



# REC Review



## of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

July 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

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For Open Publication**

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### SPOTLIGHT STORY

#### Cherry Point's Resiliency Restores Ecosystems

This year, World Environment Day is focused on ecosystem restoration and the long-lasting effects it has on the community around it. The Environmental Affairs Department (EAD) on Marine Corps Air Station (MCAS) Cherry Point, North Carolina, prides itself on its environmental achievements the past 20 years.

According to the Center for Biological Diversity, ecological restoration is the process of reclaiming ecosystems and animal habitats by restoring waterways and the lands on which animals and plants depend.

"We have done reintroduction of species," said Jessica Guilianelli, the natural resources manager at MCAS Cherry Point. "The fox squirrel and wild turkeys are some species we helped reintroduce to improve the population. The longleaf pines are the tree species we are trying to restore on the installation."

EAD also removed concrete ditches, restoring the natural curves in the streamline that flows to the Neuse River. They put down coconut fiber matting to give the banks steadiness for the planted shrubbery, grasslands and trees to filter water from the storm drains before making it to the streamline. Now there is a 50-foot buffer on each side of the stream.

MCAS Cherry Point EAD has restored two major creeks: Sandy Branch-Tributary Two in 2008 and Grant's Landing residential housing area waterway in 2015. EAD is working to restore the living shoreline along the coast of MCAS Cherry Point and plans to begin construction by the fall of 2021 to reinstate the native oyster population.

For more information:

<https://www.dvidshub.net/news/398098/cherry-points-resiliency-restores-ecosystems>

## GENERAL INTEREST

**EPA Announces \$50 Million to Fund Environmental Justice Initiatives Under the American Rescue Plan** The U.S. Environmental Protection Agency (EPA) announced that it will provide \$50 million dollars for Environmental Justice (EJ) initiatives through funds allocated to EPA under the American Rescue Plan (ARP). Congress designated this funding for grants, contracts, and other agency activities that identify and address disproportionate environmental or public health harms and risks in underserved communities through a range of local initiatives. Moving forward, EPA will also work to award an additional \$50 million provided under the ARP for enhanced air quality monitoring, including plans to use a portion of these funds to solicit proposals from community groups, state, local and tribal air agencies to conduct monitoring of pollutants of greatest concern in communities with health outcome disparities.

<https://www.epa.gov/newsreleases/epa-announces-50-million-fund-environmental-justice-initiatives-under-american-rescue>

## 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), and Environmental Management Systems (July 28, 2021)

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

### **National Training Symposium for Federal Facilities**

The U.S. EPA conducted a national environmental symposium for federal agencies on July 13-15, via Microsoft Teams. This symposium was focused towards federal environmental professionals, was national in scope and included presentations on a variety of federal facility environmental compliance matters and topics, including per- and polyfluoroalkyl substances (PFAS), environmental justice, climate change, lead-based paint and EPA enforcement and compliance priorities. This symposium was hosted by EPA Region 6, in collaboration with EPA Head Quarters (HQ) and regional offices. Presentations and recordings can be found at:

[https://www.fedcenter.gov/kd/go.cfm?destination=Page&pge\\_id=4345&dialog=0](https://www.fedcenter.gov/kd/go.cfm?destination=Page&pge_id=4345&dialog=0)

## AIR

**Addition of 1-Bromopropane to Clean Air Act Section 112 Hazardous Air Pollutant List** The U.S. EPA is soliciting information that will aid in addressing the impacts of the regulatory action. This is the first time that a substance will be added to the hazardous air pollutant (HAP) list since the initial list was established by the 1990 Clean Air Act (CAA) Amendments. The addition of 1-bromopropane (1-BP) to the HAP list could have immediate regulatory compliance impacts to facilities that emit 1-BP. The EPA is soliciting data and information on 1-BP usage, emission controls, and costs to inform the process to address the implementation of the upcoming listing action and to ensure that the regulatory infrastructure is in place to effectively and efficiently control the emissions of 1-BP. Engagement on behalf of DoD will be managed through the Office of Secretary of Defense.

