



Southern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

June 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.

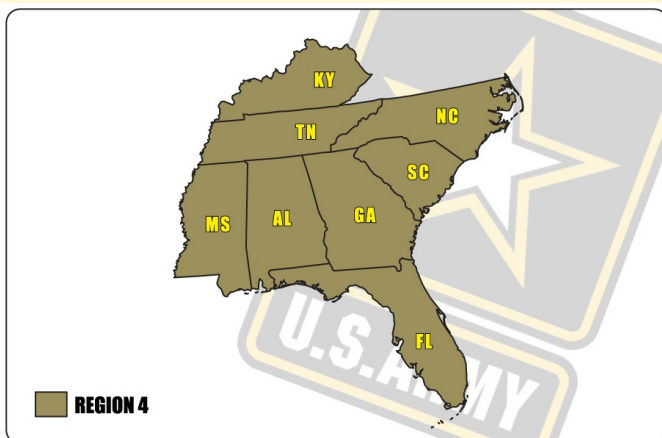


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STRATEGIC ROADMAP TO FUTURE ENERGY SECURITY AND SUSTAINABILITY

[The Energy Security and Sustainability \(ES2\) Strategy](#) will foster a more adaptable and resilient force, prepared for a future defined by complexity, uncertainty and rapid change.

"This strategy represents a turning point," Under Secretary of the Army, Brad R. Carson, and Army Vice Chief of Staff, Gen. Daniel B. Allyn, said in a letter to Army leaders. "The Army is evolving from a historic framework that viewed resource considerations as constraints on operational effectiveness to a perspective that considers the critical role of energy, water, and land resources as mission enablers. Such an integrated perspective requires balanced decisions to achieve the greatest military benefit while keeping faith with civilian communities.

"We must be able to accomplish our missions in a world defined by uncertain, adverse, and dynamic conditions," they said. "Maintaining our tactical and strategic edge heavily depends upon the wise use of our resources—energy , water, and land—to to preserve future choices through superior knowledge, technologies, and execution."

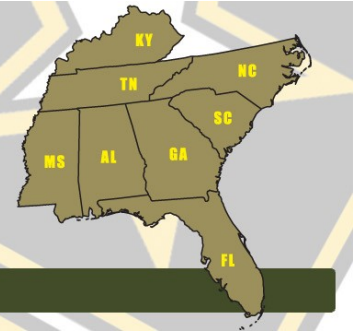
The strategy outlines five goals, which will be achieved through steady progress across the Army enterprise—materiel, readiness, human capital, services and infrastructure—with targeted measures and metrics as guides. These goals are Inform Decisions, Optimize Use, Assure Access, Build Resiliency, and Drive Innovation.

The ES2 Strategy expands on and replaces the 2009 Army Energy Security Implementation Strategy by including operational energy and sustainability while strengthening the focus on resource management for the Army.

Full article text available [here](#).

Region 4

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



LEGISLATIVE SESSION: 3 MAR 15 THROUGH 5 JUN 15

Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

HB 533 This bill would amend various sections of the Code of Alabama 1975 to provide further for distribution of state tax revenues. Last action: referred to committee 21 APR 15.

REEO-S Note: Basically, this measure seeks to disestablish several special funds and direct proceeds from regulatory fees to the state general fund. If enacted, HB 533 could create fee/tax implications for installations paying targeted fees, as DoD does not have authority to expend appropriations on state general revenue generation.

HB 584 This measure transfers duties, responsibilities, property, etc. from Historical Commission to Archives and History Department and Conservation and Natural Resources Department. Last action: HB 584 died.

REEO-S Note: Impact on DoD is uncertain. HB 584 would transfer the State Historic Preservation Office (SHPO) from the Alabama Historical Commission to Alabama Department of Archives and History.

FINAL RULES

OPEN BURNING (390-X-6-.01, .02, .03, .04, .05) The Alabama Forestry Commission (AFC) has adopted amendments to 390-X-6, such that changes to:

- 390-X-6-.01 update rule language and specify that those seeking certified prescribed manager status must take a training course sponsored or approved by the Alabama Forestry Commission and apply for certification within two years of completing such training;
- 390-X-6-.02 remove a provision related to training received prior to enactment of the Alabama Prescribed Burn Act;
- 390-X-6-.03 update rule language to specify that certifications are for a five-year term, to define the period of that five-year term, and to require certified prescribed burn managers to obtain six hours of continuing education within that five-year term to be eligible for recertification. Amendment also removes language related to the recertification process, which would be addressed in a separate rule;
- 390-X-6-.04 repeals the existing rule regarding reciprocity. In its place, a new rule would specify the process through which certified prescribed burn managers may be recertified. All continuing education requirements must be satisfied prior to expiration of the current certification and individuals may apply for recertification up to one year after expiration of current certifications. Otherwise, individuals must start the recertification process anew; and
- 390-X-6-.05 repeals the existing rule regarding minimum standards for prescribed burning plans. In its place, new rule 390-X-6-.06 specifies the process through which other states' certified prescribed burn managers may become certified in Alabama through reciprocity. Such reciprocity is for prescribed burn managers certified in states that have training standards that meet or exceed those in place in Alabama.
- 390-X-6-.06 specifies minimum content requirements for prescribed burning plans in Alabama.

The [certified adopted rules](#) become effective 23 JUN 15.

PROPOSED RULES

GROUND WATER AND UNDERGROUND INJECTION CONTROL (335-6-8) The Alabama Department of Environmental Management (ADEM) has proposed amendments to Chapter 335-6-8 to allow and include requirements for aquifer storage and recovery (ASR) wells, to revise requirements for general permits issued under Chapter 335-6-8, and to add or delete references to federal regulations and forms. Proposed changes are as follows:

- Rule 335-6-8-.01 "Purpose" is being amended to delete obsolete references to the Code of Federal Regulations relating to implementation of the Underground Injection Control program.
- Rule 335-6-8-.02 "Definitions" is being amended to add the definitions for "Aquifer Storage and Recovery (ASR) Well" and "Municipal Wastewater," to revise the definition of "Class I Well" to address ASR wells and to revise lettering of definitions made necessary by these additions.
- Rule 335-6-8-.05 "Prohibited Actions" is being amended to add references to 40 CFR Part 142 and to allow for the permitting of ASR wells.
- Rule 335-6-8-.07 "Permit Issuance Procedures" is being amended to add a reference to 40 CFR Part 142.
- Rule 335-6-8-.09 "Class III Well Permit Application Requirements" is being amended to correct a reference to rule 335-6-8-.10 made necessary by changes to rule 335-6-8-.10.
- Rule 335-6-8-.10 "Class V Well Permit Application Requirements" is being amended to revise the permit application requirements for general Class V permits, to establish permit application requirements for ASR wells, and to re-number or re-letter parts of rule 335-6-8-.10 due to the above changes and additions.
- Rule 335-6-8-.12 "Class V Well Permit Requirements" is being amended to provide required permit requirements for ASR wells.

Notices of Intended Action ([335-6-8-.01](#), [.02](#), [.05](#), [.07](#), [.09](#), [.10](#), and [.12](#)) were published 30 APR 15. Comments are due and a hearing was held 11 JUN 15.

NPDES (335-6-6-.01, .02, .03, .05, .06, .08, .10, .12, .13, .14, .15, .17, .18, .19, .21, .23) ADEM has proposed amendments to chapter 335-6-6 to reflect changes in federal rules requiring use of sufficiently sensitive test methods for quantitative data provided in National Pollutant Discharge Elimination System (NPDES) permit applications or for monitoring to determine compliance with NPDES permit limitations. The requirements published at [79 FR 49001](#) affect [40 CFR parts 122](#) and 136. 40 CFR part 122 establishes requirements for NPDES permit applications; limitations, standards, and other conditions in NPDES permits. [40 CFR part 136](#) contains requirements and EPA-approved methods and procedures for testing pollutants and parameters regulated by the NPDES program. Amendments to chapter 335-6-6 also clarify that regulated entities are expected to utilize the most current EPA-approved test methods and abide by the most current procedures in 40 CFR part 136 by removing the version dates that follow each 40 CFR part 136 citation. A [Notice of Intended Action](#) was published 30 APR 15. Comments are due and a hearing will be held 15 JUN 15.

RECLAIMED WATER RESCUE PROGRAM (335-6-20) ADEM has proposed new chapter 335-6-20, Reclaimed Water Reuse Program. The chapter establishes procedures and requirements for issuance and maintenance of pollution source permits for public, semi-private, and privately owned wastewater treatment plants with waste streams consisting mostly of municipal wastewater, such that treatment plants may voluntarily reuse highly treated effluent wastewater for beneficial irrigation purposes. Highly treated reclaimed water that meets the requirements of this chapter is a valuable water resource and is considered an integral part of the utility system. It is the policy of the ADEM to promote, where appropriate, the practice of reuse of municipal reclaimed water through creation and implementation of rules that give permittees various opportunities for forms of reuse. A [Notice of Intended Action](#) was published 30 APR 15. Comments are due and a hearing will be held 11 JUN 15.

