-3-11-.08 "Standards Applicable to Generators of Hazardous Waste," to allow generators to use EPA's Electronic Manifest System as an alternative to using paper manifest forms.
- Rule 391-3-11-.09 "Standards Applicable to Transporters of Hazardous Waste," to allow transporters to use EPA's Electronic Manifest System as an alternative to using paper manifest forms.
- Rule 391-3-11-.10 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities," to:
 - Eliminate or reduce reporting and recordkeeping requirements for hazardous waste generators and permitted hazardous waste facilities;
 - Allow hazardous waste facilities to use in-house registered professional engineers for certifications required by the rules rather than independent professional engineers;
 - Allow permitted hazardous waste facilities to use EPA's Electronic Manifest System as an alternative to using paper manifest forms and to ensure consistency with the federal regulations.
- Rule 391-3-11-.11 "Hazardous Waste Facility Permits," to:
 - Remove text not adopted by reference and pertaining to Resource Conservation and Recovery Act (RCRA) standardized permits, but whose exception is covered in a blanket statement in Section 391-3-11-.01(2);
 - Allow for technical data to be certified by a qualified professional engineer, instead of an independent registered professional engineer; and
 - Ensure consistency with federal regulations.
- Rule 391-3-11-.15 "Availability of Information," to remove an incorrect address reference, as GAEPD offices have moved and an address is not needed in the rules.
- Rule 391-3-11-.16 "Land Disposal Restrictions," to clarify regulatory language on generator waste determinations in land disposal restriction requirements, and to reduce land disposal restriction requirements for notifications of recyclable materials used in a manner constituting disposal.

The [proposed rules](#) were filed 5 DEC 14, a hearing was held 5 JAN 15, and comments were due 6 JAN 15. A meeting was held 6 FEB 15.



2015 LEGISLATIVE SESSION: 6JAN 15 THROUGH 20 MAR 15

LEGISLATION

HB 229 This measure requires retail electric suppliers to use increasing amounts of renewable energy, to take energy-efficiency measures, and implement energy-efficiency programs that increase energy savings over a period of time. It provides for alternative compliance plans for public utilities that fail to meet renewable energy or efficiency requirements. HB 229 defines renewable energy and specifies Public Service Commission (PSC) reporting requirements regarding progress in diversifying energy sources and energy savings. The measure also requires the PSC to develop tariff guidelines for purchase of renewable power. Last action: referred to committee 9 FEB 15.

HJR 77 This measure urges DoD and Army to reconsider proposed cuts to Fort Knox and Fort Campbell. Last action: posted to committee 9 FEB 15.

FINAL RULES

LEAD AND COPPER (401 KAR 8:300) The Kentucky Division of Water (DOW) has adopted [amendments](#) to the Lead and Copper regulation (401 KAR 8:300) that adopts the federal Reduction of Lead in Drinking Water Act of 2011 (42 U.S.C. §300g-6). The 2011 act became effective 4 JAN 14, and limits lead content in plumbing materials used for drinking water distribution. A hearing was held 14 OCT 14; the [agenda](#) is available. The rules, as [amended](#), were published 1 NOV 14. The final rules became effective 5 DEC 14. KY DOW POC: Carole Catalfo, (502) 564-3410.

PROPOSED RULES

TITLE V FEES Pursuant to 401 KAR 50:038, Air Emissions Fee, the Division of Air Quality has authority to collect Title V air emissions fees necessary to fund the state air permit program. The Energy and Environment Cabinet has announced a 24 NOV 14 public hearing regarding Title V emission fees. The [Notice of Public Hearing](#) was issued 23 OCT 14. POC: [Melissa Duff](#), (502) 564-3999.



2015 LEGISLATIVE SESSION: 6 JAN 15 THROUGH 5 APR 15

LEGISLATION

[HB 91](#) This measure authorizes an income and/or franchise tax credit equal to a certain amount of the cost of purchasing or leasing and installing solar electric energy systems. The credit shall apply to all solar electric energy systems installed on or after 1 JAN 13, whether purchased or leased. The measure provides the manner in which the credit may be claimed. If the amount of credit claimed by a taxpayer exceeds the amount of income and/or franchise tax imposed for the taxable year, the taxpayer shall receive a refund from the department of revenue for the amount of such excess. HB 91 provides that a homeowners' association or covenant may not prohibit or restrict installation of a solar electric energy system, impose unreasonable fees for installation, or discriminate against a homeowners' member for installation. The measure awards attorney's fees and costs to a person who prevails in a civil action against an association or covenant. Last action: referred to committee 6 JAN 15.

[HB 201](#) This measure authorizes an income and/or franchise tax credit equal to a certain amount of the cost of purchasing and installing solar energy systems and energy efficiency services. It provides the manner in which credit may be claimed, and provides if the amount of credit claimed by a taxpayer exceeds the amount of income and/or franchise tax imposed for the taxable year, then the taxpayer shall receive a refund from the department of revenue for the amount of such excess. Last action: referred to committee 12 JAN 15.

[SB 2220](#) This measure allows the boards of supervisors to provide an exemption to outdoor burning bans for persons who are certified to perform controlled burns. Last action: died in committee 3 FEB 15.

[SB 2456](#) This measure authorizes the board of the Mississippi levee district to enter into agreements for management of lands held by the US Army Corps of Engineers for management of levee projects, drainage and flood control within the levee district. Last action: transmitted to House 5 FEB 15.

FINAL RULES

PREVENTION, ABATEMENT, CONTROL OF AIR CONTAMINANTS The Mississippi Department of Environmental Quality (MSDEQ) has adopted the following amendments to Mississippi Administrative Code, Title 11, Part 2, Chapter 1, "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants":

- Open burning provisions in 11 Miss. Admin. Code, Pt. 2, Ch.1, Rule 1.3.G allow MSDEQ to delegate regulation of burning of residential yard waste by individual residential property owners to local governments that have adopted a locally enforceable ordinance sufficiently protective of air quality in its jurisdiction. Amendments also create an "Air Quality Action Day" that describes days on which air quality data shows a specific area of the state may be experiencing severely diminished air quality conditions. On these days, all burning of vegetative yard wastes and other types of prescribed open burning will be prohibited.
- Amendments adopt, by reference, changes to federal New Source Performance Standards in 40 CFR Part 60, Federal National Emission Standards for Hazardous Air Pollutants in 40 CFR Parts 61 and 63; and Federal Consolidated Air Rules in 40 CFR Part 65.

The [proposed rules](#) were [filed](#) 5 SEP 14 and [final rules](#) were [filed](#) 20 NOV 14. The rules become effective 20 DEC 14. [Final rule text](#) is available.