<https://www.federalregister.gov/documents/2021/06/11/2021-12287/addition-of-1-bromopropane-to-clean-air-act-section-112-hap-list>

## NATURAL AND CULTURAL RESOURCES

**EPA Administrator Regan Signs Proclamation to Mark National Pollinator Week** U.S. EPA Administrator Michael S. Regan issued a proclamation in support of National Pollinator Week. During this year's National Pollinator week, June 21 – 27, 2021, EPA recognized the importance of pollinators to America's food systems and ecosystems and raise awareness about how to promote pollinator health where you live. EPA is also working to minimize pesticide risks to pollinators by taking steps to improve protections for listed species and their critical habitats under the Endangered Species Act. EPA is undertaking multiple efforts, including identifying mitigations for broad groups of pesticides for certain vulnerable listed species.

<https://www.epa.gov/newsreleases/epa-administrator-regan-signs-proclamation-mark-national-pollinator-week>

## NEPA

**CEQ Extends Deadline for Agencies to Propose Updates to National Environmental Policy Act Procedures** The White House Council on Environmental Quality (CEQ) provided two additional years for Federal agencies to propose updates to their National Environmental Policy Act (NEPA) procedures. The extension will provide time for CEQ to review and potentially revise the 2020 NEPA rules.

<https://www.whitehouse.gov/ceq/news-updates/2021/06/28/ceq-extends-deadline-for-agencies-to-propose-updates-to-national-environmental-policy-act-procedures/>

## TOXICS

**Implementing Statutory Addition of Certain PFAS to the Toxics Release Inventory Beginning With Reporting Year 2021** EPA is adding three PFAS to the list of chemicals subject to toxic chemical release reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA). This action implements the statutory mandate in the National Defense Authorization Act for Fiscal Year 2020 (FY2020 NDAA) enacted on December 20, 2019. As this action is being taken to conform the regulations to a Congressional legislative mandate, notice and comment rulemaking is unnecessary.

<https://www.federalregister.gov/documents/2021/06/03/2021-11586/implementing-statutory-addition-of-certain-per-and-polyfluoroalkyl-substances-pfas-to-the-toxics>

# WATER

**Notice of Intention To Reconsider and Revise the Clean Water Act Section 401 Certification Rule** The U.S. EPA announces its intention to reconsider and revise the Clean Water Act (CWA) Section 401 Certification Rule. In addition, EPA will initiate a series of stakeholder outreach sessions and invite written feedback on how to revise the requirements for water quality certifications under the CWA. EPA intends to revise the CWA Section 401 Certification Rule in a manner that is well informed by stakeholder input on the rule's substantive and procedural components.

<https://www.federalregister.gov/documents/2021/06/02/2021-11513/notice-of-intention-to-reconsider-and-revise-the-clean-water-act-section-401-certification-rule>

**EPA, Army Announce Intent to Revise Definition of Waters of the United States** The U.S. EPA and Department of the Army (the agencies) are announcing their intent to revise the definition of "waters of the United States" (WOTUS) to better protect our nation's vital water resources that support public health, environmental protection, agricultural activity, and economic growth.

<https://www.epa.gov/newsreleases/epa-army-announce-intent-revise-definition-wotus>

**18th Annual EPA Drinking Water Workshop: Small System Challenges and Solutions** EPA's free annual drinking water workshop, held in partnership with the Association of State Drinking Water Administrators (ASDWA), will take place on August 30 - September 2, 2021. The workshop will be virtual and will provide in-depth information and training on solutions and strategies for handling small drinking water system challenges with a focus on monitoring, distribution, source, and treatment topics. The virtual workshop speakers and group leaders will be experts in their fields from EPA and other federal agencies, state and local agencies, tribes, academia, and other associations. At a minimum, the workshop agenda will include the following:

- Technical presentation sessions
- In-depth training
- Breakout discussion groups
- Plenary sessions with guest speakers

The technical sessions of the workshop will include "Monitoring and Distribution" and "Source and Treatment" topics, such as service lines and premise plumbing, corrosion control, distribution system best practices, cybersecurity, contaminants of emerging concern (including PFAS and algal toxins) and managing contaminants, climate change impacts and resiliency, rule implementation, pathogens and biofilms, disinfection residuals and byproducts, laboratory analytics, environmental justice, and others. The in-depth training typically includes sessions on treatment optimization and control strategies.

