



REC Review



of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

January 2022

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.jones7.civ@us.navy.mil.



NAVFAC MIDLANT DoD REC Map

Table of Contents

SPOTLIGHT.....	1
GENERAL INTEREST/FEDERAL NEWS.....	2
REGION 1.....	5
REGION 2.....	6
REGION 3.....	7
REGION 4.....	9
REGION 5.....	9
MEET THE REC STAFF.....	11
SUBSCRIBE.....	11

SPOTLIGHT STORY

2021 Federal Energy and Water Management Award Winners

The U.S Department of Energy’s Federal Energy Management Program (FEMP) congratulates the 18 winners of the 2021 Federal Energy and Water Management Awards. These awards recognize individuals, teams, and organizations for outstanding efforts to cut energy waste, reduce costs, optimize performance, and advance America’s progress towards net-zero carbon emissions by 2050.

The Federal Energy and Water Management Awards recognize individuals, groups, and agencies for their outstanding contributions in the areas of energy and water efficiency, resilience, and technology achievements; distributed energy; cyber security; and fleet management at federal facilities.

This year’s Federal Energy and Water Management Awards winners come from eight federal agencies, including:

- U.S. Department of Defense (U.S. Army, U.S. Marine Corps, U.S. Navy, U.S. Air Force, and Defense Logistics Agency)
- U.S. Department of Health and Human Services
- U.S. Department of the Interior
- U.S. Department of Transportation

Region 1 through 5 winners included individuals and/or teams from:

- Defense Logistics Agency (DLA) Installation Energy Division, Fort Belvoir, Virginia
- Portsmouth Naval Shipyard, Kittery, Maine
- National Institutes of Health, Bethesda, Maryland
- U.S. Army Garrison Fort Campbell, Kentucky

For more information:

<https://www.energy.gov/eere/articles/department-energy-announces-2021-federal-energy-and-water-management-award-winners>

CLEARED For Open Publication

Jan 12, 2022

Department of Defense OFFICE OF PUBLICATION AND SECURITY REVIEW

GENERAL INTEREST/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

Announcing the 2022 Federal Environmental Symposium and Call for Presentation Abstracts- Deadline extended and Save the Date

The Federal sustainability community is cordially invited to attend the 2022 Federal Environmental Symposium, March 28-31, 2022. This year's theme is Mission, Environment, and Our Communities, and will be conducted via webinar-format. The four day event will focus on Federal sustainability initiatives over the past year while encouraging partnerships, sharing of information, and best practices amongst Federal facilities. The event schedule, registration instructions, call for presentation abstracts, and continuous updates to the event can be found on the Symposium website. The call for presentation abstracts are now open and closes on Friday, January 14, 2022, 11:59 p.m. EST.

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

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

DOE Announces \$13 Million For Energy Efficiency Technologies at Federal Buildings The Department of Energy (DOE) announced \$13 million in funding for 17 projects to implement energy and water efficiency, renewable energy, and climate resilience technologies at federal facilities across the country. These projects will lower energy costs and enhance resilience to climate events of all federal energy-management systems. The projects will use energy performance contracts at no additional up-front cost to the government and will lower energy and water utility bills by more than \$30 million annually while reducing greenhouse gas emissions by over 200,000 metric tons. Reducing the carbon footprint of the federal government is critical to achieving President Biden's goal of a net zero-emission economy by 2050.

<https://www.energy.gov/articles/doe-announces-13-million-energy-efficiency-technologies-federal-buildings>

Executive Order 14057 -Clean Energy Industries and Jobs; Efforts To Catalyze Through Federal Sustainability

Executive Order (EO) 14057 was signed and directs the federal government to use its scale and procurement power to achieve five goals: (1) 100 percent carbon pollution-free electricity (CFE) by 2030, at least half of which will be locally supplied clean energy to meet 24/7 demand; (2) 100 percent zero-emission vehicle (ZEV) acquisitions by 2035, including 100 percent zero-emission light-duty vehicle acquisitions by 2027; (3) Net-zero emissions from federal procurement no later than 2050, including a Buy Clean policy to promote use of construction materials with lower embodied emissions; (4) A net-zero emissions building portfolio by 2045, including a 50 percent emissions reduction by 2032; and (5) Net-zero emissions from overall federal operations by 2050, including a 65 percent emissions reduction by 2030.