WATER QUALITY CRITERIA ADEM has announced a public hearing to solicit public input and comments on current rules of ADEM Administrative Code chapter 335-6-10, Water Quality Criteria, and chapter 335-6-11, Water Use Classifications for Interstate and Intrastate Waters. The hearing will be held and comments are due 16 JUL 15.



2015 LEGISLATIVE SPECIAL SESSION 1: 1 JUN 15 THROUGH 20 JUN 15

LEGISLATION

[HB 361](#) This measure grants certain leasehold interests and improvements to land owned by the US or agency

thereof, branch of US Armed Forces, or quasi-governmental agency exemption from ad valorem taxation. It exempts such leasehold interests and improvements without need to apply for exemption or property appraiser approving exemption and provides nonapplicability and retroactive applicability. Last action: HB 361 becomes effective 1 JUL 15.

REEO-S Note: This measure clarifies that ad valorem tax exemptions apply to Military Housing Privatization Initiative properties. The exemption is retroactive to 1 JAN 07.

HB 787 This measure exempts people who sell, transfer, or arrange for transfer of recycled and recovered materials from liability for solid waste released or threatened to be released from receiving facilities or sites, under certain circumstances. It provides retroactive applicability. Last action: HB 787 passed both chambers and will now go to the governor for consideration.

HB 7003 This measure revises provisions relating to:

- Water resource development;
- Establishment and implementation of minimum flows, levels, and total maximum daily loads;
- Central Florida Water Initiative;
- Projects of South Florida water management district (WMD);
- Preferred water supply sources;
- Consumptive use permit applications;
- Improvements on private agricultural lands;
- Northern Everglades and Estuaries Protection Program;
- Power and duties of WMDs with regard to water production and water resource and supply development;
- Regional water supply planning;
- Springs and aquifer protection;
- Surface water classification; and
- Potable water supply.

Last action: HB 7003 died.

REEO-S Note: HB 7003 had passed both chambers, but the House failed to concur with Senate changes prior to the end of the regular session.

FINAL RULES

WATER WELL CONSTRUCTION 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 adopted rulemaking regarding rules in 40E-3, F.A.C., to update the district's water well regulation rules to reflect recent statutory amendments for water well contractor licensing, 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 Florida Department of Environmental Protection rules, and update rule references. A Notice of Development of Rulemaking was published 25 NOV 14, a Notice of Proposed Rules was published 23 FEB 15, and comments were due 6 APR 15. A Notice of Change was published 21 APR 15, the rule was filed 19 MAY 15, and a [Notice of Rule Filing](#) was published 26 MAY 15. Final rule text is unavailable. The rules became effective 8 JUN 15.

PROPOSED RULES

KISSIMMEE RIVER RESTORATION PROJECT (40E-10.011, .021, 10.031, .071, .091) The South Florida 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.

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 and a [Notice of Change](#) was published 8 MAY 15.

ERP RULES (40E-4.091, 40E-41.321, .323, .363) The Southwest Florida WMD has proposed revisions to 40E-4.091, F.A.C., to correct its Environmental Resource Permitting (ERP) rules and adopt updated FLDEP rules. A [Notice of Development of Rulemaking](#) was published 25 NOV 14.

PETROLEUM CLEANUP CONTRACTORS (62-772.300, .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.

ABOVEGROUND STORAGE TANK (AST) SYSTEMS (62-762.101, .201, .211, .301, .401, .451, .501, .511, .601, .611, .641, .701, .711, .801, .821, .851, .891, .901) FLDEP has proposed revisions to the AST Systems rules in Chapter 62-762 for clarity and to remove language that is no longer applicable. A Notice of Rulemaking Development was published 19 NOV 13. Workshops were held 17 DEC 13 and 25 JUN 14. Meetings were held 15 JUL 14, 6 AUG 14, and 30 APR 15.

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 15 and comments were due 6 FEB 15.

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.

ERPs (40C-1.1008, 40C-1.603, 1.612) The St. Johns River WMD has proposed amendments to:

- 40C-1.1008, 40C-1.603, and 40C-1.612, F.A.C to increase consistency with the statewide ERP rules adopted in Chapter 62-330, F.A.C., pursuant to Section 373.4131, F.S. (2012);
- Amend fees for certain ERPs to more closely approximate the fees before Chapter 62-330, F.A.C. became effective on 1 OCT 13; and
- Create a new fee category for renewal of certain expired formal determinations of the landward extent of wetlands and other surface waters.

A [Notice of Development of Rulemaking](#) was published 12 FEB 15. A workshop was held 12 MAR 15.

ERPs (40C-41.021, .023, .043, .063, .065, .066, .071, .091, .341, .900) The St. Johns River WMD has proposed amendments to 40C-41.023, .043, and .063, F.A.C., last amended 1 OCT 13 for consistency with Section 373.4131, F.S., to require FLDEP in coordination with the five WMDs to develop statewide ERP rules. Current proposed amendments will:

- Delete reference to standard and general stormwater permits in subsection 40C-41.063(4), F.A.C. since statewide ERP rules only provide for issuance of conceptual approval and individual permits;
- Reflect transfer of Rule 40C-42.091, F.A.C. into Rule 40C-4.091, F.A.C.;
- Replace, with better graphics, Figures 41-1 through 41-4 in 40C-4.023, F.A.C. and Figures 13.0-1 through 13.0-4 in the "Environmental Resource Permit Applicant's Handbook, Volume II: For Use within the Geographic Limits of the St. Johns River Water Management District" (Volume II), incorporated by reference in subsection 40C-

41.043(5) , F.A.C.); and

- Update effective date for Part VI of Volume II, as St. Johns River WMD will clarify wording in Volume II, and replace, with better graphics, Figures 13.5-1 and 13.5-2 in Volume II.

Corrections delete language in 13.4.4.(d) (Off-site Land Preservation) to reflect adoption of the Uniform Mitigation Assessment Method. Corrections also insert language in 13.4.2 (Floodplain Storage Criteria) that St. Johns WMD had intended to carry over from the rule as it existed before 1 OCT 13. A [Notice of Development of Rulemaking](#) for 40C-41.023, .043, and .063 was published 12 FEB 15. To address comments received from the Joint Administrative Procedures Committee, amendments to 40C-44.021, .065, .066, .071, .091, .101, .341, and 40C-44.900, F.A.C. will:

- Update effective date for Part VII of Volume II, incorporated by reference in Rule 40C-44.091, F.A.C.;
- Replace references to “reuse” with “harvesting” or “stormwater harvesting,” as those terms when used in Volume II refer to methods that prevent discharge of stormwater into surface waters of the state by deliberate application of stormwater for irrigation;
- Repeal subsection 40C-44.065(3), F.A.C. and rules 40C-44.341 and 40C-44.900, F.A.C., as the WMD has determined these provisions are no longer needed; and
- Delete certain provisions related to performance standards, permit revocation and permit modification that have been determined unnecessary since they are subsumed in other provisions of the rule or addressed by statute.

A [Notice of Development of Rulemaking](#) for 40C-44.021, .065, .066, .071, .091, .101, .341, and .900 was published 12 FEB 15. A workshop regarding all amendments was held 12 MAR 15.

FLORIDA ENDANGERED AND THREATENED SPECIES LIST (68A-27.003, .0031) The Florida Fish and Wildlife Conservation Commission (FWCC) has proposed amendments to 68A-27.003 and 68A-27.0031, F.A.C., to revise the Florida Endangered and Threatened Species List to reflect federal listing changes. Rule 68A-27.0012(1), F.A.C., requires that when native Florida species are added or reclassified under the Federal Endangered Species Act (ESA), the species shall be so listed or reclassified in the F.A.C. to reflect the federal designation. Because of recent federal designations, FWCC is proposing to:

- Add seven mollusks (Choctaw bean, round ebonyshell, southern kidneyshell, fuzzy pigtoe, narrow pigtoe, tapered pigtoe, and southern sandshell); one mammal (Florida bonneted bat); one bird (rufa red knot); two insects (Bartram’s scrub-hairstreak, Florida leafwing butterflies); and four corals (lobed star, boulder star, mountainous star and rough cactus) to paragraph one of Rule 68A-27.003 F.A.C.;
- Change indicated federal listing for one bird (wood stork) from endangered to threatened;
- Move one species of coral (pillar coral) from subsection two to subsection one; and
- Move into rule 68A-27.003(1) and delete from Rule 68A-27.0031, F.A.C., one fish species (smalltoothed sawfish) and two coral species (elkhorn and staghorn) mistakenly added to the latter rule when it was created.

