



# REC Review



## of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

June 2021

The **REC Review** publishes environmental and energy related developments for DoD/Navy leaders and installation staff. Covering 21 states, the **REC Review** gives early notice of legislative and regulatory activities relevant to DoD interests in Federal Regions 1 & 3 and Navy interests in Federal Regions 2, 4, & 5.

To find out more about the Regional Environmental Coordination (REC) Office and browse back issues of the **REC Review** visit <http://denix.osd.mil/rec/home/>. To receive a copy of this electronic publication, send a subscription request to [angela.s.jones1@navy.mil](mailto:angela.s.jones1@navy.mil).



NAVFAC MIDLANT DoD REC Map

**CLEARED  
For Open Publication**

Jun 28, 2021

Department of Defense  
OFFICE OF PREPUBLICATION AND SECURITY REVIEW

### Table of Contents

SPOTLIGHT .....	1
GENERAL INTEREST .....	3
FEDERAL NEWS .....	3
REGION 1 .....	6
REGION 2 .....	8
REGION 3 .....	9
REGION 4 .....	13
REGION 5 .....	14
MEET THE REC STAFF .....	16
SUBSCRIBE .....	16

### SPOTLIGHT STORY

#### DoD Participates in Clean the Bay Day

The COVID-19 pandemic may have caused the annual Clean the Bay Day event to be cancelled in 2020, but in 2021, installations were not deterred!

Clean the Bay Day is an annual event founded by the Chesapeake Bay Foundation. Each year, military and civilian personnel throughout the Chesapeake Bay watershed participate in clean up events in support of Clean the Bay Day. This year, installations held clean-up events between April 10 and June 11 collecting over 18,000 pounds of trash from the Chesapeake Bay shoreline and runoff areas. More than 900 volunteers joined in this year's Clean the Bay Day event in cleaning over 30 miles of shoreline.

Clean the Bay Day has been a Virginia tradition since its inception 33 years ago. For the DoD, Clean the Bay Day has spread beyond Virginia installations to other states within the Chesapeake Bay watershed.



Norfolk Naval Shipyard safely charged forward to participate in Clean the Bay Day on May 25.

Source: <https://www.dvidshub.net/news/398263/norfolk-naval-shipyard-supports-environmental-stewardship-clean-bay-our-way>

*Continued on next page*

## **DoD Participates in Clean the Bay Day, continued**

Clean the Bay Day 2021 has been a positive display of team work and perseverance in light of the adversity of COVID-19. Event organizers and volunteers ranged from civilians and military personnel, and included guest appearances from U.S. Fleet Forces Command, Environmental mascot Stewie, city officials, senior military and civilian leadership, and military working dogs. Though COVID-19 presented some limitations, the determination and hard work of the volunteers remained constant. Clean the Bay Day serves as a way for DoD installations to play a vital role in making the Chesapeake Bay more beautiful by preventing and picking up litter.



*Volunteers at Joint Expeditionary Base Little Creek – Fort Story (JEBLCFS) collected over 7,000 pounds of litter on June 11 for Clean the Bay Day. Source: Official U.S. Navy photo by Zachary Teslovich, JEBLCFS*



*Stewie the Sea Turtle helped out at the Lafayette River Annex Clean the Bay Day event on June 8. Source: Official U.S. Navy photo by Mike Morris, NAVFAC LANT*



*Several participants collected debris and litter along Naval Station Norfolk's waterfront as part of an annual Clean the Bay Day event on May 25. Source: <https://www.dvidshub.net/image/6663287/2021-navfac-mid-atlantic-clean-bay-day>*



*The dedicated frontline workers at Naval Medical Center Portsmouth volunteered for Clean the Bay Day on April 30. Source: Official U.S. Navy photo, Katisha Draughn-Fraguada, NSA HR*

## GENERAL INTEREST

### **EPA to Provide \$7.25 Million for Most Effective Cleanup Actions in Chesapeake Bay Watershed**

The U.S. Environmental Protection Agency announced that Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia will share \$7.25 million for actions to improve local rivers and streams in locations most beneficial to the downstream Chesapeake Bay. The funds include a second year appropriation of \$6 million for cleanup actions in the most effective basins of the Bay watershed – areas where projects to reduce runoff from farm operations will yield the greatest progress toward achieving water quality standards in the Bay. The additional \$1.25 million is being designated for environmental justice areas within those most effective basins.