<https://www.epa.gov/water-research/18th-annual-epa-drinking-water-workshop-small-system-challenges-and-solutions>

# REGION I



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

## ***FINAL LEGISLATION***

**Connecticut SB 927** This act concerns revisions to the sewage spill right-to-know statute. Effective October, 1, 2021. <https://www.cga.ct.gov/2021/ACT/PA/PDF/2021PA-00042-R00SB-00927-PA.PDF>



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

## ***FINAL LEGISLATION***

**Maine LD 57** This act reduces the landfilling of municipal solid waste. Effective September 15, 2021. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0023&item=3&snum=130>

**Maine LD 129** This act protects consumers of public drinking water by establishing interim drinking water standard and testing requirements for perfluoroalkyl and polyfluoroalkyl substances (PFAS). It also requires the Department of Health and Human Services to adopt maximum contaminant levels for PFAS. Effective June, 21, 2021. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0064&item=3&snum=130>

**Maine LD 163** This act is concerning the regulation of air emissions at petroleum storage facilities. Effective September 15, 2021 <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0119&item=7&snum=130>

**Maine LD 256 (HP177)** This act adjusts sewer and wastewater lien fees from \$13 to \$25 paid by a delinquent sewer or wastewater ratepayer. Effective September 15, 2021. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0177&item=3&snum=130>

**Maine LD 264** This act prohibits aerial application of PFAS. Effective September 15, 2021. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0185&item=3&snum=130>

**Maine LD 363** This act is regarding the statute of limitations for injuries or harm resulting from PFAS. Effective September 15, 2021. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0261&item=3&snum=130>

**Maine LD 1415** This act is regarding minor revisions to existing site location permits, exemptions for rerouting storm water and exemptions for new construction or modification of an existing licensed development under the site location of development laws. Effective September 15, 2021.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0465&item=3&snum=130>



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

***PROPOSED LEGISLATION***

**Massachusetts HD 3308 (HB 3836)** This act would prohibit the disposal of certain aqueous film-forming foam by incineration.

<https://malegislature.gov/Bills/192/H3836/House/Bill/Text>



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

***FINAL REGULATION***

**New Hampshire Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants** The Department of Environmental Services has readopted with amendment rules Env-A 502.01, Env-A 503.01, and Env-A 504.01 in Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants. Effective May, 25, 2021.

<http://www.gencourt.state.nh.us/rules/register/2021/June-6-10-21.pdf#page=5>



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

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



## VERMONT

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

### **FINAL REGULATION**

**Vermont Regulations for Lead Control** The Department of Health has adopted rulemaking to protect public health by reducing lead exposure for children, workers and the public. Effective May 7, 2021.

<https://secure.vermont.gov/SOS/rules/results.php>

## REGION II



## NEW JERSEY

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

### **PROPOSED LEGISLATION**

**New Jersey SB 3864 (AB 985)** This act would prohibit certain actions relative to endangered and threatened plant species and directs the Department of Environmental Protection's commissioner to take certain actions to protect endangered and threatened plant species.

[https://www.njleg.state.nj.us/2020/Bills/S4000/3864\\_11.HTM](https://www.njleg.state.nj.us/2020/Bills/S4000/3864_11.HTM)

### **PROPOSED REGULATION**

**New Jersey Greenhouse Gas Monitoring and Reporting** The Department of Environmental Protection has proposed new rules and amendments as part of a comprehensive strategy to implement the provisions of the Global Warming Response Act.

<https://www.nj.gov/dep/rules/notices/20210621a.html>

**New Jersey Vapor Intrusion Technical Guidance** The Department of Environmental Protection has issued technical guidance regarding vapor intrusions.

[https://www.nj.gov/dep/srp/guidance/vaporintrusion/vit\\_main.pdf](https://www.nj.gov/dep/srp/guidance/vaporintrusion/vit_main.pdf)

### **OTHER ACTIONS AND OPPORTUNITIES**

**New Jersey Proposed 2018/2020 303(d) List of Water Quality Limited Waters** The Department of Environmental Protection has invited public comments on the proposed 2018 and 2020 combined 303(d) List of Water Quality Limited Waters (303(d) List), including the priority ranking for development of total maximum daily load (TMDL), prior to requesting approval from the U.S. EPA.