The [Notice of Proposed Rules](#) was published 27 MAR 15. Comments were due 17 APR 15.

CONSUMPTIVE USE PERMIT (CUP) FEES (40C-1.603) The St. Johns River WMD has proposed amendment to Rule 40C-1.603, F.A.C. to make conforming amendments based on proposed changes to Chapter 40C-2, F.A.C., and make corrections and clarifications. A [Notice of Development of Rulemaking](#) was published 13 APR 15 and a [Notice of Proposed Rules](#) was published 19 MAY 15.

CUPcon (40C-2.031, .041, .042, .051, .101, .301, .302, .311, .321, .331, .351, .361, .381, .401, .501, .900) From 2012 through mid-2014, the St. Johns River WMD, FLDEP and other WMDs engaged in statewide rulemaking to increase consistency in CUP programs. That rulemaking was commonly referred to as the “CUPcon” rulemaking. The St. Johns River WMD has proposed rulemaking to address amendment, repeal, or development of rules in Chapter 40C-2, F.A.C., as needed to clarify existing rules, create additional streamlining, and reduce regulatory burdens on the following subjects: CUP criteria; limiting conditions (permit conditions by rule); permit thresholds, types, duration, and modification; water conservation requirements; annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; 10-year compliance reports; compliance monitoring and forms; application forms; permit fees to address related changes to permit thresholds or permit types; and other rules for which conforming amendments may be needed. A Notice of Development of Rulemaking was published 13 APR 15 and a workshop was held 29 APR 15. A [Notice of Correction](#) was published 20 MAY 15.

REVIEW OF WMD STRATEGIC PLANS (62-40.530) FLDEP has proposed amendments to Rule 62-40.530, F.A.C., to provide for FLDEP review of WMD annual strategic plans. A [Notice of Development of Rulemaking](#) was published 28 APR 15. A workshop was held 15 MAY 15.

HAZARDOUS WASTE REGULATIONS (62-730.020, .030, .160, .170, .180) FLDEP has proposed amendments to 62-

730.020, 62-730.030, 62-730.160, 62-730.170, and 62-730.180, F.A.C., which incorporate by reference changes made by EPA between 1 JUL 13 and 30 JUN 14 to federal hazardous waste regulations. FLDEP is authorized by EPA to administer the state hazardous waste program in lieu of the federal program. As a result, at least once a year FLDEP incorporates federal rule changes into Chapter 62-730, F.A.C. to maintain consistency. A [Notice of Proposed Rules](#) was published 6 APR 15 and comments were due 27 APR 15.

WATER SUPPLY PLANNING (62-40.410, .473, .520, .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 and an advisory was issued 17 APR 15. A [workshop](#) was held 15 MAY 15.

WATER WITHDRAWAL (40D-1.1002, 40D-1.659) The Southwest Florida WMD has proposed rulemaking to amend Rules 40D-1.1002 and 40D-1.659, F.A.C., to:

- Incorporate revisions to Form LEG-R.42.00-058, Petition for Variance or Waiver from year-round conservation measures and water shortage orders to promote consistency of terms throughout Chapter 40D, F.A.C. and Florida Statutes;
- Delete obsolete provisions; and
- Conform district rules to Florida Statutes.

A [Notice of Development of Rulemaking](#) was published 26 MAY 15.

COOLING WATER (62-620.100) FLDEP has proposed amendments to 62-620.100, F.A.C., which adopts by reference requirements that apply to cooling water intake structures for existing wastewater facilities under section 316(b) of the Clean Water Act. A [Notice of Proposed Rules](#) was published 29 MAY 15 and comments are due 19 JUN 15.

TRIENNIAL REVIEW OF SURFACE WATER QUALITY STANDARDS (62-302, 303; 62-4.050, .242, .244) As required by the CWA, FLDEP is initiating the Triennial Review of state surface water quality standards. FLDEP is considering revisions to specific rule sections; however, all surface water quality standards in Chapter 62-4, Chapter 62-302 and Chapter 62-303, F.A.C. are under review and may be revised as part of the Triennial Review. FLDEP proposes to revise criteria for freshwater ammonia and criteria for alkalinity; establish new water quality criteria for carbaryl, chlorpyrifos, diazinon, and nonylphenol; and update various references used in Chapter 62-302, F.A.C. FLDEP also proposes to revise subparagraph 62-4.242(3)(a)2., F.A.C., to delete text related to mixing zones in Outstanding Natural Resource Waters, delete subsection 62-4.242(4), F.A.C., and reduce the fee in Rule 62-4.050, F.A.C., for Site Specific Alternative Criteria from \$15,000 per water quality parameter to \$5,000 per water quality parameter. A [Notice of Development of Rulemaking](#) was published 19 MAY 15. Workshops are scheduled 10-11 JUN 15.



2015 LEGISLATIVE SESSION: 12 JAN 15 THROUGH 2 APR 15

Georgia has a two-year session (2015-2016), with 2015 bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

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: HB 57 becomes effective 1 JUL 15.

REEO-S Note: HB 57 would open up renewable energy development to third-party power purchase agreements, providing more options for bases when planning renewable energy projects. With that said, most bases are already working

with Georgia Power to develop large-scale projects.

HB 693 This measure relates to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation. It creates the Georgia Legacy Trust Fund and funding mechanisms for the protection and preservation of conservation land, and provide for their operation. HB 693 provides for legislative intent and definitions. The measure establishes procedural requirements for approval of project proposals. It also provides for related matters, an effective date, and contingent repeal. Last action: 2 APR 15 first House reading.

REEO-S Note: HB 693 could support Readiness and Environmental Protection Integration (REPI) initiatives. Among other provisions, the measure specifically provides for funding of acquisition costs associated with conservation easements. Unfortunately, further consideration by the legislature will have to wait until the 2016 session.

SB 101 This measure relates to the control of soil erosion and sedimentation. It provides for a buffer against coastal marshlands within which certain land-disturbing activities are prohibited. The measure provides for exceptions, variances, and effective dates. Last action: SB was signed by the governor 6 MAY 15.

REEO-S Note: This measure is awaiting the governor's review. SB 101 would prohibit most land-disturbing activities within 25 feet of coastal marshlands.

FINAL RULES

FLINT RIVER DROUGHT PROTECTION (391-3-28) The Georgia Environmental Protection Department (GAEPD) has adopted amendments to the Rules for Flint River Drought Protection, Chapter 391-3-28 to ensure consistency between the rules and 2014 amendments to the Flint River Drought Protection Act. Amendments incorporate specific updates to the purpose, definitions, severe drought, and irrigation reduction auction provisions of the rules. Two new rules were adopted to address new provisions of the Flint River Drought Protection Act relating to irrigation efficiency requirements and management of augmented flows during operation of state funded augmentation projects. The [final rules](#) were filed 18 MAY 15. They became effective 3 APR 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.

NAAQS STATE/FEDERAL IMPLEMENTATION PLAN GAEPD has proposed amendments to Georgia's 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 Georgia rules for "Hazardous Waste Management," Chapter 391-3-11, to include amendments to:

- Rule 391-3-11-.01 "General Provisions," to clarify federal regulations adopted by reference and 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 treatability 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; and
 - 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 has relocated and an address is not needed in the rules; and
- 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.

2016 305(b)/303(d) LIST OF WATERS GAEPD has issued a request for data for use in Georgia's 2016 305(b)/303(d) List of Waters in accordance with the federal Clean Water Act (CWA), Sections 305(b) and 303(d). Requirements for submission and acceptance of water quality data for use in listing waters are detailed in GAEPD document titled, "[Guidance on Submitting Water Quality Data for Use by the Georgia Environmental Protection Division in 305\(b\)/303\(d\) Listing Assessments.](#)" A [notice](#) was issued 2 FEB 15. Comments are due 1 JUL 15.

AIR QUALITY UPDATES (391-3-1-.01; .02(2)(PPP); .02(8)(B); .02(9)(B); .03(8); .03(10)) GAEPD has proposed amendments to Georgia's rules for air quality control, Chapter 391-3-1. GAEPD certifies that:

- Revisions to 391-3-1-.01 are required to comply with Sections 110(a) of the federal Clean Air Act (CAA);
- Revisions to 391-3-1-.02 are required to comply with Sections 110(a), 111(c)(1), 111(d), and 112(l) of the federal CAA and to exercise authority approved and/or delegated by EPA to implement Section 110 of the federal CAA; and
- Revisions to rule 391-3-1-.03 are required to comply with Section 161, Section 172, and Title V of the federal CAA.

