



# Southern Review

## of Legislative & Regulatory Actions

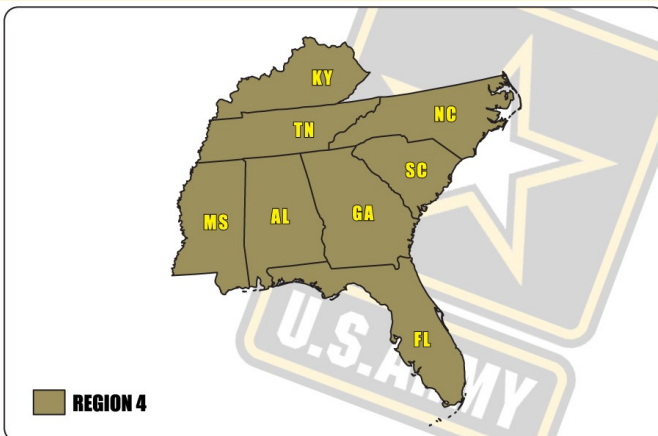


The U.S. Army Regional Environmental & Energy Office

November 2014

**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](mailto:rebecca.d.shanks.ctr@mail.mil). Please include a contact name and email address in the body of the message.



## Table of Contents

<a href="#">Alabama</a> .....	2
<a href="#">Florida</a> .....	2
<a href="#">Georgia</a> .....	4
<a href="#">Kentucky</a> .....	5
<a href="#">Mississippi</a> .....	5
<a href="#">North Carolina</a> .....	6
<a href="#">South Carolina</a> .....	7
<a href="#">Tennessee</a> .....	8
<a href="#">DoD Activity</a> .....	8
<a href="#">Federal Activity</a> .....	9
<a href="#">Professional Development</a> .....	11
<a href="#">Staff Directory</a> .....	14

## 2014 ARMY SUSTAINABILITY REPORT RELEASED

The Assistant Secretary of the Army for Installations, Energy and Environment released the [Army Sustainability Report 2014](#), highlighting the Army's progress in Fiscal Years 2012-2013.

The Army Sustainability Report 2014 highlights progress in land management, operational energy, community partnerships, and programs that support the holistic health and well-being of our people.

Sustainability is a force multiplier for the Army, enhancing its mission effectiveness today. It is also the foundation for the Army's efforts to create a more adaptable and resilient Force prepared for a complex, uncertain, and rapidly changing future.

This public report aligns with the Army's reporting for the Department of Defense (DoD) Strategic Sustainability Performance Plan, per Executive Order (EO) 13514 (Federal Leadership in Environmental, Energy, and Economic Performance). Within the Army, sustainability goes well beyond the EO 13514 energy, water, and waste mandates.

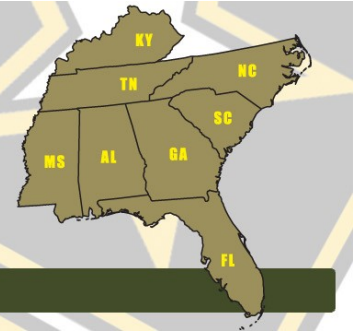
This fifth Global Reporting Initiative (GRI)-based report documents the Army's status, achievements, and trends associated with relevant indicators of sustainability. The Army Sustainability Report 2014 includes sections on installations, operations, and commitment to Soldiers, Families, and communities.

Each section addresses topics of note, reports progress against relevant sustainability metrics, and highlights successes. The Army Sustainability Report 2014 annex contains a complete index to GRI sustainability metrics in tables with links to publicly-available Army sources.

Full article text also available [here](#).

# Region 4

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



## ***FINAL RULES***

**GREENHOUSE GASES (335-3-14-.04, 335-3-16-.01, APPENDIX I)** The Alabama Department of Environmental Management (ADEM) adopted amendments to Administrative Code Rule 335-3-14-.04, 335-3-16-.01, and Appendix I. Revisions to current construction permit regulations and Major Source Operating Permit rules in Division 3 provide consistency with the recent Supreme Court decision concerning regulation of greenhouse gases (GHGs). The court ruled that sources of GHGs would not be regulated under the Prevention of Significant Deterioration (PSD) and Title V programs based solely on GHG emissions. Amendments to Appendix I provide consistency with EPA's revision of global warming potential values for certain GHGs. A [Notice of Intended Action](#) was filed 27 JUL 14 and published 31 JUL 14. A hearing was held 10 SEP 14 and comments were due 12 SEP 14. The [Certified Adopted Rules](#) were filed 21 OCT 14, published 31 OCT 14.

## ***PROPOSED RULES***

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



## ***FINAL RULES***

**THREATENED AND ENDANGERED SPECIES (5I-8.001, 5I-8.002, 5I-8.003, 5I-8.004)** The Florida Department of Agriculture and Consumer Services (DACS) adopted 5I-8.001, 5I-8.002, 5I-8.003, and 5I-8.004, F.A.C. The rule provides a presumption of compliance from incidental take of state imperiled species through implementation of voluntary Florida Forestry Wildlife Best Management Practices (WBMPs). The rule establishes a procedure for applicants submitting a "Notice of Intent to Implement" Florida Forestry WBMPs. When a Notice of Intent to Implement is filed with the Florida DACS--as well as with the Florida Forest Service (FFS), and the Florida Fish and Wildlife Conservation Commission (FFWCC)--and the Florida Forestry WBMPs are implemented, the landowner has a presumption of compliance from incidental take of state imperiled species. This rule provides that when Florida Forestry WBMPs are not physically observable in the field, participants must preserve sufficient documentation to confirm implementation of the Florida Forestry WBMPs identified in the Notice of Intent to Implement. All field activities and documentation related to Florida Forestry WBMP implementation are subject to FFS and FFWCC inspection. The rules became effective 21 OCT 14. Final rule text for [5I-8.001](#), [8.002](#), [8.003](#), and [8.004](#) is available. POC: Jeffery Vowell, (850) 681-5943.