PROPOSED RULES

TITLE V CAA AND PERMITS MSDEQ has announced a public hearing to receive comments regarding the proposed Title V Air Permit fee for fiscal year 2016 to be established by Commission Order. Miss. Code Ann. Sec. 49-17-30 provides that under Title V of the federal CAA, the owner and/or operator of any stationary source of regulated air pollutants shall

pay MSDEQ an annual permit fee. The Mississippi Commission on Environmental Quality (CEQ) is charged by law to establish the permit fee in an amount sufficient to cover the cost of the Title V Air Permit Program. Miss. Code Ann. Sec. 49-17-16 established an advisory council to conduct an independent study of the cost of the Title V Air Permit Program. The advisory council recommended to the CEQ that the Fiscal Year 2016 Title V fee be set at \$41.00 per ton of regulated air pollutants with a minimum fee of \$250. A notice was issued 12 DEC 14. A hearing was held and comments were due 15 JAN 15. POC: Krystal Rudolph, (601) 961-5171.



2015 LEGISLATIVE SESSION: 14 JAN 15 THROUGH 1 JUL 15

North Carolina has a two-year session (2013-2014), with 2014 bills carrying over for consideration in 2015. Adjournment dates are estimated and updated based on legislative activity.

FINAL RULES

STORMWATER PERMITTING (15A NCAC 02H .1002) The North Carolina Department of Environment and Natural Resources (NCDENR) Environmental Management Commission (EMC) has adopted amendments to Rule 15A NCAC 02H .1002 to align with recent changes to G.S. 143-214.7. Section 51.(d) of North Carolina Session Law 2013-413 amended G.S. 143-214.7, whereupon "gravel" was excluded from the definition of "built-upon area." This rule defines the term "gravel" and includes other technical changes to provide clarity to the regulated community on the implementation of stormwater rules required by G.S. 143-214.7. The rulemaking replaces a temporary rule adopted pursuant to G.S. 150B-21.1 and published in the North Carolina Register on 15 APR 14. The temporary rule expired 10 JAN 15. The text, purpose, and justification of the proposed rule are identical to those of the temporary rule. The [proposed rules](#) (see page 33) were published 1 AUG 14 and a hearing was held 20 AUG 14, Comments were due 30 SEP 14, and a meeting was held 17 DEC 14. The rule became effective 1 JAN 15, [Rules Review Commission minutes](#) were published 15 JAN 15, and the [approved rules](#) (see page 64) were published 2 FEB 15. NCDENR POC: [Julie Ventaloro](#), (919) 807-6370.

MANAGEMENT OF OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES NCDER has adopted rulemaking to adopt rules cited as 15A NCAC 05H .0101-.0102, .0201-.0203, .0301, .0401-.0402, .0501-.0504, .0601-.0605, .0701-.0709, .0801-.0808, .0901, .1001-.1005, .1101, .1201-.1206, .1301-.1314, .1401-.1407, .1501-.1504, .1601-.1624, .1701-.1704, .1801-.1807, .1901-.1906, .2001-.2007, .2101-.2103, .2201, and repeal rules cited as 15A NCAC 05D .0101 and .0103-.0111. Session Law 2012-143 reconstituted the Mining Commission as the Mining and Energy Commission (MEC) and directed the MEC to develop and adopt a modern regulatory program for the management of oil and gas exploration and development activities, including use of horizontal drilling and hydraulic fracturing. MEC was charged with adopting rules that:

- Protect public health and safety;
- Protect public and private property;
- Protect and conserve the state's air, water, and other natural resources;
- Promote economic development and expand employment opportunities; and
- Provide for productive and efficient development of oil and gas resources.

After reviewing current regulations, the mandate in Session Law 2012-143, and information from studies about operation and potential impacts of modern oil and gas exploration and production activities, the MEC is proposing to adopt 126 new rules and to repeal 10 other rules to appropriately regulate the oil and gas industry with regard to oil and gas exploration and development. Proposed [rules](#) were published 15 JUL 14. A hearing was held 25 AUG 14 and comments were due 15 SEP 14. The Rules Review Commission [minutes](#) (see page 37) were published 15 JAN 15 and the [approved rules](#) (see page 73) were published 2 FEB 15. NCDENR POC: Walt Haven, Oil&Gas@ncdenr.gov.

NON-TITLE V PERMIT TERM (15A NCAC 02Q .0308) NCDENR has adopted an amendment to Rule 15A NCAC 02Q .0308, Final Action on Permit Applications, to revise the term for non-Title V air quality permits from five to eight years to reflect Session Law 2013-413. The [proposed rules](#) were filed 18 JUL 14. A hearing was held 3 SEP 14 and comments were due 30 SEP 14. The [Rules Review Commission Agenda](#) (page 150) was published 1 DEC 14 and a meeting was held 17 DEC 14. The rules became effective 1 JAN 15, the Rules Review Commission [minutes](#) were published 15 JAN 15, and the [approved rules](#) (see page 63) were published 2 FEB 15. NCDENR POC: [Joelle Burlison](#), (919) 707-8720.

OPEN BURNING (15A NCAC 02D .1901, .1902, .1903) NCDENR has adopted amendments to Rule 15A NCAC 02D .1903, Open Burning without an Air Quality Permit, to incorporate requirements in Section 28(b) of Session Law 2013-413, which allows transporting of land clearing materials over public roads for open burning to locations other than certain permitted facilities if specific requirements defined in Section 28(b) are met. Amendments to Rules 15A NCAC 02D .1901 and .1902 update reference to the General Statute and the name of the former Division of Forest Resources to reflect its current name, the North Carolina Forest Service. The [proposed rules](#) were filed 18 JUL 14. A hearing was held 3 SEP 14 and comments were due 30 SEP 14. The [Rules Review Commission Agenda](#) (page 149) was published 1 DEC 14 and a meeting was held 17 DEC 14. The rules became effective 1 JAN 15, the Rules Review Commission [minutes](#) (see page 37) were published 15 JAN 15, and the [approved rules](#) (see page 63) were published 2 FEB 15. NCDENR POC: [Joelle Burlison](#), (919) 707-8720.