<https://www.nj.gov/dep/wqmp/docs/20210621-303-d.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 SB 7067** This act would modify the definition of renewable energy systems to include systems that generate electricity or energy through biomass located within a military installation.

[https://assembly.state.ny.us/leg/?default\\_fld=&Text=Y&term=2021&bn=S7067](https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=S7067)

### **PROPOSED REGULATION**

**New York Chemical Bulk Storage** The Department of Environmental Conservation has proposed rulemaking regarding the handling and storage of hazardous substances.

<https://dos.ny.gov/system/files/documents/2021/06/061621.pdf>

**New York Petroleum Bulk Storage** The Department of Environmental Conservation has proposed rulemaking regarding the handling and storage of petroleum in underground and aboveground storage tank systems.

<https://dos.ny.gov/system/files/documents/2021/06/061621.pdf>

## 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 Solid Waste Control** The Department of Public Works has adopted rulemaking to establish a new fee for the disposal of loads of solid waste submitted for disposal as recyclable loads but which consist of more than eighteen percent (18%) nonrecyclable materials ("contaminated recyclables"). Effective June 4, 2021.

<https://www.dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=21-719>

### **PROPOSED REGULATION**

**District of Columbia California Vehicle Emission Standards** The Department of Energy and Environment has proposed rulemaking to adopt the California Low-Emissions Vehicle III (CA-LEV III) standards and compliance requirements for vehicles of model year (MY) 2025 and beyond that are bought, sold, and registered in the District of Columbia, pursuant to the requirements of the Clean Cars Act of 2008.

<https://doee.dc.gov/node/1547016>





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

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



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

**FINAL LEGISLATION**

**Maryland HB 264 and SB483** This act requires a certain person that generates food residuals to separate the food residuals from other solid waste and ensure that the food residuals are diverted from final disposal in a refuse disposal system in a certain manner; applying the requirements of the act to certain persons that generate certain amounts of food residuals. Effective October 1, 2021.

[http://mgaleg.maryland.gov/2021RS/chapters\\_noln/Ch\\_439\\_hb0264E.pdf](http://mgaleg.maryland.gov/2021RS/chapters_noln/Ch_439_hb0264E.pdf)

[http://mgaleg.maryland.gov/2021RS/chapters\\_noln/Ch\\_440\\_sb0483E.pdf](http://mgaleg.maryland.gov/2021RS/chapters_noln/Ch_440_sb0483E.pdf)



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

**PROPOSED LEGISLATION**

**Pennsylvania SB 776** This act would modify the Pennsylvania Sewage Facilities Act to allow garage foundation drainage and floor drains to discharge into a treatment tank permitted under section of the act.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=0776&pn=0918>



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.

**FINAL REGULATION**

**Virginia Waterworks Regulations** The Department of Health amended 12VAC5-590, Waterworks Regulations, to update and clarify the requirements for planning, designing, constructing and operating waterworks.

Effective June 23, 2021. <http://register.dls.virginia.gov/details.aspx?id=9648>

## **PROPOSED REGULATION**

**Virginia Water Quality Standards** The Department of Environmental Quality (DEQ) has proposed fast-track rulemaking to create a new subdivision in the respective river basins and place a public water supply (PWS) notation in the Special Standards column next to that subdivision of the river basin where the water supply intake is located. A PWS notation indicates that criteria under the column heading Public Water Supply in the table located at 9VAC25-260-140 apply in waters designated as such. <http://register.dls.virginia.gov/details.aspx?id=9659>

## **OTHER ACTIONS AND OPPORTUNITIES**

**Virginia Final 2022 Water Quality Assessment Guidance Manual** The DEQ has issued guidance regarding Virginia's 2022 Water Quality Assessment Guidance Manual which contains the assessment procedures and methods to be used for the development of Virginia's 2022 §305(b)/ §303(d) Integrated (i.e. combined Water Quality Assessment and Impaired Waters) Report.