## ***PROPOSED RULES***

**AIR GENERAL PERMIT MODIFICATIONS (62-210.200, 62-210.300, 62-210.310)** The Florida Department of Environmental Protection (FLDEP) has proposed amendments to paragraph 62-210.300(3)(a), F.A.C., to update provisions for exemptions from permitting for fossil fuel steam generators, hot water generators, and other external combustion heating units with heat input capacity less than 100 million British thermal units (Btu) per hour. The rule revision will allow sources subject to 40 CFR Part 63, Subpart JJJJJJ to remain exempt from permitting. This rule development pro-

poses to amend Rule 62-210.310, F.A.C., to address the circumstances under which temporary sources, including emissions units operating under an Air General Permit registration, may collocate at an otherwise permitted facility. It eliminates the Air General Permit Registration fee for facilities that register using FLDEP's Air General Permit Electronic Registration System (AGPERS), and clarifies and corrects existing language in Rules 62-210.200, .300 and .310, F.A.C. A [Notice of Development of Rulemaking](#) was published 1 MAY 14. FLDEP POC: [Terri Long](#), (850) 717-9023.

**UNIFORM MITIGATION ASSESSMENT METHOD (62-345.100, .200, .300, .400, .500, .600, .900)** FLDEP has proposed amendments to clarify and ensure consistent application of the Uniform Mitigation Assessment Method (UMAM) rule. Amendments address application of UMAM to wetland and upland assessment areas where preservation as mitigation is proposed, and a revised method to ensure equal evaluation is used when calculating the preservation adjustment factor. Amendments also clarified application of the UMAM for assessment areas artificially created or significantly altered from their historic or natural condition. Guidance will be provided to clarify time-lag and risk factor determination, and to assist in designation and classification of Florida's native community types. Clarification and guidance will also be provided regarding application of the UMAM to quantitative assessment of location and landscape support values, assessment of wetland functions as provided by surrounding upland communities, and in evaluation of contributions of the assessment area to water bodies and wetlands. Application of the UMAM to benthic communities will be clarified to provide specific guidance and criteria for assessment of sea grass, hard bottom, and other submerged communities. UMAM form improvements will better track steps and processes outlined by rule language, and facilitate long-term tracking of wetland functional losses and gains. A Notice [of Rulemaking Development](#) was published on 3 MAY 13. A workshop was held 26 JUN 13. FLDEP POC: [John Humphreys](#), (850) 245-8487.

**CONSTRUCTION AND DEMOLITION LANDFILLS (62-701.100, .200, .210, .220, .300, .315, .320, .330, .400, .410, .430, .500, .510, .520, .600, .610, .620, .630, .710, .730, .803, .900)** FLDEP has proposed revisions to chapter 62-701 of F.A.C., which contains regulations for a variety of solid waste facilities including landfills, construction and demolition (C&D) debris disposal facilities, and waste processing and recycling facilities. This chapter was last amended with an effective date of 12 AUG 12. Subsection 403.707(9), F.S., requires all C&D debris landfills be constructed with liners and leachate control systems. Amendments are being made to the chapter to implement these changes in the statutes. Various simplifying changes are also proposed to chapter 62-701 to reduce unnecessary regulations, reduce costs to the regulated community, and clarify existing regulations. These measures will result in a savings to the regulated community, while continuing to provide effective environmental protection. A meeting was held 21 AUG 14 and a [Notice of Proposed Rules](#) was published 1 OCT 14. A hearing was held 23 OCT 14. FLDEP POC: [Richard Tedder](#), (850) 245-8735.

**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. A meeting was held 15 JUL 14. FLDEP POC: [William Burns, Jr.](#), (850) 245-8842.

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

**DOMESTIC WASTEWATER FACILITIES (62-600)** FLDEP has proposed amendments to Chapter 62-600, F.A.C., to simplify design, operation, monitoring, and reporting requirements applicable to domestic wastewater facilities. Revisions clarify reliability design requirements, applicability of specific operation and maintenance requirements, innovative and alternative treatment process requirements, sampling methodology, sinkhole reporting requirements, permit monitoring effective date, flow recording device calibration requirements, procedures for electronic submittal of monitoring results, and minimum ground water monitoring requirements. Requirements are also being updated for consistency with other FLDEP rules, including Chapters 62-520, 62-528, 62-610, and 62-640; Florida Department of Health Chapter 64-E-6, F.A.C.; and ocean outfall legislation adopted in Section 403.086(9), F.S. Domestic wastewater facility requirements are being revised to eliminate obsolete and redundant requirements, including those for obtaining construction permits, exemptions from state water quality criteria no longer in use, test methods approved specifically for domestic wastewater facilities, and requirements redundant to or superseded by Chapters 62-4, 62-610, 62-620, and 62-650, F.A.C. FLDEP is soliciting suggestions for clarifying, streamlining, reducing costs, or other items that may be beneficial to domestic



wastewater management. The [Notice of Rulemaking Development](#) was published 27 MAR 14 and a workshop was held 16 APR 14. FLDEP POC: [Sharon Sawicki](#).