TRIENNIAL REVIEW OF SURFACE WATER QUALITY STANDARDS (15A NCAC 02B .0206, .0211, .0212, .0214, .0216, .0218, .0220) NCDENR has adopted amendments to rules 15A NCAC 02B .0206, .0211, .0212, .0214-.0216, .0218, and .0220, which establish surface water quality standards for North Carolina. Amendments comprise the state's Triennial Review of Surface Water Quality Standards, mandated by the federal Water Pollution Control Act (Clean Water Act). Proposals implement the following changes to the surface water quality standards for North Carolina:

- Based on revised EPA research, new health information is available for 2, 4 D (a chlorophenoxy herbicide). When implemented, the standard will lower the applicable acceptable human health protective concentration.
- Updated aquatic life protective concentrations for arsenic, beryllium, cadmium, chromium III and IV, copper, lead, nickel, silver, and zinc are proposed. With the exception of mercury and selenium, both bioaccumulative metals, the state proposes changing to dissolved metal water quality standards, which more closely estimate the portion of the metal that is toxic to aquatic life. Revised criteria are average concentrations that can be present in a water body, but should not result in unacceptable effects to aquatic organisms and the designated use of the water body on acute and chronic bases. Where metals toxicity is hardness-dependent, applicable hardness values are defined. With the exception of mercury and selenium, proposals allow consideration of aquatic life biological integrity to preside over ambient standard violations for water quality assessment purposes.
- Standards for iron and manganese are proposed for removal. Both chemicals are federally designated "non-priority" pollutants. The standard for total chromium is also proposed for removal, but is replaced by human health and aquatic life protective standards for chromium III and chromium VI.
- Codify the use of 1Q10 stream flows for implementation of acute water quality standards in NPDES permitting. Allow the use of the median instream hardness values in calculating permit limits based on proposed hardness-dependent metals standards.
- The public will have the opportunity to comment on three variances from surface water quality standards and federal 316(a) thermal variances. The three surface water standards exemptions consist of two variances from the chloride standard for Mt. Olive Pickle Company and Bay Valley Foods LLC (formerly Dean Pickle and Specialty Products Company) (NC0001074, NC0001970) and a variance from the color standard for Evergreen Packaging (d.b.a. Blue Ridge Paper Products) (NC0000272). Information concerning these variances can be obtained by contacting the individual named in the comment procedures.
- Variances from applicable standards, revisions to water quality standards, or site-specific water quality standards may be granted by the Environmental Management Commission (EMC) on a case-by-case basis pursuant GS 143-215.3(e), 143-214.3 or 143-214.1. For metals standards, proposed language details that alternative site-specific standards can be developed when studies are designed in accordance with the "Water Quality Standards Handbook: Second Edition" published by EPA (EPA 823-B-94-005a). The mechanisms outlined in the publication are for the Water Effect Ratio, the Recalculation Procedure, and the Resident Species Procedure. The EMC is seeking comment on the application of these provisions with respect to modifying the metals criteria.

The [proposed rules](#) were published 15 JUN 14. Hearings were held 15-16 JUL 14 and comments were due 22 AUG 14. The [Rules Review Commission Agenda](#) (page 149) was published 1 DEC 14 and a meeting was held 17 DEC 14. The rules became effective 1 JAN 15, the Rules Review Commission [minutes](#) (see page 36) were published 15 JAN 15, and the [approved rules](#) (see page 35) were published 2 FEB 15. NCDENR POC: [Connie Brower](#), (919) 807-6416.

PROPOSED RULES

DRAFT NPDES STORMWATER - AIR TRANSPORTATION AND AIRPORTS (GENERAL PERMIT - NCG150000) The North Carolina Department of Natural Resources (NCDENR) has invited comment on draft NPDES Stormwater General Permit - NCG150000 - Air Transportation and Airports. The requirements in this permit apply to stormwater discharges associated with industrial activity from air transportation facilities identified by the Standard Industrial Classification Codes in Major Group 45, specifically airports that do not routinely perform deicing or anti-icing operations. A [notice](#) was issued 15 JUN 14 and comments were due 13 AUG 14. The [draft permit](#) and a [fact sheet](#) are available for review. NCDENR

POC: [Ken Pickle](#), (919) 807-6376.

Toxics (15A NCAC 02Q .0711) The EMC has proposed rules to amend Rule 15A NCAC 02Q .0711., Emission Rates Requiring a Permit. Recent amendments to the rule added additional toxic air pollutant permitting emission rates (TPER), which apply when air pollutant emission release points at a facility are non-obstructed and vertically oriented. Clerical issues in the spreadsheet used to calculate those TPER values were transferred to the table in Paragraph (b) of the rule. Rule 15A NCAC 02Q .0711 is proposed to be revised to update the TPERs in Paragraph (b) such that:

- 2.0 lb/hr for ethylene glycol monoethyl ether is reflected in the acute systemic column instead of the acute irritant column;
- 31.59 lb/hr for methyl isobutyl ketone [is to be reflected](#) in the column for acute irritants; and
- 197.96 lb/day for toluene is to be reflected in the column for chronic toxicants.

The [proposed rules](#) (see page 34) were published 15 OCT 14. A hearing was held 3 DEC 14 and comments were due 15 DEC 14. POC: [Joelle Burlison](#), (919) 707-8720.



2015 LEGISLATIVE SESSION: 13 JAN 15 THROUGH 4 JUN 15

South Carolina has a two-year session (2013-2014), with 2013 bills carrying over for consideration in 2014. Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

[HB 3351](#) This measure requires the South Carolina Department of Health and Environmental Control (SCDHEC) to develop and implement an inspection plan to ensure that every pond, stream, or similar body of water is maintained in compliance with federal, state, and local laws. It also provides a civil penalty. Last action: referred to committee 20 JAN 15.

[HB 3538](#) This measure allows for nongravity-based soil-based on-site disposal systems. It amends section 44-55-1320 relating to wastewater collection, treatment, and discharge to authorize single or multiple dwelling units to use a community or commercial passive soil-based on-site disposal system. HB 3538 amends section 44-55-1330 relating to system installation requirements to remove certain requirements for a passive soil-based on-site disposal system and to set designations for the trench bottom of a disposal system. The measure amends section 44-55-1350 relating to tile field product regulations to add requirements of section 44-55-1310 to regulations promulgated over passive soil-based on-site disposal systems. It also repeals section 44-55-1340 relating to financial assurance. Last action: referred to committee 5 FEB 15.

[SB 309, WETLANDS RESTORATION ACT](#) This measure amends chapter 11, title 49 of the 1976 code relating to dams by adding article 5 to enact the "wetlands restoration act," which provides that certain impoundments that originally impounded a parcel of tide- or marshland; but no longer completely impound that parcel, may be repaired or restored. Last action: referred to committee 13 JAN 15.