[https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\440\GDoc\\_DEQ\\_6997\\_v1.pdf](https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\440\GDoc_DEQ_6997_v1.pdf)

**Virginia Implementation Guidance for Reissuance of the VPDES General Permit Regulation for Discharges Resulting from the Application of Pesticides to Surface Water** The State Water Control Board has issued guidance replacing Guidance Memo No. 11-2009, regarding the VPDES General Permit Regulation for Discharges Resulting From the Application of Pesticides to Surface Water.

[https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\440\GDoc\\_DEQ\\_7018\\_v1.pdf](https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\440\GDoc_DEQ_7018_v1.pdf)

## **Virginia's Nonpoint Source (NPS) Implementation Best Management Practice (BMP) Guidelines – FY 2022**

The Department of Environmental Quality has invited comment on Virginia's Nonpoint Source (NPS) Implementation Best Management Practice (BMP) Guidelines – FY 2022.

[https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\\_Proposed\440\GDoc\\_DEQ\\_4832\\_20210527.pdf](https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs_Proposed\440\GDoc_DEQ_4832_20210527.pdf)



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

## **PROPOSED REGULATION**

**West Virginia Ambient Air Quality Standards** The Air Quality Board has proposed rulemaking regarding ambient air quality standards for carbon dioxide.

<https://dep.wv.gov/pio/Documents/45CSR8%20-%20Proposed%202022%20w%20IBRs.pdf>

**West Virginia Emission Standards for Hazardous Air Pollutants** The Air Quality Board has proposed rulemaking to incorporate by reference federal emission standards for hazardous air pollutants.

<https://dep.wv.gov/pio/Documents/45CSR34%20-%20Proposed%202022%20w%20IBRs.pdf>

**West Virginia Standards for Performance for New Stationary** The Air Quality Board has proposed rulemaking to incorporate by reference federal standards of performance for new stationary sources.

<https://dep.wv.gov/daq/publicnoticeandcomment/Documents/2022%20Proposed%20Rules/45CSR16%20-%20Proposed2022%20w%20IBRs.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 828** This act would enact the Pollinator Protection Act of 2021.

<https://www.ncleg.gov/Sessions/2021/Bills/House/HTML/H828v1.HTML>

#### **FINAL REGULATION**

**North Carolina Discharges to Isolated Wetlands and Isolated Waters** The Environmental Management Commission has adopted temporary rulemaking to create a replacement permitting mechanism for a subset of wetlands classified under the State law as no longer subject to federal Clean Water Act jurisdiction. Effective May 28, 2021.

<https://files.nc.gov/ncoah/documents/files/Volume-35-Issue-24-June-15-2021-.pdf>

#### **PROPOSED REGULATION**

**North Carolina Underground Storage Tanks** The Environmental Management Commission has proposed rulemaking regarding general operating requirements for underground storage tanks, including periodic testing of spill prevention equipment and containment sumps used for interstitial monitoring of piping and periodic inspection of overfill prevention equipment.

<https://files.nc.gov/ncoah/documents/files/Volume-35-Issue-24-June-15-2021-.pdf>

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

**North Carolina Advancing North Carolina's Economic and Clean Energy Future with Offshore Wind** The Office of the Governor has issued an executive order regarding offshore wind energy development and planning. Effective June 9, 2021.

<https://files.nc.gov/governor/documents/files/EO218-Advancing-NCs-Economic-Clean-Energy-Future-with-Offshore-Wind.pdf>



### KENTUCKY

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

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

**Kentucky 2021 Triennial Review Listening Session and Comment Period** The Energy and Environment Cabinet has issued notice of an opportunity to comment regarding the 2021 Water Quality Standards Triennial Review.

<https://eec.ky.gov/Environmental-Protection/Water/Regs/Documents/Tri%20Rev%20PN%20June%202021%20%28final%29.pdf>

**Kentucky Draft 2018/2020 303(d) List** The Energy and Environment Cabinet has issued notice of an opportunity to comment regarding the draft 2018/2020 303(d) list of impaired waters.