**MITIGATION BANKS (62-342.100, .200, .450, .470, .650, .700, .750, .800, .850, .900)** FLDEP has proposed rules to correct citations and references in Chapter 62-342, F.A.C., Mitigation Banks. The proposed rules are the result of amendments to the new Statewide Environmental Resource Permitting (ERP) rule Chapter 62-330, F.A.C., effective 1 OCT 13; repeal of rules in Chapter 62-312, F.A.C.; and repeal of Chapters 62-343 and 62-346, F.A.C., effective 25 NOV 13. Rule 62-342.200 and paragraph 62-342.750(1)(c) refer to the success criteria in Rule 62-312.350, F.A.C., which is repealed. The effective date of Chapter 62-312, F.A.C., in existence prior to its repeal, needs to be added to the above provisions in Chapter 62-342, F.A.C., so mitigation bankers can continue to rely on those criteria. The [Notice of Rulemaking Development](#) was published 31 MAR 14, a [Notice of Proposed Rules](#) was published 17 JUN 14, a [Notice of Correction](#) was published 27 AUG 14, and a [Notice of Change](#) was published 5 SEP 14. FLDEP POC: [Alice Heathcock](#), (850) 245-8483.

**COASTAL CONSTRUCTION AND EXCAVATION (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 rule language to reflect 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. In addition to proposed amendments, FLDEP proposes creation of a CCCL Applicant's Handbook. A [Notice of Development of Rulemaking](#) was published 9 JUN 14 and a workshop was held 23 JUN 14. FLDEP POC: [Sandra Powell](#), (850) 245-8604.

**KISSIMMEE RIVER RESTORATION PROJECT (40E-10.011, 40E-10.021, 40E-10.031, 40E-10.071)** 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 and a workshop was held 30 JUL 14. South Florida WMD POC: [Don Medellin](#), (561) 682-6340.

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

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

**ENVIRONMENTAL RESOURCE PERMITS (40D-1.002, .1021, .602, .603, .6051, .6105, .659)** The Southwest Florida WMD has proposed amendments to provide that ERPs and other authorizations issued pursuant to the Statewide Environmental Resource Permit Rules, Chapter 62-330, F.A.C., are processed in accordance with procedural rules. Amendments also provide that various provisions of Chapter 40D-1, F.A.C., are limited to permits and authorizations issued

prior to 1 OCT 14 or grandfathered projects. A [Notice of Development of Rulemaking](#) was published 3 OCT 14 and a Notice of Proposed Rules was published 13 OCT 14. Comments were due 3 NOV 14. POC: [Sonya White](#), (813) 985-7481.

**FLORIDA RENEWABLE ENERGY (RE) TECHNOLOGY SALES TAX REFUND, INVESTMENT TAX CREDIT, PRODUCTION CREDIT (50-2.001, 50-2.002, 50-2.003)** The DACS has proposed amendments to 50-2.001, 50-2.002, and 50-2.003, F.A.C. Amendments provide guidance to interested taxpayers for the application process, review, and administration of the Florida RE Technology Sales Tax Refund, the Florida RE Technology Investment Tax Credit, and the Florida RE Production Credit. A [Notice of Development of Rulemaking](#) was published 26 SEP 14. POC: April Groover, (850) 617-7477.

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

**WATER WELLS (40D-3.037, 40D-3.045, 40D-3.492, 40D-3.507, 40D-3.517, 40D-3.531)** The Southwest Florida WMD has proposed amendments to its rules for regulation of wells. Amendments:

- Incorporate updated versions of related rules adopted by FLDEP;
- Adopt the new Water Well Construction Disciplinary Guidelines and Citations Dictionary;
- Adopt revised forms for well contractor licensing and license renewal;
- Adopt a revised form for use with well grouting or abandonment;
- Incorporate by reference additional materials applicable to regulation of water well construction; and
- Make other minor corrections.

Amendments will make the WMD's rules consistent with those recently adopted by FLDEP and recent statutory amendments for the licensing of water well contractors. A Notice of Development of Rulemaking was published on 30 OCT 14. POC: [Martha Moore](#), (813) 985-7481.



## **NOTICE**

**LISTING OF WATER BODIES PURSUANT TO SECTION 303(D) OF THE CLEAN WATER ACT** Georgia has compiled a list of waters in accordance with Section 303(d) of the Clean Water Act in accordance with EPA rules and guidelines. The draft list package includes:

- Letter submitting the draft list to EPA;
- 2014 listing assessment methodology;
- Summary of various listing decisions;
- Summary of 2014 list highlights;
- Table detailing changes between the 2012 list and the 2014 draft list of waters;
- Explanation of codes and abbreviations used in the 305(b)/303(d) list of waters; and
- Draft 305(b)/303(d) list of waters.

A [notice](#) was issued on 30 MAY 14, a meeting was held on 24 JUN 14, and comments were due on 30 JUN 14. Contact: Ms. Susan Salter, (404) 463-4917.

## **PROPOSED RULES**

**GAEPD STAKEHOLDER MEETING - POSSIBLE DEVELOPMENT OF A DROUGHT MANAGEMENT RULE** The Georgia Environmental Protection Division (GAEPD) Watershed Protection Branch held a stakeholder meeting to inform and solicit input from the public and impacted organizations regarding possible development of a Drought Management Rule. The rule would replace the current Rules for Outdoor Water Use (391-3-30) and the 2003 Drought Management Plan. GAEPD's primary goals and objectives are to ensure that stakeholders are given the opportunity to understand the process of rule revisions and the scope of possible future rule changes currently under consideration. The [meeting](#) was held 13 MAY 14 and comments were due 3 JUN 14. GAEPD POC: [James Capp](#).