<https://www.federalregister.gov/d/2021-27114>

WHEJAC Public Meeting The White House Environmental Justice Advisory Council (WHEJAC) will hold a two-day public meeting January 26-27, 2022 from approximately 3 - 7:30 p.m. (ET) each day. Individual registration is required. The meeting is open to all members of the public. Engagement on behalf of DoD will be managed through the Office of Secretary of Defense. <https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council>

AIR

Protection of Stratospheric Ozone: Listing of HFO-1234yf Under the Significant New Alternatives Policy Program for Motor Vehicle Air Conditioning in Nonroad Vehicles and Servicing Fittings for Small Refrigerant Cans Pursuant to the U.S. Environmental Protection Agency's (EPA) Significant New Alternatives Policy program, this action proposes to list the refrigerant 2,3,3,3-tetrafluoroprop-1-ene, also known as HFO-1234yf or R-1234yf, as acceptable, subject to use conditions, in the motor vehicle air conditioning end-use for certain types of newly manufactured nonroad (also called off-road) vehicles, which includes some vehicles that are also considered heavy-duty vehicles. EPA is also proposing to adopt the current versions of the industry safety standards SAE J639, SAE J1739, and SAE J2844 by incorporating them by reference into the use conditions for the proposed listings in nonroad vehicles and previous listings for certain onroad vehicles covered in final rules issued separately in March 2011 and December 2016. In addition, EPA is proposing to require unique servicing fittings for use with small refrigerant cans (two pounds or less) of 2,3,3,3-tetrafluoroprop-1-ene that are used to service onroad and nonroad vehicles. Finally, EPA is proposing to add a reference to the Agency's regulations under the Toxic Substances Control Act (TSCA) for 2,3,3,3-tetrafluoroprop-1-ene for the proposed listings in nonroad vehicles and previous listings for certain onroad vehicles.

<https://www.federalregister.gov/documents/2021/12/06/2021-25440/protection-of-stratospheric-ozone-listing-of-hfo-1234yf-under-the-significant-new-alternatives>

List of Hazardous Air Pollutants EPA is amending the list of hazardous air pollutants (HAP) under the Clean Air Act (CAA) to add 1-bromopropane (1-BP) in response to public petitions previously granted by the EPA. This action amends the list of hazardous air pollutants initially listed under the CAA. This final rule is effective on February 4, 2022.

<https://www.federalregister.gov/documents/2022/01/05/2021-28315/clean-air-act-section-112-list-of-hazardous-air-pollutant-amendments-to-the-list-of-hazardous-air>

TOXICS

Spill Prevention, Control, and Countermeasure (SPCC) Webinar for Federal Facilities (Web-based) February 2, 2022, 1 - 5 p.m. EPA is conducting a free training webinar on the Spill Prevention, Control, and Countermeasure (SPCC) Rule for federal facilities. This training is designed to allow federal facility personnel and other environmental professionals the opportunity to learn about the SPCC requirements, the inspection process, and common violations. The training will assist federal facilities to maintain and/or improve compliance with SPCC requirements. The objective of this training is to assist federal facilities with the implementation of their SPCC programs designed to prevent oil discharges from impacting navigable waters. The training is targeted for facilities with oil: storage, processing, refining, transferring, and activities or equipment using/consuming oil and oil products. The course will provide an SPCC 101 overview, a deeper dive into the SPCC rules, their applicability and requirements (e.g. containment, tank integrity, plan updates, etc.). The US EPA SPCC inspection process and expectations will be discussed. An in-depth pictorial review of typical noncompliance found during EPA inspections will be provided.

<https://www.fedcenter.gov/Events/index.cfm?id=38799>

WATER

Review of the National Primary Drinking Water Regulation: Lead and Copper Rule Revisions The EPA published decision to delay the effective and compliance dates of the National Primary Drinking Water Regulations: Lead and Copper Rule Revisions (LCRR), published on January 15, 2021, to allow time for EPA to review the rule in accordance with Presidential directives issued on January 20, 2021, to the heads of Federal agencies to review certain regulations, and conduct important consultations with affected parties. EPA has completed its review. The agency's review included virtual public engagements from a diverse set of stakeholders. This document describes the comments conveyed by stakeholders, EPA's decision to proceed with a proposed rule that would revise certain key sections of the LCRR while allowing the rule to take effect, and other non-regulatory actions that EPA and other Federal agencies can take to reduce exposure to lead in drinking water. The effective date of the LCRR published on June 16, 2021, in the Federal Register (86 FR 31939), was December 16, 2021, and compliance date continues to be October 16, 2024.