<https://www.epa.gov/newsreleases/epa-provides-725-million-most-effective-cleanup-actions-chesapeake-bay-watershed>

## FEDERAL NEWS

***Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.***

## GENERAL

### **2021 Federal Environmental Symposium Webinars**

This year, the 2021 Federal Environmental Symposium will be hosted as a series of four virtual webinar training sessions which started in January 2021 and will conclude in July. These webinars are intended to help the Federal environmental community continue sharing best practices on environmental issues important to the Federal government during these challenging times. The webinars are open to Federal employees and their support contractors. Advance registration is required for attendee approval and presentations for those webinars that have already occurred are available on the website.

Topics include: Environmental Compliance (held in January & February), Energy & Water Efficiency (held in February & March), Sustainability (held in May), Environmental Management Systems (July 28, 2021)

<https://www.fedcenter.gov/calendar/conferences/symposium2022/webinars/>

**The DOD Office of Local Defense Community Cooperation (OLDCC) is now accepting applications for the Defense Community Infrastructure Program (DCIP)** The DCIP is designed to address deficiencies in community infrastructure, supportive of a military installation, in order to enhance military value, installation resilience, and military family quality of life. The Fiscal Year 2021 National Defense Authorization Act established the following order of prioritization for community infrastructure projects under the Defense Community Infrastructure Program: enhancement of military value, enhancement of military installation resilience, and enhancement of military family quality of life. Proposals submitted under this notice must be construction-ready within the first 12 months after award of a grant. Complete proposals must be submitted through Grants.gov by **July 12, 2021 at 5:00 PM (PDT)**

<https://www.grants.gov/web/grants/view-opportunity.html?oppld=333641>

For more information about DCIP:

<https://oldcc.gov/defense-community-infrastructure-program-dcip>

# AIR

## **Protection of Stratospheric Ozone: Listing of Substitutes Under the Significant New Alternatives Policy Program**

This final rule lists new alternatives for the refrigeration and air conditioning sector and changes an existing listing for the fire suppression sector. Specifically, EPA is

- listing R-448A, R-449A and R-449B as acceptable, subject to narrowed use limits, for use in retail food refrigeration—medium-temperature stand-alone units for new equipment;
- listing R-452B, R-454A, R-454B, R-454C and R-457A as acceptable, subject to use conditions, for use in residential and light commercial air conditioning (AC) and heat pumps for new equipment; and R-32 as acceptable, subject to use conditions, for use in residential and light commercial AC and heat pumps—equipment other than self-contained room air conditioners, for new equipment; and
- removing Powdered Aerosol E from the list of fire suppression substitutes acceptable subject to use conditions in total flooding applications.

<https://www.federalregister.gov/documents/2021/05/06/2021-08968/protection-of-stratospheric-ozone-listing-of-substitutes-under-the-significant-new-alternatives>

**Phase Down of Hydrofluorocarbons** EPA has released the text of a proposed rule to phase down the production and consumption of hydrofluorocarbons (HFCs), greenhouse gases commonly used in refrigerators, air conditioners, and many other applications. The proposed regulations would implement certain provisions of the American Innovation and Manufacturing Act, enacted on December 27, 2020, to:

- establish the HFC production and consumption baselines based on historical data;
- establish an allowance allocation program to phase down HFC production and consumption;
- determine an initial methodology to allocating allowances and allowing for the transfer of those allowances, including international transfers;
- establish requirements to support compliance with phasing down HFC production and consumption; and
- establish recordkeeping and reporting.

<https://www.epa.gov/newsreleases/epa-moves-forward-phase-down-climate-damaging-hydrofluorocarbons>

**Accidental Release Prevention Requirements, Clean Air Act Risk Management Program** EPA will host listening sessions on June 16, and July 8, 2021 on the Risk Management Program (RMP) regulation revisions completed since 2017 and to address new priorities.

- The listening sessions will be held virtually.
  - June 16, 2021 from 12:00 PM to 4:00 PM, EDT
  - July 8, 2021 from 4:00 PM to 8:00 PM, EDT.