**HAZARDOUS SITE RESPONSE (391-3-19)** GAEPD has proposed amendments to Hazardous Sites Response, Chapter 391-3-19. Proposed amendments to Rule 391-3-19-.03, Hazardous Waste Management and Hazardous Substance Reporting Fees, remove references to the Pollution Prevention Assistance Division. Amendment to Rule 391-3-19-.04, Release Notification, deletes duplicative notification requirements for soil releases addressed under the Hazardous Site Re-

use and Redevelopment (brownfield) Act, provides alternative notification concentrations for certain groundwater releases, allows for a 90-day deferment of listing determinations, corrects errors, and removes obsolete language. Amendment to Rule 391-3-19-.05, Reporting of Releases Exceeding Reportable Quantities and Listing of Sites on the Hazardous Site Inventory Amended, corrects a wording error and provides additional mechanisms for the de-listing of sites on the hazardous site inventory. Amendment to Rule 391-3-19-.06, Corrective Action, revises standards for delineation of releases, changes requirements for public participation, and incorporates use of uniform environmental covenants into procedures for corrective action. Amendment to Rule 391-3-19-.08, Property Notices, incorporates use of environmental covenants at sites where Type 3 or Type 4 risk reduction standards are used, and amends provisions concerning permanent markers for Type 5 sites. [Proposed rules](#) were filed 30 JUN 14, a hearing was held 22 JUL 14, and comments were due 31 JUL 14. GAEPD POC: Branch Chief, Land Protection Branch, [EPDComments@dnr.state.ga.us](mailto:EPDComments@dnr.state.ga.us).



### ***PROPOSED RULES***

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

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



### ***FINAL RULES***

**303(D) LIST OF IMPAIRED WATERS** The Mississippi Department of Environmental Quality (MSDEQ) has adopted Title 11, Part 6, Chapter 9 "Mississippi 2014 Section 303(d) List of Impaired Water Bodies." The list identifies state waters where recent monitoring and assessments have found pollutant specific impairment, and for which Total Maximum Daily Loads (TMDLs) are not yet completed. This new rule replaces the previous version of this list in its entirety, and will be codified at 11 Miss. Admin. Code Pt. 6, Ch. 9. [Final rules](#) were filed 11 SEP 14. They became effective 11 OCT 14. POC: [Ted Lampton](#), (601) 961-5573.

### ***PROPOSED RULES***

**2015 ANNUAL AIR MONITORING NETWORK PLAN** MSDEQ invited comment on the [2015 Annual Air Monitoring Network Plan for Mississippi](#). The [notice](#) was issued on 07 MAY 14. Comments were due 24 JUN 14. MSDEQ POC: [Michael Jordan](#).

**AMBIENT AIR QUALITY NONATTAINMENT AREAS (TITLE 11, PART 2, CHAPTER 11)** MSDEQ has [proposed new air pollution control regulations](#) to implement federal requirements for areas designated as nonattainment for National Ambient Air Quality Standards (NAAQS). "Regulations for Ambient Air Quality Nonattainment Areas," 11 Mississippi Administrative Code, Part 2, Chapter 11, will be applicable to sources in DeSoto County and any other areas in Mississippi that may be designated nonattainment for air quality in the future. The proposed rules were filed 2 SEP 14, comments were due 27 SEP 14, and a hearing was held 2 OCT 14. MSDEQ POC: [Ted Lampton](#), (601) 961-5573.



### ***NOTICE***

**303 LISTING METHODOLOGY** The North Carolina Division of Water Resources (DWR) has invited comment on its [303 \(d\) listing methodology](#). The listing methodology, in conjunction with water quality standards and water quality data, is used to determine whether waters are impaired and require a Total Maximum Daily Load (TMDL) or TMDL alternative. Public comments will be considered by DWR and the North Carolina Environmental Management Commission (EMC).

The EMC will approve the 2016 303(d) listing methodology later this year. Listing methodology must be consistent with federal and state requirements, including North Carolina water quality standards. Those who comment are encouraged to review North Carolina's 2014 303(d) listing methodology and 2014 303(d) list supplemental information before submitting comments. A [notice](#) was issued 5 JUN 14. Comments were due 31 JUL 14. North Carolina Department of Natural Resources (NCDENR) POC: [Andy Painter](#).

## ***PROPOSED RULES***

**GENERAL PERMIT FOR CONSTRUCTION OF MITIGATION BANKS AND IN-LIEU FEE MITIGATION PROJECTS (15A NCAC 07H .2601, 2602, .2604, 2605)** The North Carolina Department of Natural Resources (NCDENR) Coastal Resources Commission has proposed amendments 15A NCAC 07H .2601, 2602, .2604, and 2605. Rule 7H .2600 defines specific development requirements for the construction of wetland, stream, and buffer mitigation sites by the North Carolina Ecosystem Enhancement Program (NCEEP) or the North Carolina Wetlands Restoration Program (NCWRP). The Coastal Resources Commission is proposing to amend administrative rules to expand this General Permit to include all mitigation bank and in-lieu fee projects, and not only those related to the NCEEP and/or the NCWRP. The [proposed rules](#) were published 15 APR 14. A hearing was held 14 MAY 14, and comments were due 16 JUN 14. The Rules Review Commission [agenda](#) was published 2 SEP 14, and a meeting was held 18 SEP 14. POC: Braxton Davis, (252) 808-2808.

**DRAFT NPDES STORMWATER - AIR TRANSPORTATION AND AIRPORTS (GENERAL PERMIT - NCG150000)** NCDENR has invited comment on draft NPDES Stormwater General Permit - NCG150000 - Air Transportation and Airports. The requirements in this permit apply to stormwater discharges associated with industrial activity from air transportation facilities identified by the Standard Industrial Classification Codes in Major Group 45, specifically airports that do not routinely perform deicing or anti-icing operations. A [notice](#) was issued 15 JUN 14 and comments were due 13 AUG 14. The [draft permit](#) and a [fact sheet](#) are available for review. NCDENR POC: [Ken Pickle](#), (919) 807-6376.