Proposed amendments are described below:

- Rule 391-3-1-.01, "Definitions," is being amended to update definitions of "Volatile organic compound" and "Procedures for Testing and Monitoring Sources of Air Pollutants."
- Rule 391-3-1-.02(2)(PPP), "Commercial and Industrial Solid Waste Incinerators Constructed On or Before November 30, 1999," is being amended to comply with requirements of 40 CFR Part 60, Subpart DDDD (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units).
- Rule 391-3-1-.02(8)(b), "New Source Performance Standards," is being amended to adopt the Federal Performance Standards into the Georgia rules by reference, to ensure consistency between state and federal programs.
- Rule 391-3-1-.02(9)(b), "Emission Standards for Hazardous Air Pollutants," is being amended to adopt the Federal Emission Standards into the Georgia rules by reference to ensure consistency between state and federal programs.
- Rule 391-3-1-.03(8), "Permit Requirements," is being amended to remove the fine particulate matter nonattainment new source review requirements for Catoosa and Walker counties.
- Rule 391-3-1-.03(10), "Title V Operating Permits," is being amended to adopt 40 CFR Part 70.6(c) into the

Georgia rules by reference to ensure consistency between state and federal programs. The [proposed amendments](#) were filed 1 APR 2015. A hearing was to be held 12 MAY 15 and comments are due 13 MAY 15. A meeting will be held 24 JUN 15.

OUTDOOR WATER USE, GROUNDWATER USE, WATER QUALITY (391-3-30, -2, -6) GAEPD has proposed amendments to Chapters 391-3-30, 391-3-2, and 391-3-6. The proposed amendments to the Rules for Outdoor Water Use, Chapter 391-3-30, include:

- Amending rules 391-3-30-.01 through .06 to replace provisions relating to outdoor water use with provisions relating to drought management;
- Adding new Rules 391-3-30-.07 and .08 relating to drought management; and
- Changing the title of Chapter 391-3-30 to "Drought Management."

The new rules for drought management are responsive to the requirement for the Georgia Department of Natural Resources (GADNR) Board to adopt new rules relating to drought management. They are consistent with provisions and other Georgia Code sections charging GAEPD with the responsibility to ensure water resources are responsibly conserved. Proposed amendments to Rule 391-3-2-.04, "Permit Application Amended" are proposed to address consistency between the drought contingency plan requirements of these rules and requirements of the proposed Rules for Drought Management. Amendments to Rule 391-3-6-.07, "Surface Water Withdrawals Amended" of Chapter 391-3-6, Water Quality Control, are proposed to address consistency between the drought contingency plan requirements of these rules and requirements of the proposed Rules for Drought Management. The proposed amendments ([391-3-30](#), [-2](#), and [-6](#)) were filed 9 APR 15 and a hearing was held 5 MAY 15. Comments are due 13 MAY 15 and a meeting will be held 24 JUN 15.

SCRAP AND USED TIRES (391-3-4-.19, .19(1)(A), .19(2);.19(3), .19(4), .19(5), .19(6), .19(7), .19(8), .19(9)) GAEPD has proposed amendments to the Georgia Rules for Solid Waste Management, Chapter 391-3-4 pertaining to scrap and used tire management. The proposed amendments are described below:

- Rule 391-3-4-.19, "Scrap Tire Management Amended," is amended and the title changed to read "Scrap and Used Tire Management."
- Rule 391-3-4-.19, (1)(a), "Applicability," is amended to establish guidelines for handling scrap and used tires.
- Rule 391-3-4-.19(2), "Definitions," is amended to add 11 new definitions associated with tire management, amend 11 definitions, and delete two definitions.
- Rule 391-3-4-.19(3), "Retail Tire Dealers," amends the title from "Retail Tire Dealers" to "Retail Dealers" and clarifies reporting and fee requirements.
- Rule 391-3-4-.19(4), "Scrap Tire Generators," is amended to clarify reporting and manifest requirements for scrap tire generators.
- Rule 391-3-4-.19(5), "Scrap Tire Carriers," is being amended to clarify exemptions for persons collecting and transporting scrap or used tires. It includes decal requirements for tire carriers, reporting requirements, and revised financial assurance requirements.
- Rule 391-3-4-.19(6), "Scrap Tire Storage," is amended to clarify storage requirements for scrap tires.
- Rule 391-3-4-.19(7), "Criteria for Approved Processing, Sorting, and Disposal Facilities," is amended to revise the title to read, "Criteria for Scrap Tire Processors, Sorters, and Disposal Facilities," and to clarify operational and reporting requirements for regulated facilities.
- Rule 391-1-4-.19(8), "Reuse and Recycling of Scrap Tires," is amended to clarify and add amendments for recycling and beneficial reuse of scrap tires.
- Rule 391-3-4-.19(9), "Used Tires," is added to expand the tire management rule to include used tires.

The [proposed rules](#) were filed 20 APR 15. A hearing was to be held 12 MAY 15 and comments are due 13 MAY 15. A meeting will be held 24 JUN 15.



No legislative or regulatory items are being monitored at this time.



PROPOSED RULES

TITLE V CAA AND PERMITS The Mississippi Department of Environmental Quality (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 order of the Mississippi Commission on Environmental Quality (CEQ). 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 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.

INTERCONNECTION AND NET METERING JOINT RULES The Mississippi Public Service Commission (PSC) has proposed a new rule, the Mississippi Distributed Generator Interconnection Rule, which sets forth standards to establish technical and procedural requirements for distributed generator facilities to be interconnected and operated in parallel with the electric distribution system owned or operated by electric distribution companies in Mississippi under the jurisdiction of the Mississippi PSC. A second proposed rule, the Mississippi Renewable Energy Net Metering Rule, sets forth technical and procedural requirements for net metering on qualified distributed generator facilities. The two proposed rules are inherently interdependent. Without interconnection, net metering is not possible; without net metering, interconnection is unnecessary. Net metering and interconnection rules ("joint rules") allow a ratepayer with behind-the-meter solar electricity generation, for example, to "sell" excess electricity to its electric utility company. Under the joint rules, the utility company would stand ready to make such "purchases" up to some ceiling amount at a rate approved by the PSC that reflects the avoided cost of the utility. The [proposed rules](#) were [filed](#) 13 APR 15. Comments were due 8 MAY 15.



2015 LEGISLATIVE SESSION: 14 JAN 15 THROUGH 1 JUL 15

North Carolina has a two-year session (2015-2016), with 2015 bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

[HB 97](#), 2015 APPROPRIATIONS ACT This measure makes base budget appropriations for current operations of state departments, institutions, and agencies, and for other purposes. Last action: passed House.

REEO-S Note: HB 97 extends tax credit for renewable energy facilities for two-years, until 2018, and cuts the tax credit from 35% to 20%. It could have an impact on economic considerations in renewable energy project planning being contemplated at DoD facilities.

[HB 141](#) This measure authorizes cities to undertake activities within their stormwater management programs to implement flood reduction techniques that result in improvements to private property. Last action: Senate referred to committee 29 APR 15.

REEO-S Note: The [latest version](#) of HB 141 changes county population numbers to 275,000, with one city of 225,000. This change would open the authority to more population centers (Fayetteville, NC is close). Depending on implementation, the authority to use municipal funding for flood control projects, on private property, could create fee versus tax concerns for federal facilities subject to such fees.

[HB 186](#) This measure requires the environmental resources commission to conduct a study of water resources availability in the Cape Fear River Basin. Last action: Senate re-referred to committee 22 MAY 15.

REEO-S Note: Study results could be of interest to the Army, as Fort Bragg is located within the area of concern.

[HB 548](#) This measure reorganizes, clarifies, and modernizes statutes regarding local planning and development

regulation. Last action: Senate referred to committee 30 APR 15.

REEO-S Note: Article 6 would add: "Notice to Military Bases. If the adoption or modification of the ordinance would result in changes to the zoning map, or would change or affect the permitted uses of land located five miles or less from the perimeter boundary of a military base, the local government shall provide written notice of the proposed changes by certified mail, return receipt requested, to the commander of the military base not less than 10 days nor more than 25 days before the date scheduled for the hearing. If the military provides comments or analysis regarding the compatibility of the proposed ordinance or amendment with military operations at the base, the governing board of the local government shall take the comments and analysis into consideration before making a final determination on the ordinance."

HB 760 This measure provides further regulatory relief to the citizens of North Carolina by providing for various administrative reforms, eliminating certain unnecessary or outdated statutes and regulations, modernizing or simplifying cumbersome or outdated regulations, and making various other statutory changes. Last action: Senate referred to committee 7 MAY 15.

REEO-S Note: HB 760 contains several changes to environmental requirements, some carried over from other bills. REEO-S will review further.