<https://www.federalregister.gov/documents/2021/05/28/2021-11280/accidental-release-prevention-requirements-risk-management-programs-under-the-clean-air-act>

## NATURAL AND CULTURAL RESOURCES

**Regulations Governing Take of Migratory Birds** The Fish and Wildlife Service is proposing to revoke a final rule published January 7, 2021 defining the scope of the Migratory Bird Treaty Act (MBTA). The effect of this proposed rule would be to return to implementing the MBTA as prohibiting incidental take.

<https://www.federalregister.gov/documents/2021/05/07/2021-09700/regulations-governing-take-of-migratory-birds-proposed-rule>

## TOXICS

**Release of Toxicological Profile for Several Per- and Polyfluoroalkyl Substances (PFAS)** The Agency for Toxic Substances and Disease Registry (ATSDR) has released a final toxicological profile for several PFAS. Based on environmental measurements and theoretical models, one study has proposed that the major exposure pathways for perfluorooctanesulfonic acid (PFOS) for the general population in Europe and North America are food and water ingestion, dust ingestion, and hand-to-mouth transfer from mill-treated carpets. For perfluorooctanoic acid (PFOA), major exposure pathways were proposed to be oral exposure resulting from migration from paper packaging and wrapping into food, general food and water ingestion, inhalation from impregnated clothes, and dust ingestion. <https://wwwn.cdc.gov/TSP/ToxProfiles/ToxProfiles.aspx?id=1117&tid=237>

## WATER

**Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures** The EPA approves alternative testing methods for use in measuring the levels of contaminants in drinking water to determine compliance with national primary drinking water regulations. The Safe Drinking Water Act authorizes EPA to approve the use of alternative testing methods through publication in the Federal Register. EPA is using this streamlined authority to make 17 additional methods available for analyzing drinking water samples. This expedited approach provides public water systems, laboratories, and primacy agencies with more timely access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protection. Drinking water systems, in consultation with the laboratories that support their compliance monitoring, may choose to use a test procedure established in the existing regulation, an alternative testing method that was approved in prior expedited approval actions, or an alternative method approved in this action.

This action became effective May 26, 2021.

<https://www.federalregister.gov/documents/2021/05/26/2021-10974/expedited-approval-of-alternative-test-procedures-for-the-analysis-of-contaminants-under-the-safe>

**Safe and Sustainable Water Resources Subcommittee** The EPA, Office of Research and Development (ORD), gives notice of a series of virtual meetings of the Board of Scientific Counselors (BOSC) Safe and Sustainable Water Resources (SSWR) Subcommittee to discuss water treatment and infrastructure.

- The initial meeting was held May 26-27 via videoconference.
- A BOSC deliberation will be held on June 22, 2021, from 11:00 AM to 2:00 PM (EDT). Attendees must register by June 21, 2021.

<https://www.federalregister.gov/documents/2021/04/13/2021-07480/board-of-scientific-counselors-bosc>

**2022 National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities** EPA is seeking public comment on its proposed 2022 Construction General Permit (CGP) for stormwater discharges from construction activity. Once finalized, this permit will replace the 2017 CGP, which expires on February 16, 2022, and will cover stormwater discharges from construction activities in areas where EPA is the NPDES permitting authority in EPA's Regions 1 through 10.

Engagement on behalf of DoD will be managed through the Office of Secretary of Defense.

EPA hosted a webinar on June 17, 2021 to summarize the proposed permit and answer questions from attendees.

<https://www.epa.gov/npdes/proposed-2022-construction-general-permit-cgp-and-related-documents>

# REGION I



**Note: The Connecticut Legislature convened January 6, 2021 and adjourned on June 3, 2021.**

## ***PROPOSED REGULATION***

**Connecticut Underground Storage Tank Regulations** The Department of Energy and Environmental Protection has proposed revisions to the underground storage tank regulations to maintain federal program approval and consistency with federal regulations.