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

- Based on revised EPA research, new health information is available for 2, 4 D (a chlorophenoxy herbicide). When implemented, the standard will lower the applicable acceptable human health protective concentration.
- Updated aquatic life protective concentrations for arsenic, beryllium, cadmium, chromium III and IV, copper, lead, nickel, silver, and zinc are proposed. With the exception of mercury and selenium, both bioaccumulative metals, the state proposes changing to dissolved metal water quality standards, which more closely estimate the portion of the metal that is toxic to aquatic life. Revised criteria are average concentrations that can be present in a water body, but should not result in unacceptable effects to aquatic organisms and the designated use of the water body on acute and chronic bases. Where metals toxicity is hardness-dependent, applicable hardness values are defined. With the exception of mercury and selenium, proposals allow consideration of aquatic life biological integrity to preside over ambient standard violations for water quality assessment purposes.
- Standards for iron and manganese are proposed for removal. Both chemicals are federally designated "non-priority" pollutants. The standard for total chromium is also proposed for removal, but is replaced by human health and aquatic life protective standards for chromium III and chromium VI.
- Codify the use of 1Q10 stream flows for implementation of acute water quality standards in NPDES permitting. Allow the use of the median instream hardness values in calculating permit limits based on proposed hardness-dependent metals standards.
- The public will have the opportunity to comment on three variances from surface water quality standards and federal 316(a) thermal variances. The three surface water standards exemptions consist of two variances from the chloride standard for Mt. Olive Pickle Company and Bay Valley Foods LLC (formerly Dean Pickle and Specialty Products Company) (NC0001074, NC0001970) and a variance from the color standard for Evergreen Packaging (d.b.a. Blue Ridge Paper Products) (NC0000272). Information concerning these variances can be obtained by contacting the individual named in the comment procedures.

Variances from applicable standards, revisions to water quality standards, or site-specific water quality standards may be granted by the EMC on a case-by-case basis pursuant GS 143-215.3(e), 143-214.3 or 143-214.1. For metals standards, proposed language details that alternative site-specific standards can be developed when studies are designed in accordance with the "Water Quality Standards Handbook: Second Edition" published by EPA (EPA 823-B-94-005a). The mechanisms outlined in the publication are for the Water Effect Ratio, the Recalculation Procedure, and the Resident Species Procedure. The EMC is seeking comment on the application of these provisions with respect to modifying the



metals criteria. The [proposed rules](#) were published 15 JUN 14. Hearings were held 15-16 JUL 14 and comments were due 22 AUG 14. NCDENR POC: [Connie Brower](#), (919) 807-6416.

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

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

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

**NON-TITLE V PERMIT TERM (15A NCAC 02Q .0308)** NCDENR has proposed amendment to Rule 15A NCAC 02Q .0308, Final Action on Permit Applications, to revise the term for non-Title V air quality permits from five to eight years to reflect Session Law 2013-413. The [proposed rules](#) were filed 18 JUL 14. A hearing was held 3 SEP 14 and comments were due 30 SEP 14.

**OPEN BURNING (15A NCAC 02D .1901, .1902, .1903)** NCDENR has proposed amending Rule 15A NCAC 02D .1903, Open Burning without an Air Quality Permit, to incorporate requirements in Section 28(b) of Session Law 2013-413, which allows transporting of land clearing materials over public roads for open burning to locations other than certain permitted facilities if specific requirements defined in Section 28(b) are met. Amendments to Rules 15A NCAC 02D .1901 and .1902 are also proposed to update reference to the General Statute and the name of the former Division of Forest Resources to reflect its current name, the North Carolina Forest Service. The [proposed rules](#) were filed 18 JUL 14. A hearing was held 3 SEP 14 and comments were due 30 SEP 14.

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

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

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

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



## **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 and 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. POC: Kent Coleman, (803) 896-4135.

**SOLID WASTE LANDFILLS AND STRUCTURAL FILL (R.61-107.19)** SCDHEC has proposed amendments to R.61-107.19, SWM: Solid Waste Landfills and Structural Fill. R. 61-107.19 replaced and simultaneously repealed Regulations 61-107.11, SWM: Construction, Demolition, and Land-clearing Debris Landfills; 61-107.13, SWM: Municipal Solid Waste Incinerator Ash Landfills; 61-107.16, SWM: Industrial Solid Waste Landfills; and 61-107.258, SWM: Municipal Solid Waste Landfills. Proposed amendment addresses the process for permitting Class 1, 2, and 3 landfills, and updates requirements for structural fill sites. Additional changes include, but are not limited to, clarifying, amending, or reducing certain operating, monitoring, response, and reporting requirements for permitted facilities. Also under consideration are stylistic changes, which may include corrections for clarity and readability, grammar, punctuation, definitions, references, codification, and overall improvement of the text of the regulation. A [Drafting Notice](#) was published 27 JUN 14. POC: Kent Coleman, (803) 898-1358.

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

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

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

- Amend Regulation 61-62 to correct and improve the overall text as necessary. Pursuant to S.C. Code Section 1-23-120(H)(1), the proposed amendments will require legislative review. The proposed regulations were published 26 SEP 14. Comments are due 27 OCT 14 and a hearing will be held 11 DEC 14. SCDHEC POC: [Anthony Lofton](#), (803) 898-7217.



## ***PROPOSED RULES***

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

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

# Department of Defense Activity

**2014 CLIMATE CHANGE ADAPTATION ROADMAP** DoD has released its [2014 Climate Change Adaptation Roadmap](#), which focuses on various actions and planning the DoD is taking to increase its resilience to the impacts of climate change.

**GREEN INFRASTRUCTURE COLLABORATIVE** EPA and other federal agencies, non-governmental organizations, and private-sector entities have formed the Green Infrastructure Collaborative, a network to help communities more easily implement green infrastructure. The collaborative released a [Statement of Support](#) outlining commitments from members. DoD is committing to:

- Develop and distribute guidance on how to operate and maintain green infrastructure on military bases in the US;
- Provide training and awareness on green infrastructure tools and implementation;
- Remove site building pads for all demolition projects that are not for replacement structures to further increase pervious surfaces; and
- Update the Unified Facilities Criteria on Landscape Architecture (3-201-02), to clarify guidance on green infrastructure. This update will also address DoD policy areas of interest to the White House, such as the President's recent memorandum on creating a [Federal Strategy to Promote the Health of Honey Bees and Other Pollinators](#), as well as sustainable development and conserving the use of potable water.