FINAL RULES

CERTIFIED WELL CONTRACTORS (15A NCAC 27 .0801, .0810, .0820, .0840) The North Carolina Department of Natural Resources (NCDENR) has adopted rulemaking to amend the rules cited as 15A NCAC 27 .0801, .0810, and .0820; and repeal the rule cited as 15A NCAC 27 .0840. The purpose of this rulemaking is to align rules relating to continuing education requirements for certified well contractors with General Statute change (G.S. 87-98.12), Session Law 2014-2, which took effect 29 MAY 14. The rules become effective 1 JUL 15.

RED WOLF DESIGNATION (15A NCAC 10I .0104,.0102) NCDENR has adopted amendments to 15A NCAC 10I .0104 to designate the red wolf (*Canis rufus*) as state-listed threatened. As amended, 15A NCAC 10I .0102 allows red wolves to be taken or harassed pursuant to conditions provided in 50 C.F.R. 17.84(c). The [approved rules](#) were published 1 JUN 15.

TOXICS (15A NCAC 02Q .0711) The North Carolina Environmental Management Commission (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 rules became effective 1 MAY 15 and the [approved rules](#) were published 1 JUN 15.

PROPOSED RULES

PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS (15A NCAC 02B .0295) NCDENR has proposed rulemaking to adopt the rule cited as 15A NCAC 02B .0295, as authorized by Section 2 of S.L. 2014-95. This section states that the Environmental Management Commission shall adopt a rule on "Mitigation Program Requirements for the Protection and Maintenance of Riparian Buffers," pursuant to G.S. 150B-21.1, no later than 1 OCT 14. The [proposed rules](#) were published 16 FEB 15. A hearing was held 12 MAR 15 and comments were due 17 APR 15.

REVISED TOTAL COLIFORM RULE (15A NCAC 18C .1539) NCDENR has proposed rulemaking to adopt 15A NCAC 18C .1539. The federal government recently revised the 1989 Total Coliform Rule to strengthen public protection from bacteriological contamination in drinking water. The changes conform to the Safe Drinking Water Act provision that requires any revision to "maintain, or provide for greater protection of the health of persons." North Carolina must adopt the new federal rule, 40 CFR 141, Subpart Y – Revised Total Coliform Rule, to maintain primary enforcement responsibility over the Total Coliform Rule in the state. If North Carolina does not adopt the federal rule, public water systems would be subject to the rule under federal enforcement by EPA. [Proposed rules](#) were published 16 FEB 15 and a hearing was held 3 MAR 15. Comments were due 17 APR 15.

AIR POLLUTION (15A NCAC 02D .0410, .0544, 02Q .0206, .0304, .0502, .0507) NCDENR has proposed rule-making to amend rules cited at 15A NCAC. On 23 JUN 14, the US Supreme Court decided in Utility Air Regulatory Group (UARG) v. EPA that EPA may not treat greenhouse gases (GHGs) as air pollutants for purposes of determining whether a source is a major source required to obtain a PSD or Title V permit. Amendment to Rule 15A NCAC 02D .0544, Prevention of Significant Deterioration (PSD) Requirements for Greenhouse Gases (GHG), is proposed to remove the requirement that major stationary sources obtain a PSD permit on the sole basis of its GHG emissions. It also updates GHG global warming potentials. Amendments to Rule 15A NCAC 02Q .0502, Applicability, remove the requirement that facilities obtain a Title V permit on the sole basis of GHG emissions. EPA strengthened NAAQS for particulate matter (PM2.5) on 14 DEC 12; amendments to 15A NCAC 02D .0410 reflect the revised standard. In response to statutory revisions in North Carolina Session Law 2014-120, the Division of Air Quality (DAQ) is proposing changes to its source reduction and recycling reporting requirement Rules 15A NCAC 02Q .0206, Payment of Fees; .0304, Applications; and .0507, Application. In the existing rules, facilities holding permits are required to submit a written description of current and projected plans to reduce air contaminant emissions by source reduction and recycling. The revised statute reflects repeal of the three source reduction and recycling reporting requirement. The [proposed rules](#) were published 15 APR 15. A hearing was held 9 JUN 15 and comments were due 15 JUN 15.

DRAFT AQUATIC NUISANCE SPECIES MANAGEMENT PLAN The Office of Land and Water Stewardship (OLWS), within NCDENR, has invited public review and comment on the draft North Carolina Aquatic Nuisance Species Management Plan (ANSMP). The plan is a non-regulatory document that will provide guidance for inter-agency cooperation with other public and private partners to minimize ecologic and economic risks associated with aquatic nuisance species. Included is information about various aquatic nuisance species and recommendations for future efforts to minimize and prevent spread. The [Public Notice](#) was issued 1 MAY 15. Comments were due 30 MAY 15.

UNDERGROUND STORAGE TANKS (15A NCAC 02N .0304, .0903-.0904) NCDENR has proposed amendments to rules cited as 15A NCAC 02N .0304 and .0903-.0904. Proposed rule changes are necessary to comply with a directive from the North Carolina General Assembly to amend certain secondary containment requirements contained in 15A NCAC 02N. The proposed rules must be substantively identical to the provisions of Session Law 2011-394 and Session Law 2013-413. The [proposed rules](#) were published 3 NOV 14, a hearing was held 4 DEC 14, comments were due 2 JAN 15, and the [Rules Review Commission Agenda](#) was published 1 MAY 15. A meeting was held 21 MAY 15.



2015 LEGISLATIVE SESSION: 13 JAN 15 THROUGH 4 JUN 15

South Carolina has a two-year session (2015-2016), with 2015 bills carrying over for consideration in 2016. Adjournment dates are estimated and updated based on legislative activity.

LEGISLATION

HB 3874 This measure provides for an income tax credit to an individual or business that constructs, purchases, or leases renewable energy property and places it in service in the state. It also provides a definition of "renewable energy property." Last action: Senate recalled from committee 3 JUN 15.

REEO-S Note: HB 3874 would provide a 35% tax credit for renewable energy project development. The utility of the measure is somewhat limited, but it could encourage small-scale renewable energy development. It seems to have good bipartisan support and should receive further consideration in 2016.

PROPOSED RULES

WASTE TIRES (R.61-107.3) The South Carolina Department of Health and Environmental Control (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](#) were published 28 NOV 14. A hearing was held 8 JAN 15 and a [Notice of Submission to the General Assem-](#)

bly was published 27 FEB 15.

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 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](#) was published 23 JAN 15.

POLLUTION CONTROL REGULATIONS AND STANDARDS AND THE SOUTH CAROLINA AIR QUALITY IMPLEMENTATION PLAN (61-62) SCDHEC has proposed further amendments to Regulation 61-62, Air Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (SIP):

R.61-62.1, Permit Requirements:

- Definitions and General Requirements, Section II, Permit Requirements, (c) to include clarification for allowable on-site activities prior to obtaining a construction permit. SCDHEC proposes amendments to R.61-62.1, Section II to add language to clarify source exemptions for a permit. SCDHEC may propose other changes to R.61-62.1, Air Pollution Control Regulations and Standards, which may include removal of the requirement of a revised air dispersion modeling analysis for permit renewals. Amendments will include additional definitions for clarification and/or corrections for internal consistency, clarification, reference, punctuation, codification, and spelling to improve the overall text of Regulation 61-62.1 as necessary.
- R.61-62.5, Air Pollution Control Standards, Standard No. 4, Emissions from Process Industries, to clarify this regulation is not triggered for sources for which SCDHEC has removed particulate matter (PM) limits (from other sections of this regulation).
- R.61-62.5, Air Pollution Control Standards, Standard No. 5.2, Control of Oxides of Nitrogen (NOX), to clarify applicability and exemptions, and provide corrections for internal consistency, punctuation, codification, and spelling.
- R.61-62.70, Air Pollution Control Regulations and Standards, Title V Operating Permit Program, to remove appeals language, which is generally defined by statutory law (Code Ann. Section 44-1-60 (Supp. 2012) and is redundant, and to clarify qualification language for administrative amendments.

SCDHEC may propose other changes to R.61-62, Air Pollution Control Regulations and Standards, that may include corrections for internal consistency, clarification, reference, punctuation, codification, and spelling to improve the overall text of Regulation 61-62 as necessary.

INCORPORATION OF FEDERAL AIR AMENDMENTS (61-62) SCDHEC has proposed amendments to Regulation 61-62, Air

Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (SIP). EPA promulgates amendments to the Code of Federal Regulations throughout each calendar year. Recent federal amendments to 40 CFR Parts 51, 52, 60, 61, 63, and 70 include clarification, guidance, and technical amendments regarding SIP requirements, New Source Performance Standards (NSPS), NESHAP for Source Categories, Prevention of Significant Deterioration (PSD), and revisions to testing methods. To incorporate by reference recent federal amendments promulgated from 1 JAN 14 through 31 DEC 14, SCDHEC proposes to amend:

- Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration;
- Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, Regulation 61-62.61, National Emission Standards for Hazardous Air Pollutants; and
- Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories.