<https://eregulations.ct.gov/eRegsPortal/Search/getDocument?guid={00033D79-0000-C21F-AA4B-67C9C39F7701}>



**Note: The Maine Legislature convened on December 2, 2020 and will adjourn on June 17, 2022.**

## ***PROPOSED LEGISLATION***

**Maine LD 1600** This act would investigate PFAS contamination of land and groundwater.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1189&item=1&snum=130>

## ***PROPOSED REGULATION***

**Maine Hazardous Waste Management Rules/RCRA Rule Updates** This act would incorporate federal standards and updates for: new hazardous waste listings, waste exclusions, drips pads for wood preservative wastes and waste munitions, land disposal restrictions, hazardous waste air emissions, landfills, surface impoundments, and incinerators, hazardous waste manifests, EPA's e-Manifest rules, and import/export of hazardous waste.

<https://www.maine.gov/sos/cec/rules/notices/2021/051921.html>



**Note: The Massachusetts Legislature convened on January 6, 2021 and will adjourn on January 2, 2023.**

## ***PROPOSED LEGISLATION***

**Massachusetts SB 528** This act would protect pollinators by eliminating harmful products.

<https://malegislature.gov/Bills/192/S528/Senate/Bill/Text>



## NEW HAMPSHIRE

**Note:** The New Hampshire Legislature convened on January 6, 2021 and will adjourn on June 30, 2021.

### **FINAL LEGISLATION**

**New Hampshire HB 256** This act adds members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield. Effective May 6, 2021.

[http://gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2021&id=166&txtFormat=html](http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2021&id=166&txtFormat=html)



## RHODE ISLAND

**Note:** The Rhode Island Legislature convened on January 5, 2021 and will adjourn on June 30, 2021.

### **FINAL REGULATION**

**Rhode Island Removal of Lead Based Paint from Exterior Surfaces** The Department of Environmental Management has adopted an amendment to specify appropriate procedures for the removal of lead based paint from exterior surfaces. Effective May 12, 2021.

<https://rules.sos.ri.gov/regulations/part/250-120-05-24>



## VERMONT

**Note:** The Vermont Legislature convened on January 6, 2021 and will adjourn on May 28, 2022.

### **FINAL LEGISLATION**

**Vermont HB 108** The General Assembly of the State of Vermont has adopted an act relating to Vermont standards for issuing a Clean Water Act section 401 certification. Effective May 18, 2021.

<https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT032/ACT032%20As%20Enacted.pdf>

**Vermont SB 20** The General Assembly of the State of Vermont has adopted an act relating to restrictions on PFAS substances and other chemicals of concern in consumer products. Effective May 18, 2021.

<https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT036/ACT036%20As%20Enacted.pdf>

## REGION II



### NEW JERSEY

**Note:** The New Jersey Legislature convened on January 14, 2020 and will adjourn on January 11, 2022.

#### **FINAL LEGISLATION**

**New Jersey SB 968 (AB 2863)** The Senate and General Assembly of the State of New Jersey have adopted an act requiring public water systems to provide notice of elevated lead levels in drinking water to customers and local officials and requires landlords to notify tenants of elevated lead levels. Effective May, 11, 2021

[https://www.njleg.state.nj.us/2020/Bills/S1000/968\\_R2.HTM](https://www.njleg.state.nj.us/2020/Bills/S1000/968_R2.HTM)

#### **FINAL REGULATION**

**New Jersey Remediation Standards** The Department of Environmental Protection (DEP) has adopted new rules, repeals, and amendments to N.J.A.C. 7:26D, Remediation Standards. The Brownfield and Contaminated Site Remediation Act requires the DEP to develop remediation standards to be protective of the public health, safety, and the environment. Such standards are to be applied to contaminated sites throughout the state.

Effective May, 17, 2021.

[https://www.nj.gov/dep/rules/rules/njac7\\_26d.pdf](https://www.nj.gov/dep/rules/rules/njac7_26d.pdf)

#### **PROPOSED REGULATION**

**New Jersey Advanced Clean Trucks Program and Fleet Reporting Requirements** The Department of Environmental Protection has initiated rulemaking regarding the advanced clean trucks program and fleet reporting requirements.