**SECRETARY OF THE ARMY 2014 ENERGY AND WATER MANAGEMENT AWARDS** The annual awards program recognizes installations, small groups and individuals from the Army, Army Reserve, and Army National Guard who make significant achievements in installation energy conservation and water management. Categories for the award include Energy Efficiency/Energy Management, Innovation and New Technology, Renewable/Alternatives, Water Conservation, and Demand Side Management/Load Shedding. Click [here](#) for the list of award winners.

**ARMY OFFICE OF ENERGY INITIATIVES** Secretary of the Army John McHugh has established the Office of Energy Initiatives (OEI) as an enduring organization within the Office of the Assistant Secretary of the Army for Installations, Energy and Environment. Army Directive 2014-22 makes the OEI (formerly the Energy Initiatives Task Force) the Army's central management office for development, implementation, and oversight of all privately financed, large-scale renewable and alternative energy projects, greater than or equal to 10 megawatts. Click [here](#) for the full article.

# Federal Activity

## **AIR**

**HYDROCHLOROFLUOROCARBON PRODUCTION, IMPORT, EXPORT** EPA is adjusting the allowance system for consumption and production of hydrochlorofluorocarbons (HCFCs) ([79 FR 64253](#)). Under the Montreal Protocol, total US HCFC production and consumption is capped, and will be completely phased out by 2030. This action announces the availability of annual production and consumption allowances for HCFC-22, HCFC-142b, HCFC-123, and HCFC-124 for 2015-2019. The rule makes minor changes to reclamation regulations, updates use restrictions to account for a recent amendment to the Clean Air Act, and finalizes a de minimis exemption to use restrictions for certain uses of HCFC-225ca/cb and HCFC-124. The final rule is effective 1 JAN 15. EPA POC: [Elizabeth Whiteley](#), (202) 343-9310.

## **ENERGY**

**COMMERCIAL UNITARY AIR CONDITIONERS, HEAT PUMPS** The Department of Energy (DOE) has proposed to tighten energy conservation standards for small, large, and very large air-cooled commercial package air conditioning and heating equipment ([79 FR 58947](#)). This category of equipment has a rated capacity between 64,000 Btu/h and 760,000 Btu/h, is designed to heat and cool commercial buildings, and is typically located on building rooftops. Standards would apply three years after the rule is finalized. Comments are due 1 DEC 14. DOE POC: [John Cymbalsky](#), (202)-287-1692.

**GREEN BUILDING CERTIFICATION SYSTEM** DOE is pursuing a suite of initiatives to strengthen federal energy management through increased focus on measurement of energy use in federal buildings and energy efficient building design ([79 FR 61563](#)). DOE is issuing a final rule that requires verified energy and water performance for new and retrofitted federal buildings certified by private sector green building certification systems. Effective 13 NOV 14, the rule stipulates that where agencies choose to use green building certification systems to meet federal sustainability and energy standards, they must choose a system that verifies enhanced energy and water efficiency. By requiring re-assessments at least every four years, the rule seeks to ensure energy and water savings will continue well beyond the initial building opening or retrofit. System requirements for verification of energy and water performance in new construction and major renovations will lead to reduced consumption through active energy and water management. DOE POC: [Sarah Jensen](#), (202) 287-6033.

**MEASUREMENT AND VERIFICATION FOR FEDERAL ENERGY PROJECTS** The Federal Energy Management Program (FEMP) is extending its request for public comment on the draft Measurement and Verification (M&V) Guidelines: [Measurement and Verification for Federal Energy Projects \(Version 4.0\)](#). The document provides guidelines and methods for measuring and verifying energy, water, and cost savings associated with federal energy savings performance contracts (ESPCs). Version 4.0 includes revised definitions of the four main M&V options and provides a tighter overall presentation, moving much auxiliary material to stand-alone documents. It also includes a new section that provides general M&V guidance for the majority of the standard energy and water conservation measures typically implemented in federal ESPCs. FEMP has reopened the comment period and requests that new comments on this draft be sent via email to [Cyrus Nasser](#) by 1 DEC 14.

## **HAZARDOUS MATERIALS**

**CHEMVIEW UPDATED** EPA has posted additional data and added new functions to [ChemView](#), EPA's publicly accessible online tool, to find information for chemicals regulated under the Toxic Substances Control Act (TSCA). The updated database includes the following new information: 244 consent orders, an additional 1,205 Significant New Use Rules (SNURs) for new and existing chemicals, 16 additional chemicals with test rule data, and updates to the Safer Chemicals Ingredient List. This is the first time EPA has posted consent orders and new chemical SNURs to ChemView, which contains information on almost 10,000 chemicals. EPA is encouraging people to complete a 10-minute customer satisfaction survey to help guide future improvements to ChemView.

## **NATURAL RESOURCES**

**PUBLIC LANDS FOR SOLAR, WIND ENERGY DEVELOPMENT** The Bureau of Land Management (BLM) has proposed to amend existing regulations to facilitate responsible solar and wind energy development and to receive fair market value for such development ([79 FR 59021](#)). The proposed rule would promote use of preferred areas for solar and wind energy development and establish competitive processes, terms, and conditions for solar and wind energy development rights-of-way both inside and outside the preferred areas. BLM ranks as medium-priority, but still feasible to authorize,

applications involving lands designated as "DoD operating areas with land use or operational conflicts." Comments are due 1 DEC 14. BLM POC: Ray Brady, (202) 912-7312.