PROPOSED RULES

WASTE TIRES (R.61-107.3) SCDHEC has proposed amendments to R.61-107.3, Solid Waste Management (SWM): Waste Tires, to amend applicability of the regulation, and amend and expand definitions. The amendment will update, clarify, or amend standards for hauling, sorting, storing, processing, and disposing waste tires. Changes include but are not limited to revisions to operational standards; siting, reporting, and permitting requirements; and financial assurance requirements. Exemptions will be clarified. Also under consideration are penalties for violations of the statute as allowed or prescribed by S.C. Code Ann. Sections 44-96-10 et seq. (Revised 2002). A [Drafting Notice](#) was published 23 MAY 14 and comments were due 23 JUN 14. [Proposed regulations](#) (page 68) were published 28 NOV 14. POC: Kent Coleman, (803) 896-4135.

SOLID WASTE LANDFILLS AND STRUCTURAL FILL (R.61-107.19) SCDHEC has proposed amendments to R.61-107.19, SWM: Solid Waste Landfills and Structural Fill. R. 61-107.19 replaced and simultaneously repealed Regulations 61-107.11, SWM: Construction, Demolition, and Land-clearing Debris Landfills; 61-107.13, SWM: Municipal Solid Waste In-

cinerator Ash Landfills; 61-107.16, SWM: Industrial Solid Waste Landfills; and 61-107.258, SWM: Municipal Solid Waste Landfills. Proposed amendment addresses the process for permitting Class 1, 2, and 3 landfills, and updates requirements for structural fill sites. Additional changes include, but are not limited to, clarifying, amending, or reducing certain operating, monitoring, response, and reporting requirements for permitted facilities. Also under consideration are stylistic changes, which may include corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation. A [Drafting Notice](#) was published 27 JUN 14. POC: Kent Coleman, (803) 898-1358.

GENERAL PERMIT FOR CLASS 1 LANDFILLS (SWGP-001) SCDHEC has proposed to revise and reissue the General Permit for Class 1 Landfills Operations, as allowed in Regulation 61-107.19, Part III. For eligible landfills located in the eight coastal counties (Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper), the Coastal Zone Consistency section will review SWGP-001 General Permit for Class 1 Landfills (Land Clearing Debris and Yard Trash) for consistency with enforceable policies contained within the Coastal Zone Management Program Document. Solid Waste Disposal and Stormwater Management Guidelines for Landfills will be referenced in the review. A [notice](#) was issued on 27 JUN 14. Comments were due 28 JUL 14. SCDHEC POC: [Joan Litton](#).

AIR POLLUTION CONTROL, SOUTH CAROLINA AIR QUALITY IMPLEMENTATION PLAN (61-62) SCDHEC has [proposed amendments](#) to Regulation 61-62, Air Pollution Control Regulations and Standards, and the State Implementation Plan (SIP), as follows:

- Amend Regulation 61-62.5, Standard No. 1, Emissions from Fuel Burning Operations, to exempt owners or operators of propane fired units from maintaining a startup/shutdown log in order to be consistent with the exemption allowed for owners or operators of natural gas fired units.
- Amend Regulation 61-62.5, Standard No. 2, Ambient Air Quality Standards, to remove Gaseous Fluorides, such as hydrogen fluoride (HF), from the list of pollutants. HF is a federal Hazardous Air Pollutant (HAP). It has no primary or secondary NAAQS; therefore, it is more appropriately regulated under Regulation 61-62.5, Standard No. 8, Toxic Air Pollutants.
- Repeal Regulation 61-62.5, Standard No. 5.1, Best Available Control Technology /Lowest Achievable Emission Rate Applicable to Volatile Organic Compounds (VOC). Because other regulations limit VOC emissions, SCDHEC finds Regulation 61-62.5, Standard No. 5.1 is no longer necessary.
- Amend Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration, to modify criteria for creditability of an increase or decrease in actual emissions and modify text to create consistency with 40 Code of Federal Regulations (CFR) 52.21, Prevention of Significant Deterioration of Air Quality.
- Amend Regulation 61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR), to add timing flexibility language to the section governing calculation of emission offsets. Because of public notice requirements, SCDHEC was unable to submit these revisions for approval as part of the 2013 General Assembly Package. SCDHEC will submit changes for approval as part of the 2014 General Assembly Package.
- Amend Regulation 61-62.5, Standard No. 8, Toxic Air Pollutants, to add maximum allowable concentration time frame of 24-Hour Average to a table and add HF as a pollutant.
- Amend Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, to correct an error in punctuation.
- Amend Regulation 61-62.70, Title V Operating Permit Program, to correct a unit of measurement error in Section 62.70.5(c).
- Amend Regulation 61-62 to correct and improve the overall text as necessary.

Pursuant to S.C. Code Section 1-23-120(H)(1), the proposed amendments will require legislative review. The proposed regulations were published 26 SEP 14. Comments were due 27 OCT 14 and a hearing was held 11 DEC 14. A [Notice of Submission to the General Assembly](#) (see page 9) was published 23 JAN 15. SCDHEC POC: [Anthony Lofton](#), (803) 898-7217.

FUMIGATION GUIDANCE SCDHEC has established permit guidance for fumigation activities to be used to determine the following:

- What type of permit action is required;
- How to process permits/exemptions for fumigation activities that emit hazardous air pollutants (HAPs), toxic air pollutants (TAPs), and volatile organic compounds (VOCs); and
- How state and federal air regulations apply such as SC Regulation 61-62.5, Standards 7 (Prevention of Significant Deterioration) and 8 (Toxic Air Pollutants), Clean Air Act Section 112(g), and 40 CFR 70 (Title V Operating Permit Program).

A [Notice of General Public Interest](#) (page 15) was published 28 NOV 14. POC: Liz Basil, (803) 898-4123.

HAZARDOUS WASTE MANAGEMENT (R.61-79) SCDHEC has proposed amendments to R.61-79 to adopt five final rules published in the Federal Register by the US EPA. SCDHEC proposes to adopt:

- "Removal of Saccharin and Its Salts from the Lists of Hazardous Constituents," published 18 JAN 11 ([75 FR 78918](#)). The rule removes saccharin and its salts from the lists of hazardous constituents and commercial chemical products, which are hazardous wastes when discarded or intended to be discarded. This rule is promulgated pursuant to Non-Hazardous and Solid Waste Amendments (HSWA) authority and is neither more nor less stringent than current federal requirements.
- "Academic Laboratories Generator Standards Technical Corrections," published 20 DEC 10 ([75 FR 79304](#)). The rule makes technical corrections to Subpart K, 40 CFR part 262, which established an alternative set of generator requirements applicable to laboratories owned by eligible academic entities, and address the specific nature of hazardous waste generation and accumulation in such laboratories. This rule is promulgated pursuant to non-HSWA authority and is neither more nor less stringent than current federal requirements.
- "Revision of the Land Disposal Treatment Standards for Carbamate Wastes," published 11 AUG 11 ([76 FR 34147](#)). The rule provides as an alternative standard, use of best demonstrated available technologies (BDAT), for treating hazardous wastes resulting from production of carbamates and carbamate commercial chemical products, off-specification or manufacturing chemical intermediates, and container residues that become hazardous wastes when they are or intended to be discarded. In addition, this action removes carbamate Regulated Constituents from the table of Universal Treatment Standards. This rule is promulgated pursuant to HSWA authority and is neither more nor less stringent than current federal requirements.
- "Hazardous Waste Technical Corrections and Clarifications," published on 14 MAY 12 ([77 FR 22229](#)). The rule corrects a typographical error in entry "K107" of the table listing hazardous wastes from specific sources at 40 CFR 261.32; and makes a conforming change at 40 CFR 266.20(b) to clarify that a recycling facility must keep a one-time certification and notification related to recyclable materials being used in a manner constituting disposal. This rule is promulgated pursuant to non-HSWA authority and is neither more nor less stringent than current federal requirements.
- "Conditional Exclusions for Solvent-Contaminated Wipes," published 31 JAN 14 ([78 FR 46448](#)). The rule revises the definition of solid waste to conditionally exclude solvent-contaminated wipes that are cleaned and reused, and revises the definition of hazardous waste to conditionally exclude solvent-contaminated wipes that are disposed. This rule is less stringent than the existing federal rules. Authorized states whose programs include less stringent requirements than this final rule are required to modify programs to maintain consistency with the federal program per provisions of 40 CFR 271.21(e). In addition, any states that delineate their program for reusable wipes in guidance documents or interpretive letters will need to promulgate enforceable regulations, as required by 40 CFR 271.21(a). Authorized states may specify a different standard or test method for determining that solvent-contaminated wipes contain no free liquids (in lieu of the Paint Filter Liquids test).

SCDHEC also proposes to amend R.61-79 to incorporate recommended changes identified in its internal 2013 review for the South Carolina Governor's Regulatory Review Task Force. SCDHEC also proposes to amend R.61-104.II.A to reinsert a portion of a sentence inadvertently omitted and delete compliance requirements for units permitted prior to the effective date of regulation. SCDHEC may make stylistic changes for internal consistency; clarification in wording; corrections of references, grammatical errors, and outlining/codification; and such other changes as may be necessary to improve overall regulation quality. A [Drafting Notice](#) (page 28) was published 25 JUL 14 and comments were due 25 AUG 14. [Proposed regulations](#) (page 62) were published 28 NOV 14 and comments are due 29 DEC 14. A hearing was held 8 JAN 15. POC: [David Scaturro](#), (803) 898-0590.

UNDERGROUND STORAGE TANKS (R.61-92) SCDHEC has proposed amendments to R.61-92, Underground Storage Tank Control Regulations. Amendment will focus on provisions of Section 280.25 relating to secondary containment for UST systems located within 100 feet of an existing water supply well, a coastal zone critical area, or state navigable waters. SCDHEC may include corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of regulation text. Revisions to other provisions of R.61-92 may also be included in accordance with governing legal authority and SCDHEC's overall mission. A Drafting Notice was published 26 DEC 14. Comments were due 29 JAN 15. SCDHEC POC: [Eric Cathcart](#).



2015 SPECIAL LEGISLATIVE SESSION: 2 FEB 15 THROUGH 4 FEB 15

LEGISLATION

HB 80 This measure changes requirements for use of lead free hardware with respect to drinking water. Last action: assigned to committee 17 JAN 15.

HB 81, SB 92 This measure makes various changes to the regulation of petroleum USTs and waste. Last action: sponsor(s) added 9 FEB 15.

HB 229, SB 409 This measure authorizes pharmacies to participate in pharmacy drug disposal programs. Last action: filed for introduction 2 FEB 15.

HB 237 This measure enacts the "Property Assessed Clean Energy Act." Last action: filed for introduction 3 FEB 15.

FINAL RULES

HAZARDOUS WASTE MANAGEMENT (0400-12-01) The Tennessee Department of Environmental Conservation (TDEC) has adopted rulemaking to update the hazardous waste regulations, 0400-12-01, by incorporating the following federal changes that EPA published as final from 1 JUL 13 to 30 JUN 14:

- Amend the definition of solid waste to conditionally exempt solvent-contaminated wipes that are cleaned and reused. Revise the definition of hazardous waste to conditionally exempt solvent-contaminated wipes that are disposed. This proposed rulemaking provides a consistent regulatory framework appropriate to the level of risk posed by solvent-contaminated wipes in a way that is protective of human health and the environment and reduces cost.
- Conditionally exclude hazardous carbon dioxide (CO₂) streams from the definition of hazardous waste, provided the CO₂ streams are captured and injected into Class VI injection wells for geologic sequestration.
- Allow the use of an electronic hazardous waste manifesting system.
- Amend the export provisions of cathode ray tube recycling.

This rulemaking is also intended to correct language EPA identified while reviewing requests for additional program authorization. Corrections are necessary to obtain additional program authorization and include rule amendments to incorporate state citations where several federal citations are used if appropriate, and to add language regarding transboundary movement of hazardous waste for recovery with the Organization for Economic Cooperation and Development. The rulemaking restores language regarding mixtures of used oil and hazardous waste from conditionally exempt small quantity generators, which was inadvertently deleted from the regulations. A [Notice of Rulemaking Hearing](#) was filed 11 DEC 14. The rules became effective 10 FEB 15. Final rule text is not yet available. TDEC POC: [David Moran](#), (615) 532-0875.

PROPOSED RULES

2015 AIR MONITORING PLAN TDEC held a public hearing to consider revisions to the Tennessee Division of Air Pollution Control's Ambient Air Monitoring Plan. An annual evaluation of the plan is required by federal regulations. The [notice](#) was issued on 2 MAY 14. The hearing was held and comments were due 6 JUN 14. POC: Robert Brawner, (615) 532-0573.

NEW SOURCE PERFORMANCE STANDARDS (1200-03-16) TDEC has proposed amendments to 1200-03-16, New Source Performance Standards. Various sections of the rule are made obsolete by revisions to equivalent federal regulations. TDEC POC: [Jeryl Stewart](#), (615) 532-0605.

MULTI-SECTOR GENERAL PERMIT TDEC has proposed to reissue the Tennessee Multi-Sector General Permit, which provides general permit coverage for stormwater discharges from industrial activities. A notice was issued 15 DEC 14. A hearing was held 29 JAN 15 and comments are due 15 FEB 15. TDEC POC: [Vojin Janjic](#), (615) 532-0670.