<https://www.nj.gov/dep/rules/proposals/20210419a.pdf>



### NEW YORK

**Note:** The New York State Legislature convened on January 6, 2021 and will adjourn on January 1, 2023.

#### **PROPOSED LEGISLATION**

**New York AB 7117 (SB 6554)** This act would establish the "New York State Lead-Safe Renovation, Repair and Painting Act"; which would establish standards for lead-safe renovation, repair and painting of residential properties, and require documentation of compliance with such standards.

[https://assembly.state.ny.us/leg/?default\\_fld=&Text=Y&term=2021&bn=A7117](https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=A7117)

**New York AB 7722** This act would establish the idle engine health and environmental impact program to provide education, advocacy, and increased awareness of laws regarding vehicle emissions and idling vehicles, and the health and environmental impacts of idling vehicles.

[https://assembly.state.ny.us/leg/?default\\_fld=&Text=Y&term=2021&bn=A7722](https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=A7722)



## REGION III



### DISTRICT OF COLUMBIA

Note: The Council of the District of Columbia convened January 2, 2021 and will adjourn on December 31, 2022.

#### **FINAL REGULATION**

**District of Columbia Critical Areas - Wetlands and Streams** The Department of Energy and Environment has adopted rulemaking to add new Chapters 25 (Critical Area - General Rules) and 26 (Critical Area - Wetlands and Streams) to Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR). Effective May, 14, 2021.

[https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service\\_content/attachments/Wetland%20Stream%20Regulations.pdf](https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/Wetland%20Stream%20Regulations.pdf)

#### **PROPOSED REGULATION**

**District of Columbia Reasonably Available Control Technology for Major Stationary Sources of the Oxides of Nitrogen Regulations** The Department of Energy and Environment has proposed rulemaking to include a presumptive NOx RACT for fuel burning equipment (e.g., institutional and commercial boilers, water heaters) sized down to five million (5,000,000) BTU per hour, to lower the emission limits that constitute presumptive NOx RACT for fuel burning equipment sized twenty-five million (25,000,000) BTU per hour or greater, and to implement presumptive NOx RACT for non-emergency stationary engines.

[https://doee.dc.gov/sites/default/files/dc/sites/ddoe/release\\_content/attachments/NOX%20RACT%20Proposed%20Regs%2020210323.docx](https://doee.dc.gov/sites/default/files/dc/sites/ddoe/release_content/attachments/NOX%20RACT%20Proposed%20Regs%2020210323.docx)



### DELAWARE

Note: The Delaware General Assembly convened on January 12, 2021 and will adjourn on June 30, 2022.

#### **PROPOSED LEGISLATION**

**Delaware SJR 2** This act would direct the Delaware Department of Natural Resources and Environmental Control to begin coordination with the federal agencies carrying authority to identify the structure necessary for a state nontidal wetlands program for the purpose of shifting permitting authority from the federal level to the state.

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=68617&legislationTypeId=4&docTypeId=2&legislationName=SJR2>



**Note: The Maryland General Assembly convened on January 13, 2021 and adjourned on April 12, 2021.**

### ***OTHER ACTIONS AND OPPORTUNITIES***

**Anne Arundel County Waters No Discharge Zone** On May 11, 2021, a Final Determination approving Maryland's request to establish a No Discharge Zone (NDZ) was published in the Federal Register. Following development and approval of State Regulations, this NDZ will become effective later in 2021.

<https://www.federalregister.gov/documents/2021/05/11/2021-09957/clean-water-act-no-discharge-zones-for-vessel-sewage-in-maryland-and-virginia>

A fact sheet can be found at: <https://dnr.maryland.gov/boating/Documents/AANDZFactSheet.pdf>



**Note: The Pennsylvania General Assembly convened on January 5, 2021 and will adjourn on November 30, 2022.**

### ***PROPOSED LEGISLATION***

**Pennsylvania HB 1413 and SB 611** This act would amend the act of May 1, 1984 (P.L.206, No.43), entitled "An act providing for safe drinking water; imposing powers and duties on the Department of Environmental Resources in relation thereto; and appropriating certain funds," providing for maximum contaminant levels.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=H&billTyp=B&billNbr=1413&pn=1522>

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=0611&pn=0671>

**Pennsylvania HB 1414 and SB 612** This act would amend the act of October 18, 1988 (P.L.756, No.108), entitled "An act providing for the cleanup of hazardous waste sites; providing further powers and duties of the Department of Environmental Resources and the Environmental Quality Board; providing for response and investigations for liability and cost recovery; establishing the Hazardous Sites Cleanup Fund; providing for certain fees and for enforcement, remedies and penalties; and repealing certain provisions relating to the rate of the capital stock franchise tax".