**BLACK PINESNAKE** USFWS is proposing to list as threatened the black pinesnake (*Pituophis melanoleucus lodingi*), a subspecies currently known from Alabama and Mississippi ([79 FR 60406](#)). USFWS finds that the black pinesnake warrants listing as a threatened species due to past and continuing loss, degradation, and fragmentation of habitat associated with silviculture, urbanization, and fire suppression. Population declines are also attributed to road mortality and intentional killing of snakes by individuals. Black pinesnakes are endemic to upland longleaf pine forests. In the late 1980s, a gopher tortoise preserve of approximately 2,000 acres was created on Camp Shelby, a National Guard training facility operating under a special use permit on the De Soto National Forest in Forrest, George, and Perry counties, Mississippi. The preserve, which has limited habitat fragmentation and has been specifically managed with prescribed burning and habitat restoration to support recovery of the gopher tortoise, is believed to be central to a much larger managed area (over 100,000 acres), which provides habitat for one of the largest populations of black pinesnakes in the subspecies' range. Protection and management specifically addressing black pinesnake populations are covered under the DoD integrated natural resources management plan (INRMP) for Camp Shelby.

**BUILDING COMMUNITY RESILIENCE BY STRENGTHENING AMERICA'S NATURAL RESOURCES AND SUPPORTING GREEN INFRASTRUCTURE** The White House Council on Environmental Quality (CEQ) has released a [fact sheet](#) detailing the Obama Administration's new executive actions and series of private and public sector commitments that will improve the management of natural resources in the context of a changing climate and support investment in green infrastructure.

**SUSTAINABLE PRACTICES FOR DESIGNED LANDSCAPES AND SUPPORTING POLLINATORS ON FEDERAL LANDSCAPES** President Obama's June 2014 memorandum, [Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators](#), directs federal agencies to take steps to protect and restore domestic populations of pollinators. To help achieve this goal, CEQ issued an addendum to its sustainable landscape guidance, [Supporting the Health of Honey Bees and other Pollinators](#). The guidance will help federal agencies incorporate pollinator friendly practices in new construction, building renovations, landscaping improvements, and in facility leasing agreements at federal facilities and on federal lands.

## **NEPA**

**MILITARY AIRPORT PROGRAM** The Federal Aviation Administration (FAA) has announced the criteria, application procedures, and schedule to be applied in funding capital development for up to 15 current joint-use or former military airports to participate in the Military Airport Program ([79 FR 63480](#)). The program allows closed, realigned, military, or joint-use airports to receive grants from the Airport Improvement Program. FAA POC: Kendall Ball, (202) 267-7436.

## **WATER**

**OCEAN ACIDIFICATION** The Government Accountability Office (GAO) has issued a [report](#) reviewing federal efforts to address ocean acidification (GAO-14-736). Higher levels of carbon dioxide in oceans increase acidity and also may cause the shells or skeletons of some marine organisms to dissolve. GAO identified the potential to alter marine food webs as one of the most significant ecosystem-level effects that could result from ocean acidification. The National Science and Technology Council's Subcommittee on Ocean Science and Technology, and several federal agencies have taken steps to implement the [Federal Ocean Acidification Research and Monitoring Act of 2009 \(FOARAM\)](#), but have yet to complete some of the act's requirements, such as budgeting for implementing the research and monitoring plan required. GAO POC: [Steve Morris](#), (202) 512-3841.

# Professional Development

**18-20 Nov, DALLAS, TX: [CLEAN AIR THROUGH ENERGY EFFICIENCY](#)** This educational conference and business exhibition connects public and private decision makers and thought leaders. The purpose is to help communities improve decisions that determine the energy and water intensity of the built environment and reduce related emissions.

**9 DEC, ONLINE: [PLANNING FOR CULTURAL RESOURCES SPECIAL ENVIRONMENTAL CONCERNS AND MAKING THE NEPA FINDING](#)** This webinar will help conservation planners, partners, and technical service providers to understand the importance of cultural resources, how to properly analyze and document existing conditions and the effects of planned conservation actions, and how to properly document the NEPA finding. Primary topics include: legal foundations, infor-



mation/data sources, tools, mitigation measures, and documentation requirements including examples.

**9-11 DEC, SAN DIEGO, CA: DoD AMERICAN INDIAN CULTURAL, COMMUNICATION, AND CONSULTATION COURSE (AICCCC)** American Indian specialists in history, culture, and intercultural communication, and DoD legal staff will teach this acclaimed training. The free course provides valuable information for DoD employees whose work could affect Indian tribes and for those already working with tribes and tribal members. The training will include:

- History of Indian laws and the legal basis for DoD American Indian and Alaska Native Policy
- Federal law and policies that impact DoD relationships with Indian tribes
- Explanation of DoD Instruction 4710.02: DoD Interactions with Federally Recognized Tribes
- Introduction to tribal concepts and cultures
- Intercultural communication practices
- Strategies and steps for consulting with tribes

To register, please email the following information to [Chris Allen](#) by 12 NOV 2014: first and last name; military branch; installation location and mailing address; rank, if applicable; job title; status as a DoD employee or contractor; email address; telephone number; and briefly, reasons for wanting to take the course.

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

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

**AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, [QUALIFIED RECYCLING PROGRAM MANAGEMENT](#)**

The purpose of the course is to understand DoD requirements for operating a Qualified Recycling Program (QRP). This course emphasizes principles and techniques to assist students in implementing a sound QRP. The course focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting methods to maximize returns, working with the Defense Reutilization and Marketing Office, establishing contracts, recording transactions, DoD recordkeeping, and estimating future budgets.