<https://www.federalregister.gov/documents/2021/12/17/2021-27457/review-of-the-national-primary-drinking-water-regulation-lead-and-copper-rule-revisions-lcrr>

Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5) for Public Water Systems (Final) EPA is finalizing a Safe Drinking Water Act (SDWA) rule that requires certain public water systems (PWSs) to collect national occurrence data for 29 per- and polyfluoroalkyl substances (PFAS) and lithium. Subject to the availability of appropriations, EPA will include all systems serving 3,300 or more people and a representative sample of 800 systems serving 25 to 3,299 people. If EPA does not receive the appropriations needed for monitoring all of these systems in a given year, EPA will reduce the number of systems serving 25 to 10,000 people that will be asked to perform monitoring. This final rule is a key action to ensure science-based decision-making and prioritize protection of disadvantaged communities in accordance with EPA's PFAS Strategic Roadmap. EPA is also announcing plans for public webinars to discuss implementation of the fifth Unregulated Contaminant Monitoring Rule (UCMR 5). This final rule is effective on January 26, 2022.

<https://www.federalregister.gov/documents/2021/12/27/2021-27858/revisions-to-the-unregulated-contaminant-monitoring-rule-ucmr-5-for-public-water-systems-and>

REGION I

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.



Note: The Connecticut Legislature will convene on February 9, 2022 and adjourn on May 5, 2022.

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



Note: The Maine Legislature convened on December 2, 2020 and will adjourn on April 20, 2022.

PROPOSED LEGISLATION

Maine LD 1801 This act would modify exemptions for certain storm water discharges to Class AA and SA waters.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1342&item=1&snum=130>

PROPOSED REGULATION

Maine Board of Pesticides Control Rules: Special Provisions; Special Restrictions on Pesticide Use The Department of Agriculture, Conservation, and Forestry has proposed rules amendments to address the directives in the following bills passed by the 130th Maine Legislature: LD 316, LD 155, and LD 264. These proposed rule amendments include the requirement of two PFAS related affidavits for pesticide registrants, prohibiting the use of chlorpyrifos, and restricting the use of most neonicotinoids for residential landscape (turf and ornamental vegetation) management. <https://www.maine.gov/dacf/php/pesticides/rulemaking.html>



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

PROPOSED LEGISLATION

Massachusetts HB 4022 This act would protect Cape Cod's environment and water supply.

<https://malegislature.gov/Bills/192/H4022/House/Bill/Text>



NEW HAMPSHIRE

Note: The New Hampshire Legislature convened on January 5, 2022 and will adjourn on June 30, 2022.

PROPOSED LEGISLATION

New Hampshire HB 1546 This act would limit air emissions of perfluorochemicals.

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=1273&txtFormat=html



RHODE ISLAND

Note: The Rhode Island Legislature convened on January 4, 2022 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.



VERMONT

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

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

REGION II

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.



NEW JERSEY

Note: The New Jersey Legislature convened on January 11, 2022 and will adjourn on January 9, 2024.

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



NEW YORK

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

PROPOSED REGULATION

New York Proposed Policy: The Climate Leadership and Community Protection Act and Air Permit Applications The Department of Environmental Conservation has invited comment draft proposed policy DAR-21. This policy describes the content of analyses required by the Division of Air Resources (DAR) pursuant to the requirements of Section 7(2) of the Climate Leadership and Community Protection Act (CLCPA), Chapter 106 of the Laws of 2019. It further describes the procedures staff in DAR will follow when reviewing those analyses for conformance with the requirements of the CLCPA. Finally, this policy establishes the types of air pollution control permit actions required to prepare an analysis as part of the permit application process. https://www.dec.ny.gov/docs/air_pdf/dar21.pdf

REGION III

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.