[https://eec.ky.gov/Environmental-Protection/Water/Public%20Notices/FINAL\\_303d%20Public%20Notice%2020210602.pdf](https://eec.ky.gov/Environmental-Protection/Water/Public%20Notices/FINAL_303d%20Public%20Notice%2020210602.pdf)

## REGION V



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

### ***PROPOSED LEGISLATION***

**Illinois HB 4093** This act would amend the Environmental Protection Act. This act would require the Environmental Protection Agency to annually review and update the underlying data for, and use of, indicators used to determine whether a community is designated as an environmental justice community and to establish a process by which communities not designated as environmental justice communities may petition for such a designation.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB4093lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=4093&print=true>

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

**Illinois Groundwater Quality Draft Rules** The Environmental Protection Agency has invited public comment on a draft rule proposal to update 35 Ill. Adm. Code 620: Groundwater Quality. The rules are the state standards that set acceptable levels for various pollutants in groundwater. Prior to submitting proposed rules to the Illinois Pollution Control Board for review and final adoption, the Illinois EPA is soliciting public comment on draft proposed rules.

<https://www2.illinois.gov/epa/about-us/rules-regs/water/Documents/Final%2035-620.pdf>



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

### ***FINAL REGULATION***

**Indiana Cold Cleaning Degreasing Alternative** The Department of Environmental Management has adopted amendments to rules at 326 IAC 8-3-8 concerning cold cleaning degreasing and the addition of a control device option to comply with the requirement to use a low vapor pressure solvent. Effective June 10, 2021.

<http://iac.iga.in.gov/iac/20210609-IR-326180542FRA.xml.pdf>



# MICHIGAN

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

## PROPOSED LEGISLATION

**Michigan HB 5000** This act would raise the fees for certain general and individual stormwater permits including construction, industrial and Municipal Separate Storm Sewer System (MS4) permits.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2021-HIB-5000.htm>

**Michigan HB 5001** This act would amend the Natural Resources and Environmental Protection Act to increase application fees for various permits authorizing a discharge into surface water, other than a storm water discharge.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2021-HIB-5001.htm>

**Michigan HB 5003** This act would raise certain drinking water, wastewater, and stormwater operator certification examination fees.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2021-HIB-5003.htm>

**Michigan HB 5004** This act would increase manifest processing user charges for hazardous waste.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2021-HIB-5004.htm>

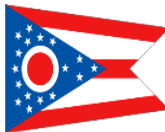
**Michigan HB 5005** This act would modify permit fees for certain projects under the Natural Resources and Environmental Protection Act (NREPA).

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2021-HIB-5005.htm>

## PROPOSED REGULATION

**Michigan Cleanup Criteria Requirements for Response Activity** The Department of Environmental, Great Lakes and Energy has proposed rule set (2020-130 EQ) that will amend the current rules to add PFAS generic cleanup criteria for groundwater used for drinking water to R 299.49

<https://ars.apps.lara.state.mi.us/Transaction/RFRTtransaction?TransactionID=1256>



# OHIO

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

## PROPOSED LEGISLATION

**Ohio HB 365** This act would amend section 6111.041 and enact section 6109.26 of the revised code to require the Director of Environmental Protection to adopt rules establishing maximum allowable contaminant levels in drinking water and water quality standards for PFAS, Chromium-6, and 1,4-Dioxide.

[https://search-prod.lis.state.oh.us/solarapi/v1/general\\_assembly\\_134/bills/hb365/IN/00/hb365\\_00\\_IN?format=pdf](https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_134/bills/hb365/IN/00/hb365_00_IN?format=pdf)



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

***PROPOSED LEGISLATION***

**Wisconsin AB 419 (SB 361)** This act is relating 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/ab419.pdf>

***PROPOSED REGULATION***

**Wisconsin Water Quality Antidegradation Policy and Procedures** The Department of Natural Resources has initiated rulemaking regarding revisions to chapters NR 102, 106, 205, and 207, and other related regulations for the purpose of updating Wisconsin's water quality antidegradation policy and procedures.

<https://dnr.wisconsin.gov/sites/default/files/topic/Rules/WY1320ScopeStatement.pdf>

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