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=H&billTyp=B&billNbr=1414&pn=1523>

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=0612&pn=0672>

### ***FINAL REGULATION***

**Pennsylvania Water Quality Management (WQM) and NPDES Permit Application and Annual Fees** This final rulemaking adjusts the fee schedules for permit applications, Notices of Intent (NOIs), and annual fees contained in 25 Pa. Code § 91.22, 92a.26, and 92a.62. Effective May, 20, 2021.

[https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/March%202016/7-533%2091-92a%20Fees/05a\\_7-533\\_91-92a%20Fees\\_Final\\_RAF.pdf](https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/March%202016/7-533%2091-92a%20Fees/05a_7-533_91-92a%20Fees_Final_RAF.pdf)

## ***PROPOSED REGULATION***

**Pennsylvania Additional RACT Requirements for Major Sources of NOX and VOCs for the 2015 Ozone NAAQS** The Department of Environmental Protection has initiated rulemaking regarding reasonably available control technology (RACT) requirements and RACT emission limitations for certain major stationary sources of oxides of nitrogen (NOX) and volatile organic compound (VOC) emissions in existence on or before August 3, 2018, to address the 2015 ozone National Ambient Air Quality Standards (NAAQS).

[https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/May%202019/02\\_7-561\\_RACT%20III%20Major%20Source/04a\\_7-561\\_RACT%20III%20VOC\\_Proposed\\_RAF.pdf](https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/May%202019/02_7-561_RACT%20III%20Major%20Source/04a_7-561_RACT%20III%20VOC_Proposed_RAF.pdf)

## ***OTHER ACTIONS AND OPPORTUNITIES***

**Pennsylvania Extension of National Pollutant Discharge Elimination System General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems** The Department of Environmental Protection has issued notice extending for 12 months the availability of the current National Pollutant Discharges Elimination System General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (PAG-06).

<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol51/51-19/713.html>



**Note:** The Virginia General Assembly convened on January 13, 2021 and adjourned on February 8, 2021. A special session was held from February 10, 2021 to March 1, 2021.

## ***OTHER ACTIONS AND OPPORTUNITIES***

**Virginia Permits for Stationary Sources; Regulation for General Administration** The Department of Environmental Quality has proposed rulemaking to provide greater detail as to how the site suitability requirements of § 10.1-1307 E of the Code of Virginia will be carried out in the permitting process for stationary sources.

<http://register.dls.virginia.gov/details.aspx?id=9614>

**Virginia Water Quality Assessment Guidance** The Department of Environmental Quality has issued notice of an opportunity to comment regarding Virginia's 2022 Water Quality Assessment Guidance Manual which contains assessment procedures and methods to be used for development of the 2022 Integrated Report.

[https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\\_Proposed\440\GDoc\\_DEQ\\_4790\\_20210405.pdf](https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs_Proposed\440\GDoc_DEQ_4790_20210405.pdf)



# WEST VIRGINIA

**Note: The West Virginia Legislature convened on February 10, 2021 and adjourned April 10, 2021.**

## ***FINAL REGULATION***

**West Virginia Ambient Air Quality Standards** The Department of Environmental Quality has adopted rulemaking to incorporate by reference the ambient air quality standards in West Virginia for sulfur oxides (SOx) , particulate matter (PM), carbon monoxide (CO), ozone (O3), nitrogen oxides (NOx), and lead (Pb) equivalent to the NAAQS established under the Clean Air Act. Effective June, 1, 2021.

<https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=54108&Format=PDF>

**West Virginia Emissions Standard for Hazardous Air Pollutants** The Department of Environmental Protection has adopted rulemaking that adopts by reference national emission standards for hazardous air pollutants and other regulatory requirements promulgated by the United States Environmental Protection Agency. Effective June 1, 2021.