SCDHEC may propose other changes to Regulation 61-62, which may include corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of Regulation 61-62 as necessary. Comments were due 27 APR 15 and a [Drafting Notice](#) was published 22 MAY 15.

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](#) was published 25 JUL 14 and comments were due 25 AUG 14. [Proposed regulations](#) were published 28 NOV 14 and comments were due 29 DEC 14. A hearing was held 8 JAN 15. A [Notice of Submission to the General Assembly](#) was published 27 FEB 15.

UNDERGROUND STORAGE TANKS (R.61-92) SCDHEC has proposed amendments to R.61-92, Underground Storage Tank (UST) 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 and the [proposed regulations](#) were published 27 MAR 15.

BEACHFRONT MANAGEMENT PLAN (R.30-21) SCDHEC has proposed amendments to R.30-21 Beachfront Management Plan, SCDHEC's Coastal Division regulations related to permitting in coastal zone critical areas. In 1988, the South Carolina Beachfront Management Act established a statewide beachfront management program and set forth policies that called for the state to "create a comprehensive, long-range beach management plan...for the protection, preservation, restoration, and enhancement of the beach/dune system" (SC Code of Laws Section 48-39-260(2)). The State Beachfront Management Plan was created and adopted pursuant the Administrative Procedures Act in 1992, and resides within SCDHEC's Coastal Division regulations (R.30-21). The plan contains goals, objectives, and policies that guide the state's beachfront management. Goal statements derived from Section 48-39-260 represent broad courses of action relating to improved management of the beach/dune system, protection of endangered species; implementation of retreat policies, response to disasters, and improved public access and awareness. It also contains objectives and specific policy statements that identify strategies to implement goals. SCDHEC can use the plan to exercise regulatory authority. SCDHEC is proposing to modify the plan to ensure policies reflect the most current and accurate data available, and are congruent with regulations under other sections of SCDHEC's Coastal Division regulations. A [Drafting Notice](#) was published 27 FEB 15. Comments were due 30 MAR 15.

WELL STANDARDS (61-71) SCDHEC has proposed amendments to 61-71, Well Standards. The separation distance between individual residential and irrigation wells and septic tank/tile fields will be changed from 50 to 75 feet for consistency with On-site Wastewater Systems Regulation 61-56. Underground injection wells will be added to the list of wells regulated under R.61-71, because Underground Injection Control Regulation R.61-87 cites R.61-71 as construction standards for underground injection wells. Definitions for injection well and injection, as defined in R. 61-87, will be added to R.61-71. SCDHEC may include corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of regulation text. A [Drafting Notice](#) was published 27 FEB 15. Comments were due 30 MAR 15.

SOLID WASTE MANAGEMENT (R.61-107.12) SCDHEC has proposed an amendment of R.61-107.12, Solid Waste Management: Solid Waste Incineration and Solid Waste Pyrolysis Facilities, to update for consistency with current statutes regarding violations, penalties, and appeals of SCDEHC decisions. Amendment will include improved references to federal and state air quality regulations applicable to incineration. Amendment will also address consistency determinations with state and local solid waste plans and clarify when such determinations will be made for permitting facilities regulated under R.61-107.12. Air-curtain incinerators will be addressed separately from municipal and industrial solid waste incineration facilities; SCDHEC may propose new sub-sections and language to clarify requirements for use of air-curtain incinerators. New or revised definitions may be included to reference technological advances occurring since the regulation was originally promulgated. Other changes for consideration include updating, clarifying, or amending the standards for sorting, storing, and processing waste and required maintenance at incineration facilities; ash management from incineration facilities for consistency with current federal and state requirements; public notice requirements for proposed incineration facilities, and general facility requirements. A [Drafting Notice](#) was published 24 APR 15. Comments were due 26 MAY 15.

AIR QUALITY COLLOCATION GUIDANCE SCDHEC has issued a notice relating to collocation. South Carolina Regulations 61-62.5, Standard No. 7, Prevention of Significant Deterioration; 61-62.5, Standard No. 7.1, Nonattainment New Source Review; 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories; and 61-60.70, Title V Operating Permit Program, define a source. From these definitions, two or more facilities may be collocated, or considered a single source for the purposes of the regulations. SCDHEC has developed a guidance document, in the form of a memo, to be used by the Bureau of Air Quality in making determinations of when two or more facilities should be collocated, or considered a single source for these regulations. This guidance will be maintained by SCDHEC and periodically published in the South Carolina State Register. A Notice of General Public Interest was published 22 MAY 15.



2015 LEGISLATIVE SESSION: 13 JAN 15 THROUGH 22 APR 15

LEGISLATION

SB 92 As introduced, this measure makes various changes to the regulation of petroleum USTs and waste. Last action: SB 92 becomes effective 1 JUL 15.

REEO-S Note: This measure makes some minor changes to the UST requirements. For a summary of changes, click [here](#).

PROPOSED RULES

NEW SOURCE PERFORMANCE STANDARDS (1200-03-16) The Tennessee Department of Environmental Conservation (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.

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 were due 15 FEB 15.

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.

HAZARDOUS WASTE MANAGEMENT (0400-12-01-.02, .05, .10) TDEC has proposed revisions to 0400-12-01 to:

- Correct a typographical error to the process description to K107;
- Add a common chemical name 1,1,1-trichloroethane to the U226 list of commercial chemical products (this is not a new listing);
- Update regulatory language regarding exclusion of comparable fuel and syngas fuel to be equivalent with EPA's language;
- Correct the introductory statements rule, 0400-12-01-.10(1)(g)2(iv), for consistency with federal language and to add a sentence to certification statements to reference T.C.A. § 39-16-702(a)(4); and
- Make other revisions for consistency with federal language.

A [Notice of Rulemaking Hearing](#) was filed 16 MAR 2015. A hearing was held and comments were due 19 MAY 2015.

USE CLASSIFICATIONS FOR SURFACE WATERS (0400-40-04) TDEC has proposed 0400-40-04, Use Classifications For Surface Waters. The Clean Water Act gives states the responsibility of developing clean water goals. According to both state and federal law, these clean water goals, or water quality standards, must be formally reviewed on a regular basis. Federal law mandates that this review take place no less often than every three years, hence its commonly used name, the Triennial Review. Water quality standards consist of stream-use classifications for surface waters (Chapter 0400-40-04), and the general water quality criteria and antidegradation policy (Chapter 0400-40-03). These regulations were last reviewed beginning in 2009. The review for Chapter 0400-40-03 took extra time and TDEC held these rules for additional public consideration in 2012. Because Chapter 0400-40-04 (stream-use classifications) did not have the additional round of public hearings, it is time to consider revisions to that chapter. Stream-use classifications identify the public's most likely uses of a specific waterbody. Those formal classifications in turn identify specific criteria contained in Chapter 0400-40-03 that will then apply. Failure to meet criteria for the assigned designated uses is the condition of pollution, according to the Tennessee Water Quality Control Act. The review of stream-use classifications typically consists of the addition of newly discovered or created trout waters, review of waters being used for domestic water supply, and con-

sideration of any other requested changes in classifications. A Notice of Rulemaking Hearing was filed 12 MAR 15. A hearing was held 28 MAY 15 and comments were due 4 JUN 15.

AQUATIC RESOURCE ALTERATION GENERAL PERMITS TDEC has proposed to issue four new General Permits including the General Aquatic Resource Alteration Permit for Bank Stabilization, Minor Stream Grade Stabilization, Recreational Prospecting, and Stream and Wetland Habitat Enhancement. General permits issued by the Division of Water Resources establish limits of work and notification procedures required for authorization. A public notice was issued 15 MAY 15, a hearing will be held 16 JUN 15 and comments are due 26 JUN 15.

Department of Defense Activity

NEW ARMY DASA SELECTED [Mr. Eugene Collins](#) was selected as Deputy Assistant Secretary of the Army (DASA) for Environment, Safety and Occupational Health (DASA (ESOH)). Mr. Collins joins ESOH from Headquarters, US Air Force, where he served as the Deputy Director of Logistics in the office of the Deputy Chief of Staff for Logistics, Installations and Mission Support. Mr. Collins has a broad background in public service. He served in the Air Force for 26 years and in a variety of other organizations, to include the US Department of Health and the Internal Revenue Service.

