



REC Review



of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

December 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.



NAVFAC MIDLANT DoD REC Map

Table of Contents

SPOTLIGHT	1
GENERAL INTEREST/FEDERAL NEWS	2
REGION 1	5
REGION 2	7
REGION 3	9
REGION 4	11
REGION 5	12
MEET THE REC STAFF.....	15

**CLEARED
For Open Publication**

Dec 19, 2022

Department of Defense
OFFICE OF PREPUBLICATION AND SECURITY REVIEW

SPOTLIGHT STORY

FY 2022 Defense Community Infrastructure Pilot Program Grant Awardees

On Sept. 23, 2022, the Department of Defense announced the award of 19 grants totaling approximately \$90 million under the Defense Community Infrastructure Pilot (DCIP) Program by the Office of Local Defense Community Cooperation. These awards followed a competitive selection process culminating in the Under Secretary of Defense for Acquisition and Sustainment, Dr. William A. LaPlante selection of these proposals on Aug. 15, 2022. These infrastructure projects benefit local installations and provide support to our service members, their families, and the Department’s missions.

The awards derive from Fiscal Year 2022 appropriated funding and leverage an additional \$98,882,912 in non-Federal and other Federal funding for a total investment of \$188,579,140.

The grant awards are as follows:

- Joint Base Langley-Eustis
- Marine Corps Base Camp Lejeune
- Naval Weapons Station Yorktown
- Philadelphia Navy Yard Annex
- Fort Devens Reserve Forces Training Area
- Eglin Air Force Base
- Joint Base Elmendorf-Richardson
- Hanscom Air Force Base
- Naval Station Mayport
- Minot Air Force Base
- Mountain Home Air Force Base
- Pohakuloa Training Area
- Fort Polk, LA
- Military Ocean Terminal, Sunny Point
- Vance Air Force Base
- Fort Wainwright - Black Rapids Training Site
- West Virginia Army National Guard
- Naval Air Station Joint Reserve Base
- Yuma Proving Ground

For More Information:

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

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

2022 Secretary of the Navy Environmental Awards Nominations The 2023 Secretary of the Navy (SECNAV) Environmental Awards competition is now open. The 2023 SECNAV Environmental Awards recognizes exceptional environmental stewardship and sustainability initiatives. Navy and Marine Corps may submit nominations for the award categories listed below for achievements during the period of Oct. 1, 2020 through Sept. 30, 2022.

- Natural Resources Conservation - Large Installation
- Environmental Quality - Industrial Installation
- Environmental Quality - Overseas Installation
- Sustainability - Non-Industrial Installation
- Sustainability - Individual/Team
- Environmental Restoration – Installation
- Cultural Resources Management - Small Installation
- Cultural Resources Management - Individual/Team
- Environmental Excellence in Weapons System Acquisition - Small Program
- Environmental Planning
- Afloat Environmental (Navy only)

Navy and Marine Corps may submit up to three nominations for each category with the exception of the Afloat Environmental Award. For the Afloat Environmental Award, the Navy may submit one nomination for each competitive category as outlined in the enclosed guidance. The deadline for submission is Jan. 20, 2023; however, contact your appropriate chain of command for internal deadlines and submission information.

SECNAV winners will be announced in March 2023 and the winning packages submitted to the Secretary of Defense (SECDEF) competition with the exception of the Environmental Planning and Afloat Environmental Award winners, which have no equivalent at the SECDEF level.

Exemption from Historic Preservation Review for Electric Vehicle Supply Equipment The Advisory Council on Historic Preservation (ACHP) has approved an exemption that would relieve federal agencies from the historic preservation review requirements under the National Historic Preservation Act regarding the effects of the installation of certain electric vehicle supply equipment (EVSE) on historic properties.

<https://www.federalregister.gov/documents/2022/11/02/2022-23854/exemption-from-historic-preservation-review-for-electric-vehicle-supply-equipment>

FACT SHEET: Biden-Harris Administration Proposes Plan to Protect Federal Supply Chain from Climate-Related Risks

This fact sheet provides information on the proposed Federal Supplier Climate Risks and Resilience Rule. This rule is to implement the first comprehensive, government-wide strategy to measure, disclose, manage, and mitigate the systemic risks that climate change poses to American families, businesses, and the economy. In addition to protecting federal supply chains, agencies are taking new actions to protect pensions and retirement plans, insurance availability, household savings and credit, state and local government programs, our financial system, and the federal budget from the financial risks of climate change.

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/10/fact-sheet-biden-harris-administration-proposes-plan-to-protect-federal-supply-chain-from-climate-related-risks/>

AIR

Control of Air Pollution From Aircraft Engines: Emission Standards and Test Procedures The United States Environmental Protection Agency (EPA) is finalizing particulate matter (PM) emission standards and test procedures applicable to certain classes of engines used by civil subsonic jet airplanes (engines with rated output of greater than 26.7 kN) to replace the existing smoke standard for those engines. The EPA is adopting these standards under the authority in the Clean Air Act (CAA). These standards and test procedures are equivalent to the engine standards adopted by the United Nations' International Civil Aviation Organization (ICAO) in 2017 and 2020 and will apply to both new type design aircraft engines and in-production aircraft engines. These standards reflect the importance of the control of PM emissions and U.S. efforts to secure the highest practicable degree of uniformity in aviation regulations and standards. Additionally, the EPA is migrating, modernizing, and streamlining the existing regulations into a new part in the Code of Federal Regulations. As part of this update, the EPA is also aligning with ICAO by applying the smoke number standards to engines less than or equal to 26.7 kilonewtons rated output used on supersonic airplanes. This final rule is effective on Dec. 23, 2022. <https://www.fedcenter.gov/Articles/index.cfm?id=40190>