WELL STANDARDS TDEC has proposed rulemaking to update the existing water well licensing and well construction standards by incorporating clarification language. The duties of the Ground Water Management Board were collected from Rule Chapter 0400-45-09 and placed in Rule 0400-45-10-.05. Pump and treatment installer licenses were modified for clarification. Continuing education requirements were clarified. Setback distances from potential contaminant sources were updated to include new sources of potential contamination. Well location submittal data were modified due to the Tennessee Department of Transportation's changes in how the local county maps were published. Well abandonment standards were modified to allow more flexibility on existing wells where construction information is unavailable. Clarification was provided regarding the source of water to be used as drilling fluids. Clarification was made on well site safety

and borehole protection and construction of boreholes for geothermal wells. A Notice of Rulemaking Hearing was filed 11 DEC 14. A hearing was held 9 FEB 15 and comments were due 16 FEB 15. TDEC POC: [Anna Rollins](#), (615) 532-0159.

Federal Activity

EPA REGION 4 DRA SELECTED Ann Heard began serving as EPA Acting Deputy Regional Administrator (DRA) in May 2014. In Dec 2014, Ms. Heard was selected to be the Region 4 DRA. Throughout her EPA career at headquarters and in the region, Ms. Heard has provided great leadership and expertise in solving complex issues, and has demonstrated great aptitude for building consensus and partnerships. Ms. Heard will continue to work with EPA's senior leadership team to guide Region 4 in making a visible difference in communities.

AIR

NAAQS FOR LEAD EPA is proposing to retain, without revision, the primary and secondary national ambient air quality standards (NAAQS) for lead ([80 FR 277](#)). Based on a review of the full body of evidence, EPA has proposed retaining the current standard of 0.15µg/m³ (as a three-month average in total suspended particles). EPA concluded that the current standard provides protection of public health with an adequate margin of safety. The standard provides protection for children and other at-risk populations against a variety of adverse health effects, most notably effects on the developing nervous system. Based on a review of the full body of ecological and welfare effects evidence, EPA has proposed retaining the current secondary standard, which is identical to the existing primary standard. EPA concludes that the current standard provides requisite protection from adverse environmental effects to public welfare, including effects on aquatic and terrestrial ecosystems. A [fact sheet](#) is available. EPA POC: [Deirdre Murphy](#), (919) 541-0729.

INDUSTRIAL, COMMERCIAL, INSTITUTIONAL BOILERS On 1 FEB 13, EPA finalized amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers (Area Source Boilers Rule). Subsequently, EPA received three petitions for reconsideration of the final rule. EPA is announcing reconsideration of and requesting public comment on five issues raised in the petitions for reconsideration ([80 FR 2871](#)). EPA is also proposing a limited number of technical corrections and amendments to the final rule to correct inadvertent errors and to clarify some applicability and implementation issues. EPA proposes to delete rule provisions for an affirmative defense for malfunction in light of a recent court decision on the issue. Comments are due 9 MAR 1, or 30 days after date of public hearing, if later. EPA POC: [Mary Johnson](#), (919) 541-5025.

COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS On 7 FEB 13, EPA promulgated its final response to petitions for reconsideration of final new source performance standards (NSPS) and emission guidelines (EG) promulgated on 21 MAR 11 for commercial and industrial solid waste incineration (CISWI) units ([80 FR 3017](#)). EPA is granting reconsideration on four provisions of the FEB 2013 final NSPS and EG for CISWI units. EPA identified regulatory provisions that require clarification and editorial correction to address inconsistencies and errors in the final rules. Comments are due 9 MAR 15 or 30 days after date of public hearing, if later. EPA POC: [Toni Jones](#), (919) 541-0316.

ENERGY

FEDERAL ENERGY AND WATER MANAGEMENT AWARDS Each year the Federal Energy Management Program (FEMP), in conjunction with the Federal Interagency Energy Management Task Force, sponsors the Federal Energy and Water Management Awards to highlight and honor outstanding federal agency achievements in energy, water, and fleet management. The awards recognize outstanding achievements in:

- Energy and water efficiency and conservation;
- Renewable energy implementation;
- Sustainable practices for high-performance buildings; and
- Fleet and transportation management.

To download this year's nomination criteria, visit the [FEMP awards web page](#). FEMP is also offering webinars on 25 FEB 15 and 19 MAR 15 February 25 to provide an overview of the awards criteria, eligibility requirements, and tips on how to prepare nomination narratives. Nominations are due 30 APR 15.

NEPA

NEPANode [NEPANode](#) is a geospatial and document management system made freely available to federal staff and contractors working to implement the National Environmental Policy Act (NEPA) and related environmental review and permitting processes. It is a pilot effort to provide a shared service for NEPA staff, is hosted on the cloud, and uses only free and open source software.

TOXICS

2013 TOXICS RELEASE INVENTORY NATIONAL ANALYSIS The [report](#) shows that during 2013, approximately 22 billion pounds, or 84 percent, of the 26 billion pounds of toxic chemical waste were managed through the use of preferred practices such as recycling. Of the four billion pounds that were disposed of or otherwise released to the environment, 66 percent went to land, 19 percent to air, five percent to water, and 10 percent was transferred to other facilities. Over the past 10 years, total disposal or other releases to the environment have decreased seven percent, despite a 15 percent increase from 2012 to 2013. EPA POC: [Rachel Deitz](#), (202) 564-1807.

LEAD-BASED PAINT CERTIFICATION, ACCREDITATION EPA is proposing minor revisions to the Lead Renovation, Repair, and Painting (RRP) rule ([73 FR 21692](#)) and the Lead-based Paint (LBP) Activities ([61 FR 45813](#)) rule ([80 FR 1873](#)). EPA is proposing to:

- Remove jurisdiction-specific certification and accreditation requirements under the LBP Activities program;
- Eliminate the requirement that the renovator refresher training have a hands-on component; and
- Add clarifying language to requirements for training providers under both the RRP and LBP Activities programs.

Comments were due 13 FEB 15. EPA POC: [Marc Edmonds](#), (202) 566-0758.

WASTE

HARMONIZATION WITH INTERNATIONAL STANDARDS The Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) is amending the Hazardous Materials Regulations (HMR) to maintain alignment with international standards by incorporating various amendments ([80 FR 1075](#)) to include:

- Harmonizing with the latest version of the International Civil Aviation Organization Technical Instructions by requiring a "CARGO AIRCRAFT ONLY" label on packages containing small lithium metal batteries not packed in or with equipment;
- Modifying the list of marine pollutants in Appendix B to Sec. 172.101;
- Adding minimum sizes for the OVERPACK and SALVAGE markings;
- Revising and adding vessel stowage codes listed in column 10B of the Hazardous Materials Table and segregation requirements in Sec. 176.83;
- Adsorbed gases: Adopting new entries into the HMR; adding a definition; authorizing packagings; and adding safety requirements including quantity limitations and filling limits.