### ***ANYTIME ONLINE***

**VARIOUS DATES, ONLINE: [STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM \(SERDP\) AND ENVIRONMENTAL SECURITY TECHNOLOGY CERTIFICATION PROGRAM \(ESTCP\) WEBINAR SERIES](#)** Designed to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding, live 90-minute webinars will be offered every two weeks on Thursdays from 12:00 PM EST. Most webinars will feature two 30-minute presentations and interactive Q&A sessions on topics for DoD and DOE audiences.

**[AN INTRODUCTION TO THE REGIONAL ENVIRONMENTAL AND ENERGY OFFICES](#)** REEO-S presents a 45-minute webinar to provide an overview of what the REEOs do, how we operate, and how we can help you.

**[WHOLE BUILDING DESIGN GUIDE TRAINING](#)** The Federal Energy Management Program (FEMP) has partnered with the National Institute of Building Sciences to offer FEMP e-learning courses on the Whole Building Design Guide. Eight interactive, on-demand, self-paced, and self-tracking courses are supportive of the Federal Building Personnel Training Act competencies and provide up-to-date information targeted to mid-level federal energy, water, and sustainability managers.

**[DISTRIBUTED-SCALE RENEWABLE ENERGY PROJECTS: FROM PLANNING TO PROJECT CLOSEOUT](#)** This course focuses on the planning and implementation of distributed-scale renewable energy projects smaller than 10 megawatts. The course outlines a detailed 10-step process from technology screening to project closeout. Explored are online tools and resources available for the selection of cost-effective renewable energy projects on federal sites. This e-learning course is hosted on the Whole Building Design Guide learning management system.

**[EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY](#)** Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make programs more successful. The format is a formal presentation followed by a question and answer session and discussion.

**[DEFENSE ACQUISITION UNIVERSITY \(DAU\)](#)** DAU developed online resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations. The online resources provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other docu-

ments, link to related learning and knowledge content, ask a professor a question, contribute lessons learned and best practices, or collaborate with peers on work issues.

**[DOILEARN](#)** DOI Learn houses natural resource courses and training offered by all organizations within the Department of Interior, to include the National Park System, Fish and Wildlife Service, and Bureau of Land Management.

**[GOLEARN](#)** GoLearn provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

**[TRAINING FOR FEDERAL GHG INVENTORIES](#)** A component of FedCenter's broader Greenhouse Gas Inventory Reporting site is available. The FEMP-developed training offers three types of training that can help in understanding the processes needed to develop an agency's GHG inventory under Executive Order 13514 section 9. These trainings include online interactive courses, archived webinar videos and files from training courses.

**[BUILDING RETUNING](#)** The purpose of this course is to help reduce operating cost and provide energy savings to buildings. The focus is on large (100,000-square-foot) commercial buildings, but the concepts and techniques presented can be applied to any type and size of facility that has a building automation system.

**[ACHIEVING ENERGY SECURITY IN FEDERAL FACILITIES](#)** Achieving Energy Security in Federal Facilities builds competency in protecting critical missions by integrating energy security measures into all aspects of operations. Employ critical principles to increase energy security, such as diversity, redundancy, reducing demand, planning, and emergency management. Consider technologies that support energy security and develop an understanding of key issues related to short- and long-term energy disruptions, including storage and maintenance issues.

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

**[AIR FORCE CIVIL ENGINEERING SCHOOL SEMINARS](#)** The Air Force Civil Engineering School offers a variety of free online seminars on hazardous waste management, hazardous materials management, stormwater management, and more.

**[USEPA REDUCE RUNOFF VIDEO](#)** EPA and the US Botanic Garden produced a nine-minute online video, "Reduce Runoff: Slow It Down, Spread It Out, Soak It In," that highlights green techniques such as rain gardens, green roofs, and rain barrels to help manage stormwater runoff.

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

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

**[CLU-IN ENVIRONMENTAL REMEDIATION WEBCAST SERIES](#)** EPA's Clean-up Information (CLU-IN) website provides information about innovative treatment and site characterization technologies while acting as a forum for waste remediation stakeholders. The CLU-IN website offers free podcasts, live web events, course and seminar information and more, with most lasting approximately two hours.

**[USEPA CLIMATE AND ENERGY WEBCAST SERIES](#)** EPA hosts the Local Climate and Energy Webcast Series to assist local governments as they explore and plan climate change and clean energy efforts. These regular webcasts highlight EPA resources available to local governments and present examples of successful climate and energy programs and policies implemented locally.

**[FEMP ENERGY MANAGEMENT PROGRAM ONLINE TRAINING](#)** FEMP trains federal energy managers on the latest energy requirements, best practices, and technologies. Training categories include design, operations, and maintenance; energy

efficient products; energy management; financing; fleet; renewable energy; and water efficiency. Search the FEMP website for all topics, specific topics, or type of training (live or on-demand) to find training opportunities. All courses are free unless otherwise noted.

**[SOLAR ENERGY INTERNATIONAL](#)** Solar Energy International offers several online courses addressing design and installation of a variety of solar energy systems. These fee-based courses generally require 10 hours per week of online instruction, accessible at any time. Courses must be completed within a six-week window. Follow the link to view class schedules.

**[NATIONAL CONFERENCE OF STATE LEGISLATURES \(NCSL\) E-LEARNING](#)** NCSL e-Learning features experts on public policy issues and provides professional development opportunities for its members, state legislators, state legislative staff, and the public. Visit the [Multimedia Library](#) for a collection of video and audio files from previous NCSL meetings and webinars.

# Staff Directory

Main Office Number	770-629-2180
Region 4 Director/DoD REC	404-460-3131
Region 4 Deputy Director	404-460-3125
Region 4 Counsel	404-545-5655
Region 4 REC	VACANT
Project Manager	410-459-3293
Regulatory Affairs Specialist	404-460-3135

---

## 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/>.