ENVIRONMENTAL COMPLIANCE IN THE UNITED STATES DoD reissued Department of Defense Instruction (DoDI) [4715.06](#) (Environmental Compliance in the United States), effective 4 MAY 15. The DoDI establishes policy, assigns responsibilities, and provides procedures for achieving and maintaining environmental compliance in the US.

HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS DoD, the General Services Administration (GSA), and the National Aeronautics and Space Administration (NASA) are proposing to amend the Federal Acquisition Regulation (FAR) to implement executive branch policy in the President's Climate Action Plan to procure alternatives to high global warming potential hydrofluorocarbons when possible ([80 FR 26883](#)). The amendments will allow the agencies to better meet the greenhouse gas (GHG) emission reduction goals and reporting requirements of Executive Order (EO) [13693](#), which subsumes both EOs 13423 and 13514. Comments are due 10 JUL 15. For more information, contact Charles Gray at (703) 795-6328.

GAO OBSERVATIONS ON ARMY AVIATION RESTRUCTURING The Government Accountability Office (GAO) completed a review of the Army's recently approved Army Aviation Force Restructuring Initiative, a multi-year undertaking that would reduce the size of the Army's aviation force and rebalance its capabilities by removing all AH-64 attack helicopters (Apaches) from the Army National Guard. Upon review of the Army's analyses of two competing aviation force structure proposals, GAO found the analyses enabled the Army to compare the force-structure proposals with respect to their abilities to meet future combat requirements and relative costs. GAO concluded that the Army's analyses had two key limitations:

- The Army's analyses did not evaluate how the proposals would have performed under modified scenarios that varied the rate at which units would deploy into a major combat operation, or the duration of the major combat operation. Although GAO conceded the analysis enabled Army leaders credibly assess the proposals, GAO observed that additional sensitivity would have provided Army officials with additional insights.
- The Army's cost estimates were limited as a means of projecting actual costs and potential cost savings because they do not capture all the costs associated with unit conversion. GAO observed that if additional requirements are not addressed, the Army may be delayed in restoring unit readiness once the restructuring is completed.

To view report highlights, [click here](#). To view the entire 14-page report, [click here](#). For more information, contact [John Pendleton](#) at (202) 512-3489.

Federal Activity

AIR

BACKUP GENERATOR EMISSIONS The US Court of Appeals, District of Columbia Circuit [ruled](#) that EPA acted arbitrarily

and capriciously when it modified the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and performance standards to allow backup generators to operate without emissions controls for up to 100 hours per year as part of an emergency demand-response program. The court reversed EPA's 100-hour exemption for emergency engines under Title 40 Code of Federal Regulation (CFR) 63.6640(f)(2) and 40 CFR 60.4211(f)(2), 60.4243(d)(2) and remanded them to EPA for further action. The opinion was issued 1 MAY 15.

NSPS ELECTRONIC REPORTING EPA extended the public comment period for its proposed Electronic Reporting and Recordkeeping Requirements for New Source Performance Standards (NSPS) to 18 JUN 15 ([80 FR 28571](#)). For more information, contact Gerri Garwood at (919) 541-2406.

ECHO NOW INCLUDES CLEAN AIR ACT VIOLATION AND ENFORCEMENT DATA EPA has released [ECHO Version 2.4](#), featuring updated Clean Air Act (CAA) stationary source data and a tailored search interface. ECHO provides information about environmental inspections, violations, and enforcement actions for EPA-regulated facilities like power plants, factories, and federal facilities. The information in ECHO is updated weekly.

GREENHOUSE GAS TAILORING RULE EPA is amending federal Prevention of Significant Deterioration (PSD) regulations to provide a mechanism for EPA and delegated reviewing authorities to rescind PSD permits required in light of the Supreme Court decision in *Utility Air Regulatory Group v. EPA* and amended appeals court judgment in *Coalition for Responsible Regulation v. EPA*, vacating the PSD and Title V Greenhouse Gas (GHG) Tailoring Rule ([80 FR 26183](#)). The Supreme Court ruled that EPA may not treat GHGs as an air pollutant for the specific purpose of determining whether a source (or a modification thereof) is required to obtain a PSD. Step 2 of the Tailoring Rule applied CAA PSD permitting requirements to sources classified as "major" based solely on potential GHG emissions. It also applied modifications for otherwise major sources that required a PSD permit because increased GHG emissions were above applicable levels in EPA regulations. For further information: [Jessica Montañez](#), (919) 541-3407.

NO₂ REVIEW EPA is reviewing the primary National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide (NO₂) ([80 FR 27304](#)). The agency is requesting comment on the document titled *Review of the Primary National Ambient Air Quality Standards for Nitrogen Dioxide: Risk and Exposure Assessment Planning Document*. The plan presents considerations and the proposed approach for conducting quantitative analyses of NO₂ exposures or health risks in the current review of the primary NO₂ NAAQS. The document is intended to facilitate Clean Air Scientific Advisory Committee (CASAC) advice and public input in advance of reaching decisions on these quantitative analyses. Comments are due 3 JUL 15. For more information, contact [Scott Jenkins](#) at (919) 541-1167 or [click here](#) to visit the NO₂ planning documents website.

WITHDRAWN: AMENDMENTS TO VARIOUS MOBILE SOURCE REGULATIONS EPA withdrew amendments to certain elements of the Tier 3 amendments final rule published 19 FEB 15 because it received adverse comment ([80 FR 26463](#)). The agency intends to consider the comments received and proceed with a new final rule for the withdrawn elements. The remaining elements will go into effect pursuant to the direct final rule. Effective 5 MAY 15, EPA withdrew the amendments to 40 CFR 80.1453, 80.1616, and 80.1621 published at [80 FR 9078](#) on 19 FEB 15. For more information, contact [Julia MacAllister](#) at (734) 214-4131.

CLIMATE CHANGE

CLIMATE CHANGE ADAPTATION In October 2011, the Interagency Climate Change Adaptation Task Force published the "National Action Plan: Priorities for Managing Freshwater Resources in a Changing Climate." It was developed by the Water Resources and Climate Change Adaptation Workgroup made up of federal agencies with responsibilities for water management. This [recent report](#) highlights progress made in 2014 implementing the National Action Plan and describes the specific tasks that federal agencies are planning to undertake in 2015. The work described in this report reports reflect a comprehensive, coordinated, and continuing effort by federal agencies to respond to the challenges for water resources management posed by climate change.

COMMUNITY RESILIENCE PLANNING The National Institute of Standards and Technology (NIST) [released](#) a draft guide to help communities plan windstorms, floods, earthquakes, sea-level rise, industrial mishaps, and other hazards ([80 FR 23256](#)). The draft guide consists of two volumes. The first provides an overview of community resilience and summarizes six steps involved in developing and implementing a resilience plan. It also provides an example of how a fictional community uses the framework to plan and guide resilience efforts. The second volume serves as a detailed resource to support the six steps. It includes sections on characterization of social and economic functions, buildings, transportation, energy, communication, water and wastewater and community resilience metrics. Comments are due 26 JUN 15. For

more information, contact [Steve Cauffman](#) at (301) 975-6051.

RENEWABLE FUEL STANDARD EPA [is proposing](#) to adjust the amount of renewable fuels required under the Renewable Fuel Standard (RFS) for program years 2014-2016. The proposed rule would lower the amounts of cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel for gasoline and diesel fuel produced or imported in years 2014 through 2016. The agency is also proposing to adjust (lower) the amount of biomass-based diesel required in 2017. Although the agency is proposing a lower amount of renewable fuels than originally established in the RFS, the proposed amounts would result in renewable fuel use above historic levels. The agency is taking this action because it believes the original standards cannot be achieved. A public hearing is scheduled for 25 JUN 15. Comments are due 27 JUL 15. For more information, contact [Julia MacAllister](#) at (734) 214-4131. The RFS website is available [here](#) and a fact sheet is available [here](#).

ENERGY

ENERGY EFFICIENCY IMPROVEMENT ACT OF 2015 Signed by President Obama on 30 April 2015, this [act](#) mandates the GSA Administrator develop model commercial leasing provisions and best practices to promote energy efficiency and water efficiency in federal and other buildings. This act also amends the Energy Independence and Security Act of 2007.

ESPC FOR SMALL PROJECTS The Federal Energy Management Program's (FEMP's) Energy Savings Performance Contract (ESPC) [ENABLE program](#) provides a standardized and streamlined process for small federal facilities to install targeted, energy conservation measures (ECMs) in six months or less. Through the program, smaller federal facilities have the opportunity to upgrade their old equipment, contribute to a number of sustainability initiatives, and enhance their ability to fulfill their stated mission. In May 2015, the Air Force [announced](#) it had awarded the first contract under ESPC ENABLE in the DoD. The project involves an upgrade of exterior lighting at Laughlin Air Force Base in Texas. For more information, [click here](#) to view a sheet or visit the [ESPC Enable](#) website.