The rule became effective 1 JAN 15. PHMSA POC: Steven Webb, (202) 366-8553.

SOLID WASTE EPA is publishing a final rule that revises several recycling-related provisions associated with the definition of solid waste as used to determine hazardous waste regulation under Subtitle C of the Resource Conservation and Recovery Act (RCRA) ([80 FR 1693](#)). Revisions ensure that hazardous secondary materials recycling regulations, as implemented, encourage reclamation in a way that does not result in increased risk to human health and the environment from discarded hazardous secondary material. This final rule is effective 13 JUL 2015. EPA POC: [Tracy Atagi](#), (703) 308-8672.

HAZARDOUS MATERIALS PHMSA proposes to make miscellaneous amendments to the HMR ([80 FR 3787](#)), including:

- Removing the packing group (PG) II designation for certain organic peroxides, self-reactive substances and explosives;
- Incorporating requirements for trailers of manifolded acetylene cylinders;
- Providing requirements to allow for shipments of damaged wet electric batteries; and
- Revising requirements for packaging of nitric acid, testing of pressure relief devices on cargo tanks, and shipments of black or smokeless powder for small arms.

Comments are due 24 MAR 15. PHMSA POC: Neal Suchak or Aaron Wiener, (202) 366-8553.

WATER

STREAMS AND WETLANDS EPA's final report, "[Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence](#)" (EPA/600/R-14/475F) is available ([80 FR 2100](#)). The purpose of the report is to summarize current understanding of connectivity and mechanisms by which streams and wetlands affect physical, chemical, and biological integrity of downstream waters. EPA POC: [Laurie Alexander](#), (703) 347-8630.

Professional Development

CONFERENCES, WORKSHOPS AND MEETINGS

16-20 FEB, ATLANTA, GA: [ASSOCIATION OF PARTNERS FOR PUBLIC LANDS CONVENTION AND TRADE SHOW](#) Join professionals from the public lands community for this annual event that brings together nonprofits, land management agencies and vendors for shared learning, idea exchange and collaboration.

19 MAR, ONLINE: [SOUTHERN FORESTERS' CLIMATE OBSERVATIONS: STATE COMPARISONS AND SPATIAL TRENDS](#) NC State surveyed professional foresters in the southern US to identify how frequently they observe 16 climate-related variables that affect pine plantations and forests to evaluate how climate change responses vary across the south. Southern foresters observed an overall change in climate, longer dry periods or drought conditions, greater frequency and/or severity of invasive plant infestations, warmer winters, and hotter summers with the highest frequency. A spatial analysis of foresters' responses provided evidence that observations of climatic change are generally observed with higher frequency by foresters from Oklahoma, Florida, and Kentucky. These findings can inform Extension programming and facilitate development of materials tailored to address climatic changes that foresters report observing for each state.

30 MAR-2 APR, NORTH CHARLESTON, SC: [COASTAL GEOTOOLS 2015](#) Attend the conference to see new technologies and applications and learn how peers are addressing current coastal issues using geospatial data and tools.

10-15 APR, ARLINGTON, VA: [MILITARY AND GOVERNMENT MICROGRIDS SUMMIT](#) The summit will provide a platform for military, government, and utility policy makers and procurement managers to share business and technical wants, needs and requirements for new microgrid projects with renewable energy developers, energy services companies, system integrators, energy performance contractors (EPCs), energy storage companies, microgrid enabling technology companies, and financiers. This will be the place to hear from and network with senior-level DoD, Air Force, Army, Marines, Navy, DoE, state, and utility microgrid decision makers and customers.

27-29 APR, ORLANDO, FL: [17TH ANNUAL ABOVEGROUND STORAGE TANK CONFERENCE AND TRADE SHOW](#) The international conference and trade show provides educational opportunities, resources, and training seminars about operation, regulation, and management of aboveground storage tanks. Sessions will help independents, major terminal operators, manufacturers, and suppliers.

12-13 MAY, COLLEGE PARK, MD: [SUSTAINABLE MATERIALS MANAGEMENT SUMMIT](#) The one-and-a-half day summit will launch a national dialog intended to accelerate sustainable materials management (SMM), bringing together 200 innovative thinkers and practitioners working on issues around how natural resources are extracted, used, and then managed after initial end-of-life. The summit includes leaders in source reduction, reuse, composting, and recycling. The National Recycling Coalition (NRC) will begin to develop a SMM National Plan based on a facilitated dialogue among a broad spectrum of stakeholders. The intent is to identify deeper collaborative connections for actions and activities in the future among progressive businesses, federal, regional, state, and local governments, reuse and recycling organizations, trade and industry groups, and other nonprofits.

15-17 JUN, NEW ORLEANS, LA: [AMERICAN WATER RESOURCES ASSOCIATION SPECIALTY CONFERENCE](#) The conference theme is "Action": how we respond, build resilient systems, and influence decision makers. This conference will inform climate adaptation decisions on the ground. Abstracts are due 13 FEB 15.

22-25 JUN, GALVESTON, TX: [2015 DREDGING SUMMIT AND EXPO](#) The conference theme, "Dredgers, The Environment and Commerce," will focus on people and organizations that are making dredging happen, and the environmental and commercial impacts of dredging. Included in conversations will be critical economic need for dredging, importance of enhancing the marine environment, trends in dredging technology and safety, as well as historical dredging develop-

ment.

11-13 Aug, PHOENIX, AZ: [ENERGY EFFICIENCY EXCHANGE](#) Join project implementation specialists and subject matter experts at a training event that speaks to the challenges and opportunities of energy consumption, sustainability, energy efficiency, and energy security in and across federal agencies. Continuing education units will be offered for all training sessions currently being planned.

DoD TRAINING SOURCES

US ARMY CORPS OF ENGINEERS (USACE) PROSPECT TRAINING USACE announces course availability for the FY15 PROSPECT (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 [course catalog](#) 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 charges. 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 [US Army Environmental Command website](#), which has links to training provided by DoD organizations.

FEDERAL TRAINING SOURCES

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER [FedCenter.gov](#) 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:
 - [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
 - [Environmental Management Systems](#) (FedCenter membership required);
 - [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

SERDP and ESTCP WEBINAR SERIES The DoD environmental research and development funding programs ([SERDP and ESTCP](#)) are launching a [webinar series](#) 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 PM ET (9:00 AM PT) 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.