<https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=54113&Format=PDF>

**West Virginia Hazardous Waste Management System** The Waste Management Division of Water and Waste Management has adopted rulemaking regarding the generation, treatment, storage and disposal of hazardous waste, incorporating by reference federal regulations 40 CFR Part 260 through 279. Effective July 1, 2021.

<https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=54092&Format=PDF>

**West Virginia Requirements Governing Water Quality Standards** The Water Resources Division of Water and Waste Management has adopted rulemaking revising water quality standards to be consistent with nationally recommended criteria. Effective May 22, 2021.

<https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=54097&Format=PDF>

**West Virginia Standards for Performance for New Stationary Sources** The Department of Environmental Quality has adopted rulemaking to incorporate by reference the national standards of performance for new stationary sources (NSPS) and other regulatory requirements. Effective June 1, 2021.

<https://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=54109&Format=PDF>

## REGION IV



## NORTH CAROLINA

**Note:** The North Carolina General Assembly convened on January 13, 2021 and will adjourn on June 30, 2022.

### ***PROPOSED LEGISLATION***

**North Carolina HB 784** This act would require consideration of the cumulative impact of a proposed environmental permitting decision on minority or low-income communities and to provide enhanced public participation opportunities for permitting decisions impacting overburdened communities.

<https://www.ncleg.gov/Sessions/2021/Bills/House/HTML/H784v1.HTML>

**North Carolina HB 885** This act would enhance public notification of discharges of untreated wastewater from wastewater collection or treatment works.

<https://www.ncleg.gov/Sessions/2021/Bills/House/HTML/H885v3.HTML>

**North Carolina HB 909** This is an act concerning the prevention of Legionnaires' Disease in the public water system.

<https://www.ncleg.gov/Sessions/2021/Bills/House/HTML/H909v1.HTML>

**North Carolina HB 939** This act would enact the Food Recovery and Recycling Act.

<https://www.ncleg.gov/Sessions/2021/Bills/House/HTML/H939v1.HTML>

### ***FINAL REGULATION***

**North Carolina Endangered Plant Species List** The Department of Agriculture and Consumer Services has adopted amendments that update the Protected Plant Species and correct the spelling and names of certain plants. Effective May 17, 2021.

<http://reports.oah.state.nc.us/ncac/title%2002%20agriculture%20and%20consumer%20services/chapter%2048%20-%20plant%20industry/subchapter%20f/02%20ncac%2048f%20.0301.pdf>

### ***PROPOSED REGULATION***

**North Carolina Endangered, Threatened, and Special Concern Species** The Wildlife Resources Commission has proposed substantive changes to the rules in 15A NCAC 10I - Endangered, Threatened, and Special Concern Species.

[https://www.ncwildlife.org/Portals/0/ProposedRegulations/ProposedRegs2021/15ANCAC10I\\_0103\\_1.pdf](https://www.ncwildlife.org/Portals/0/ProposedRegulations/ProposedRegs2021/15ANCAC10I_0103_1.pdf)

[https://www.ncwildlife.org/Portals/0/ProposedRegulations/ProposedRegs2021/15ANCAC10I\\_0104.pdf](https://www.ncwildlife.org/Portals/0/ProposedRegulations/ProposedRegs2021/15ANCAC10I_0104.pdf)

[https://www.ncwildlife.org/Portals/0/ProposedRegulations/ProposedRegs2021/15ANCAC10I\\_0105.pdf](https://www.ncwildlife.org/Portals/0/ProposedRegulations/ProposedRegs2021/15ANCAC10I_0105.pdf)

**North Carolina Surface Water Quality Standards** The Department of Environmental Quality has proposed rulemaking to consider permanent amendments to select rules in 15A NCAC 02B .0200 and .0300 that establish the surface water quality standards and classifications.

[https://files.nc.gov/ncdeq/SW\\_Triennial\\_2020-2022\\_%20Regulatory%20Impact%20Analysis.pdf](https://files.nc.gov/ncdeq/SW_Triennial_2020-2022_%20Regulatory%20Impact%20Analysis.pdf)



## KENTUCKY

**Note: The Kentucky Legislature convened on January 5, 2021 and adjourned on March 30, 2021.**

No new environmental legislation or regulation of significant importance to the Navy was identified during this reporting period.