DISTRICT OF COLUMBIA

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

PROPOSED REGULATION

District of Columbia Hazardous Waste Management Regulations The Department of Energy and Environment (DOEE) has proposed to adopt recently finalized U.S. EPA rulemakings adopted pursuant to their authority under the federal Resource Conservation and Recovery Act (RCRA). Accordingly, unless otherwise noted, this rulemaking proposes to incorporate by reference the most recently updated RCRA regulations. Additionally, with changes in terminology in the federal regulations, DOEE has made corresponding changes in terminology in this proposal. <https://dcregs.dc.gov/Common/DCR/Issues/IssueCategoryList.aspx?CategoryID=14&IssueID=906>



DELAWARE

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.



MARYLAND

Note: The Maryland General Assembly convened on January 12, 2022 and will adjourn on March 18, 2022.

PROPOSED LEGISLATION

Maryland HB 98 This act pertains to military installations' expansion and development.

<https://mgaleg.maryland.gov/2022RS/bills/hb/hb0098F.pdf>



PENNSYLVANIA

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

PROPOSED LEGISLATION

Pennsylvania HB 2117 This act would amend the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in enforcement and remedies and provide for criminal proceedings.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=H&billTyp=B&billNbr=2117&pn=2471>



VIRGINIA

Note: The Virginia General Assembly convened on January 12, 2022 and will adjourn on March 8, 2022.

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



WEST VIRGINIA

Note: The West Virginia Legislature convened on January 12, 2022 and will adjourn on April 10, 2022.

OTHER ACTIONS AND OPPORTUNITIES

West Virginia 2020 Hazardous Waste Emergency Response Fee Assessment Introduction The Department of Environmental Protection has issued notice of changes to fees for hazardous waste generators.

<https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=39985>

REGION IV

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.



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

PROPOSED REGULATION

North Carolina Guidelines and Permits The Coastal Resources Commission has proposed rulemaking regarding permits, extending the initial expiration date of most major permits and amending permits for activities in oceanfront areas. <https://files.nc.gov/ncoah/documents/files/Volume-36-Issue-13-January-3-2022.pdf>



Note: The Kentucky Legislature convened on January 4, 2022 and will adjourn on March 30, 2022.

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

REGION V

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.



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

PROPOSED LEGISLATION

Illinois HB 4295 This amends the Environmental Protection Act. Provisions regarding lead service line replacement and notification, provides that as lead service lines are replaced in accordance with the provisions, an owner or operator of a community water supply shall, when practicable, comply with specified provisions of the Illinois Plumbing Code.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB4295lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=4295&print=true>.



INDIANA

Note: The Indiana General Assembly convened on January 4, 2022 and will adjourn on March 11, 2022.

OTHER ACTIONS AND OPPORTUNITIES

The Indiana Department of Environmental Management (IDEM) Governor’s Awards for Environmental Excellence are Indiana’s most prestigious environmental recognition awards. They are reserved for the most innovative, sustainable, and exemplary programs or projects that positively impact Indiana’s environment and demonstrate measurable environmental, economic, and social benefits. The selection process is highly competitive, and only one award per category will be presented during a ceremony in September annually. The 2022 Awards Program will open in January 2022. <https://www.in.gov/idem/partnerships/governors-awards-for-environmental-excellence/>



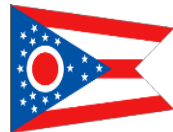
MICHIGAN

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

PROPOSED LEGISLATION

Michigan SB 773 This act pertains to environmental protection, air pollution, and reduction of air emissions during certain months.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/Senate/htm/2021-SIB-0773.htm>



OHIO

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

PROPOSED LEGISLATION

Ohio HB 490 This act would make changes to the laws regarding navigable airspace.

https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_134/bills/hb490/IN/00/hb490_00_IN?format=pdf



WISCONSIN

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

PROPOSED LEGISLATION

Wisconsin SB 774 This act relates to reporting on environmental impacts to vulnerable communities and granting rule-making authority. <https://docs.legis.wisconsin.gov/2021/related/proposals/sb774.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
(757) 322-2812, DSN 262-2812 or (916) 952-1003

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.jones7.civ@us.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.jones7.civ@us.navy.mil