- Management of Contaminated Sediments Sites
- Waste to Energy Technologies
- Energy Audits
- Dense Non-Aqueous Phase Liquid Source Zone Management
- Sustainable Materials
- Acoustic Methods for Underwater Munitions
- Solar Technologies (19 FEB 15)
- Lead Free Electronics (5 MAR 15)
- Bioremediation Approaches at Chlorinated Solvent Sites (19 MAR 15)
- Resource Conservation and Climate Change (26 MAR 15)
- Blast Noise Measurements and Community Response (16 APR 15)
- Munitions Mobility (7 MAY 15)
- Managing Munition Constituents on Training Ranges (28 MAY 15)

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 water-management 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

- [Federal Guiding Principles Checklist](#) This webcast shows federal energy and sustainability professionals how to use the ENERGY STAR® measurement and tracking tool, Portfolio Manager, to help ensure compliance with the Guiding Principles for High Performance Sustainable Buildings required by Executive Orders 13423 and 13514. The focus is on the Guiding Principles for Sustainable Existing Buildings.
- [Portfolio Manager 101](#) This webcast demonstrates the core functionality of EPA's Energy Star Portfolio Manager tool. Attendees will learn to navigate the new Portfolio Manager, add a property and enter details, enter energy and water consumption data, share properties, generate performance reports to assess progress, and respond to data requests.
- [Portfolio Manager 201](#) This webcast will explore advanced functionalities of EPA's Energy Star Portfolio Manager tool, including managing and tracking changes to property uses over time; using spreadsheet templates to

update property data; setting goals and targets to plan energy improvements for properties; generating and using custom reports; and using the Sustainable Buildings Checklist.

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.

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.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of live and archived webinars. Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management (SMM) is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

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.

ONLINE TRAINING: AVAILABLE ANYTIME

CLIMATE READY WATER UTILITIES EPA's Climate Ready Water Utilities initiative assists the water sector (drinking water, wastewater, and stormwater utilities) in addressing impacts from climate change. This information helps utility owners and operators better prepare their systems for the impacts of climate change. The website has links to [tools and resources](#), new and recorded [training webinars](#), and more.

WATER'S IMPACT ON THE ENERGY SECTOR This on-demand webinar features Stacy Tellinghuisen, senior energy/water policy analyst at Western Resource Advocates, who shares new research on the national impacts of water scarcity on the energy sector, including how the expanded use of renewable energy and energy efficiency can help reduce the potential impacts that prolonged droughts will have on the energy sector.

EPA RCRA TRAINING RCRA-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.

AREA SOURCE BOILER RULE VIDEO SERIES This [EPA video series](#) explaining the Area Source Boiler Rule consists of modules regarding:

- An overview of rule applicability, including specific rule requirements and compliance dates;
- How to conduct an energy assessment;
- How to conduct a boiler tune-up; and
- Recordkeeping and reporting requirements of the rule.

Area sources are commercial (e.g., laundries, apartments, hotels), institutional (e.g., schools, churches, medical centers, municipal buildings) or industrial (e.g., manufacturing, refining, processing, mining) facilities that emit or have the potential to emit less than 10 tons per year (tpy) of a single hazardous air pollutant, or less than 25 tpy combined hazardous air pollutants. The Area Source Boiler Rule affects boilers at these facilities that burn coal (including coal refuse, petroleum coke, or synthetic fuels derived from coal), oil or other liquid fuel, biomass, and non-waste materials.

[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 water-related legislative and executive order requirements. Learners will 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.

PRELIMINARY ASSESSMENT AND SITE INSPECTION (PA/SI) WEBINAR SERIES The CERCLA Education Center (CEC) is offering archived versions of its nine-part Preliminary Assessment and Site Inspection (PA/SI) [webinar series](#). PA/SI is an intermediate training course designed for personnel who are required to compile, draft, and review PA, SI, and hazard ranking system (HRS) documentation records and packages submitted for sites proposed for the National Priorities List (NPL). More information is available at www.clu-in.org.

[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.

EPA AIR POLLUTION TRAINING INSTITUTE (APTI) EPA's [Air Pollution Training Institute](#) (APTI) offers a variety of online self instructional courses and videos for air pollution professionals. Although APTI courses are designed for state and local government officials, the courses, webinars, and videos are available to anyone.

[AVERT TUTORIAL](#) EPA launched its new on-demand training on how to use its Avoided Emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy (EE/RE) programs to displace electricity system-related SO₂, NO_x, and CO₂ emissions in the continental United States. The tool can be used to evaluate county, state and regional level emissions displaced by energy efficiency and renewable energy programs without the need to specialized resources or electricity system expertise.

[FEMP TRAINING SEARCH TOOL](#) FEMP recently launched the FEMP Training Search, a web tool that lists free training opportunities to help agencies meet federal energy, water, and sustainability laws and requirements. The new search tool provides options to easily find and select training offerings by topic area, topic series, course format and type, and by level of difficulty—introductory (101), intermediate (201), and advanced (301).

[EPA TMDL AND NPDES PERMIT TRAINING](#) EPA developed three web-based training modules on topics related to TMDLs and NPDES permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded PowerPoint presentations with slides and scripts. Each recorded session is approximately 2 hours long.

- Module 1: Understanding TMDLs: A Primer for NPDES Permit Writers
- Module 2: Understanding Waste Load Allocation Implementation in Permits: A Primer for TMDL Developers
- Module 3: Understanding TMDLs with Stormwater Sources and the NPDES Stormwater Permitting Process

CLASSROOM/INTERNET TRAINING SOURCES

[EPA NPDES TRAINING COURSES AND WORKSHOPS](#) Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program. They are designed for permit writers, dischargers, EPA officials, and other interested parties. Topics include vessel general permits, combined sewer overflows, energy management, green infrastructure, pesticides, pretreatment, sanitary sewer overflows, and stormwater.

Staff Directory

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Region 4 Deputy Director	404-460-3125
Region 4 Counsel	404-545-5655
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How the Regional Offices Work for You

Southern Region Review of Legislative and Regulatory Actions 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 cited source documents for more detailed information to determine the applicability and scope of referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices (REEOs) monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) causes a disproportionate effect on the Army or DoD, REEOs coordinate with potentially affected installations, commands, and/or other military Services to further assess the impact. If action on a proposed measure is necessary, REEOs work with Army or Service regulatory experts to communicate the DA/DoD position. Comments are combined from all parties in a single DoD/Army package, then formally submitted to the state.

Want to comment on a rule or bill in the *Review*?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

For further information on the Army's REEOs, visit: <http://www.asaie.army.mil/Public/InfraAnalysis/REEO/>.