## REGION V



## ILLINOIS

**Note: The Illinois General Assembly convened on January 13, 2021 and will adjourn on January 11, 2023.**

### ***PROPOSED LEGISLATION***

**Illinois SB 1177** This act would amend the Environmental Protection Act and make a technical change in a section concerning the intent of the title regarding the site remediation program.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200SB1177lv&SessionID=110&GA=102&DocTypeID=SB&DocNum=1177&print=true>



## INDIANA

**Note: The Indiana General Assembly convened on January 4, 2021 and adjourned on April 23, 2021.**

### ***PROPOSED REGULATION***

**Indiana Spill Reporting** The Department of Environmental Management has proposed rulemaking to update and make improvements to the spill reporting rule at 327 IAC 2-6.1.

<http://iac.iga.in.gov/iac/irdin.pdf?din=20210407-IR-327210129FNA>



## MICHIGAN

**Note: The Michigan Legislature convened on January 13, 2021 and will adjourn on December 31, 2022.**

No new environmental legislation or regulation of significant importance to the Navy was identified during this reporting period.



**Note: The Ohio General Assembly convened on January 4, 2021 and will adjourn on December 31, 2022.**

### ***OTHER ACTIONS AND OPPORTUNITIES***

**Ohio Air Monitoring Network Plan 2021-2022** The Environmental Protection Agency has issued notice of an opportunity to comment regarding the Ohio Air Monitoring Network Plan 2021-2022.

[https://epa.ohio.gov/Portals/27/ams/sites/11-2021AMNP\\_PN\\_Draft.pdf](https://epa.ohio.gov/Portals/27/ams/sites/11-2021AMNP_PN_Draft.pdf)

**Ohio Proposed Update to State Water Quality Management Plan and Section 208 Plans** The Environmental Protection Agency has issued notice of an opportunity to comment regarding an update to water quality management plans, as required by Sections 303 and 208 of the Clean Water Act.

<https://epa.ohio.gov/Portals/35/mgmtplans/PN-2021Certification.pdf>



**Note: The Wisconsin Legislature convened on January 4, 2021 and will adjourn on December 31, 2022.**

### ***PROPOSED LEGISLATION***

**Wisconsin SB 361** This act relates to regulating and addressing PFAS, providing an exemption from rule-making procedures, granting rule-making authority, and making an appropriation.

<https://docs.legis.wisconsin.gov/2021/related/proposals/sb361.pdf>

**Wisconsin SB 381** This act relates to petroleum products, storage of dangerous substances, granting rule-making authority, and making an appropriation.

<https://docs.legis.wisconsin.gov/2021/related/proposals/sb381.pdf>

## MEET THE REC STAFF

**RADM Charles W. Rock**

DoD Regional Environmental Coordinator  
(757) 322-2800, DSN 262-2800

Director, Regional Environmental Coordination  
(REC) Office  
(757) 341-0363

REC Counsel  
(757) 322-2938, DSN 262-2938

Cultural Resources  
(757) 341-0925

Potable Water, Stormwater, Groundwater,  
Wastewater  
(757) 341-0429

Air Quality, Asbestos, Radon  
(757) 341-0383

P2, EPCRA, RCRA - HW/SW  
(757) 341-0408

Navy On-Scene Coordinator Representative  
(757) 341-0449

POL/Tanks  
(757) 341-0453

Regional NEPA, Natural Resources  
(757) 341-0494

Land Use, Encroachment  
(757) 341-0264

Environmental Restoration  
(757) 341-0394

REC Support  
(757) 341-0430

REC Outreach  
(757) 341-0383

DoD Chesapeake Bay Coordinator  
(757) 341-0424  
(757) 341-0395

## SUBSCRIBE

If you would like to receive notice when the REC Update is posted, please send an email to:  
[angela.s.jones1@navy.mil](mailto:angela.s.jones1@navy.mil) with your name, position, command, mailing address, phone number, and fax number.

If your email address or phone number changes, please send an email with the updated information.

If you or your organization would like to submit an article, story, or picture for future newsletters, send it to:  
[angela.s.jones1@navy.mil](mailto:angela.s.jones1@navy.mil)