REPORT: ENABLING WIND POWER NATIONWIDE The Department of Energy (DOE) released a report titled [Enabling Wind Power Nationwide](#). The report describes the current state of wind technology and transportation considerations and details future technology pathways for technical innovation in towers, rotors, drivetrains, and component transport and installation. The report also analyzes and quantifies the geographic expansion that could be enabled by accessing higher above ground heights for wind turbines and considers the means by which this new potential could be responsibly developed. According to the report, market trends and technological innovations are increasingly unlocking cost-effective wind in regions with more moderate wind resources. Based on an advanced turbine concept and assuming hub heights of 110 meters (m), the technical potential for wind deployment is estimated to grow to 4.3 million square kilometers (km²), a 54% increase compared to current technology. By pursuing hub heights of 140 m, the technical potential for wind deployment is estimated to grow to 4.6 million km², a 67% increase compared to current technology.

WAVE ENERGY COMPETITION DOE launched a Wave Energy Prize competition designed to achieve performance enhancements to wave energy conversion devices, establishing a pathway to significant cost reductions on a commercial scale ([80 FR 25286](#)). The competition consists of three phases—design, build, and test and evaluation. Winners will be announced by the end of 2016. For more information, visit [waveenergyprize.org](#).

PESTICIDES

PESTICIDES DASHBOARD The [Pesticides Dashboard](#) will initially present three years of compliance and enforcement activity data on the regulated universe of pesticide-producing establishments, thus making Federal Insecticide, Fungicide, and Rodenticide Act compliance information available to anyone with Internet access. Future screens will focus on compliance with worker protection standards. On the dashboard, the public can view and download information about the number of pesticide-producing establishments, inspections, and the government response to these violations during the three most recent years. Data is presented for states, tribes, EPA regions, and the nation as a whole.

NATURAL RESOURCES

NATIONAL STRATEGY FOR HONEY BEES AND MONARCH BUTTERFLIES The White House Pollinator Health Task Force released the [National Strategy to Promote the Health of Honey Bees and Other Pollinators](#) in May 2015. The strategy outlines a comprehensive approach to tackling and reducing the impact of multiple stressors on pollinator health, including pests and pathogens, reduced habitat, lack of nutritional resources, and exposure to pesticides. It lays out current and planned federal actions to achieve these overarching goals:

- Honey Bees: Reduce honey bee colony losses during winter to no more than 15% within 10 years.
- Monarch Butterflies: Increase the population of the monarch butterfly to 225 million butterflies occupying an area of approximately 15 acres in overwintering grounds in Mexico by 2020 through domestic/international actions and public/private partnerships by 2020.
- Pollinator Habitat Acreage: Restore or enhance seven million acres of land for pollinators over the next five years through federal actions and public/private partnerships.

PETITIONS FOR THREATENED AND ENDANGERED SPECIES USFWS and the National Marine Fisheries Service (NMFS) are proposing to revise their regulations governing petitions for threatened and endangered species conservation ([80 FR 29286](#)). The revisions would clarify and enhance the procedures by which the services will evaluate petitions under ESA Section 4(b)(3). The proposed changes are also intended to streamline the processes by which the services process petitions. Comments are due 20 JUL 15. For more information, contact Douglas Krofta (FWS) at (703) 358-2171 or Angela Somma (NMFS) at (301) 427-8403.

NOISE

FAA POLICY The Federal Aviation Administration (FAA) posted a policy statement regarding the required use of its [Aviation Environmental Design Tool version 2b \(AEDT 2b\)](#) to analyze noise, fuel burn, and emissions for FAA actions under the National Environmental Policy Act (NEPA) ([80 FR 27853](#)). AEDT 2b, a comprehensive software tool that provides information to FAA stakeholders on specific environmental impacts, facilitates environmental review activities required under NEPA by consolidating the modeling of these environmental impacts in a single tool. The policy was effective 29 MAY 15.

RECOURSE CONSERVATION & RECOVERY ACT (RCRA)

POST-CLOSURE CARE EPA is seeking comment on the draft "[Guidelines for Evaluating and Adjusting the Post-Closure Care Period for Hazardous Waste Disposal Facilities under Subtitle C of RCRA](#)." The guidelines assist regulators in evaluating the post-closure care period for hazardous waste disposal facilities subject to Subtitle C of RCRA, and determining whether that length of time should be adjusted. The draft guidance also provides information to assist facility owners and operators in preparing documentation to support a decision to adjust the post-closure care period. Once finalized, the guidance will lend greater transparency and efficiency to the decision making process. EPA specifically requests comments from operating treatment storage and disposals facilities, permit writers, trade associations, and environmental groups. Comments will be accepted until 30 JUN 15.

WATER

CLEAN WATER RULE EPA and the Army finalized the [Clean Water Rule](#) to ensure that waters are protected under the Clean Water Act (CWA). Specifically, the rule:

- Clearly defines and protects tributaries that impact the health of downstream waters. The rule states a tributary must show physical features of flowing water—a bed, bank, and ordinary high water mark—to warrant protection. It provides protection for headwaters that exhibit these features and impact downstream waters.
- Provides certainty in how far safeguards extend to nearby waters. The rule protects waters next to rivers and lakes and their tributaries, as science demonstrates they impact downstream waters. The rule sets boundaries on covering nearby waters for the first time that are physical and measurable.
- Focuses on streams, not ditches. The rule limits protection to ditches constructed out of streams or that function like streams and can carry pollution downstream. Ditches not constructed in streams and flow only when it rains are not covered.
- Maintains the status of waters within Municipal Separate Storm Sewer Systems. The rule does not change how those waters are treated and encourages the use of green infrastructure.
- Reduces the use of case-specific analysis of waters. Previously, almost any water could be put through a lengthy case-specific analysis, even if it would not be subject to the CWA. The rule significantly limits the use of case-specific analysis by creating clarity and certainty on protected waters and limiting the number of similarly situated water features.

The Clean Water Rule will be effective 60 days after publication in the Federal Register. For further information: [Robert Daquillard](#), EPA, (202) 564-6618.

DISCHARGE MONITORING REPORT POLLUTANT LOADING TOOL EPA's Discharge Monitoring Report (DMR) Pollutant Loading Tool has a new search feature that identifies instances when industrial facilities and sewage treatment plants dis-

charge wastewater pollution in exceedance of their CWA permit effluent limits. The tool calculates pollutant loadings from permit and DMR data from EPA's Integrated Compliance Information System for the National Pollutant Discharge Elimination System (ICIS-NPDES). Data are available from the year 2007 to the present. Pollutant loadings are presented as pounds per year and as toxic-weighted pounds per year to account for variations in toxicity among pollutants.

Professional Development

CONFERENCES, WORKSHOPS AND MEETINGS

19-21 JUN, CUSTER, WI: [THE ENERGY FAIR](#) The fair brings over 15,000 attendees together to learn the latest and greatest in clean energy and sustainability, connect with others, and take action toward a more sustainable future. It is the nation's longest running energy education event of its kind.

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

22-26 JUN, RALEIGH, NC: [AIR AND WASTE MANAGEMENT ASSOCIATION'S \(AWMA\) 108TH ANNUAL MEETING AND EXHIBITION](#) The conference will feature a technical program with over 400 speakers, 70 technical and student posters, more than 100 exhibitors. This year's theme is "Connecting the Dots: Environmental Quality to Climate."

4-6 AUG, ATLANTA, GA: [2015 COMMUNITY INVOLVEMENT TRAINING CONFERENCE](#) The conference brings together more than 450 people from EPA and its stakeholders who plan and implement environmental community involvement, partnership, stewardship, outreach, and education programs.

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.

26-28 AUG, JEKYLL ISLAND, GA: [2015 ANNUAL GEORGIA ENVIRONMENTAL CONFERENCE](#) Over the four-day event, this conference will host environmental professionals seeking to exchange knowledge and share ideas about environmental concerns in Georgia and around the world. The curriculum offers 56 unique courses, allowing attendees to design personalized curriculums by selecting ten educational breakout sessions and receive approved continuing education credits.

10-11 SEP, DENVER, CO: [2015 ENERGY POLICY RESEARCH CONFERENCE](#) Conference topics include: the future of coal, smart grids, public lands, energy and water nexus, climate change, bioenergy, transportation, energy R&D, micro-grids, natural gas, wind, solar, and more.

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 p.m. Eastern for 90 minutes. Most webinars will feature two 30-minute presentations and interactive question and answer sessions, on topics targeted for DoD and DOE audiences. Prior presentations are archived for viewing any time.

- 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
- 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](#) 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 two 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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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/>.