EPA Announces \$53 Million for 132 Community Air Pollution Monitoring Projects Across the Nation EPA announced that 132 air monitoring projects in 37 states will receive \$53.4 million from the Inflation Reduction Act and American Rescue Plan to enhance air quality monitoring in communities across the United States. The projects are focused on communities that are underserved, historically marginalized, and overburdened by pollution. The air pollution monitoring projects are made possible by more than \$30 million in Inflation Reduction Act funds, which supplemented \$20 million from the American Rescue Plan and enabled EPA to support 77 additional projects, more than twice the number of projects initially proposed by community-based nonprofit organizations, state and local governments, and Tribal governments. <https://www.epa.gov/arp/selections-arp-enhanced-air-quality-monitoring-competitive-grant>

National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources Technology Review This action finalizes the technology review conducted for the paint stripping and miscellaneous surface coating operations area source categories regulated under national emission standards for hazardous air pollutants (NESHAP). These final amendments also address provisions regarding electronic reporting; make miscellaneous clarifying and technical corrections; simplify the petition for exemption process; and clarify requirements for emissions during periods of startup, shutdown, and malfunction (SSM). No revisions to the numerical emission limits based on the technology review will be made.

<https://www.federalregister.gov/documents/2022/11/10/2022-24129/national-emission-standards-for-hazardous-air-pollutants-paint-stripping-and-miscellaneous-surface>

NATURAL RESOURCES

Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat The United States Fish and Wildlife Service (USFWS) reclassified the northern long-eared bat (*Myotis septentrionalis*), a bat species found in all or portions of 37 U.S. States, the District of Columbia, and much of Canada, as an endangered species under the ESA. Their review of the best available scientific and commercial information indicates that the northern long-eared bat meets the Act's definition of an endangered species. Because they are reclassifying the northern long-eared bat from a threatened to an endangered species, they are amending this species' listing on the List of Endangered and Threatened Wildlife to reflect its endangered species status and removing its species-specific rule issued under section 4(d) of the Act. This rule is effective Jan. 30, 2023.

<https://www.federalregister.gov/documents/2022/11/30/2022-25998/endangered-and-threatened-wildlife-and-plants-endangered-species-status-for-northern-long-eared-bat#:~:text=In%202015,%20we%20listed%20the,species%20as%20an%20endangered%20species>

TOXICS

EPA Announces Supplemental Proposed Rule to Modify Toxic Substances Control Act Fees Rule EPA issued a supplemental proposed rule modifying and adjusting certain aspects of the fees rule established under the Toxic Substances Control Act (TSCA). EPA is publishing these changes to ensure that collected fees provide the Agency with 25% of authorized TSCA costs consistent with direction in the FY 2022 appropriations bill to consider the full implementation costs of the law. Updating TSCA fees will strengthen EPA's ability to successfully implement TSCA in a way that's both protective and sustainable and significantly improve on-time performance and quality.

<https://www.fedcenter.gov/Announcements/index.cfm?id=40167>

Adopting 2022 North American Industry Classification System Codes for Toxics Release Inventory Reporting

The EPA is finalizing updates to the list of North American Industry Classification System (NAICS) codes subject to reporting under the Toxics Release Inventory (TRI) to reflect the Office of Management and Budget (OMB) 2022 NAICS code revision. OMB updates the NAICS codes every five years. EPA is implementing the 2022 codes for TRI Reporting Year 2022 (i.e., facilities reporting to TRI are required to use 2022 NAICS codes on reports that are due to the Agency by July 1, 2023). The actual data required by a TRI form does not change as a result of this rulemaking, nor does the rule affect the universe of TRI reporting facilities that are required to submit reports to the Agency under the Emergency Planning and Community Right-to-Know Act (EPCRA). This final rule is effective on Dec. 28 2022.

<https://www.federalregister.gov/documents/2022/11/28/2022-25375/community-right-to-know-adopting-2022-north-american-industry-classification-system-naics-codes-for>

WATER

Water Quality Standards Regulatory Revisions To Protect Tribal Reserved Rights EPA is proposing revisions to the Federal Clean Water Act (CWA) water quality standards (WQS) regulation to clarify and prescribe how WQS must protect aquatic and aquatic-dependent resources reserved to tribes through treaties, statutes, executive orders, or other sources of Federal law, where applicable.

<https://www.federalregister.gov/documents/2022/12/05/2022-26240/water-quality-standards-regulatory-revisions-to-protect-tribal-reserved-rights>

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 convened on Feb. 9, 2022 and adjourned on May 4, 2022.

FINAL REGULATION

Connecticut Source Monitoring The Department of Energy & Environmental Protection has adopted new RCSA section 22a-174-4a (Section 2 of the proposal). New RCSA section 22a-174-4a is structured to include provisions that are missing or are not clearly set out in RCSA section 22a-174-4, such as the applicability and a distinct separation of opacity monitoring from other pollutant monitoring, as well as performance specifications and quality assurance requirements that are consistent with current federal requirements and common practices. The current source monitoring regulation, RCSA section 22a-174-4 is repealed in this action (Section 7 of the proposal). The remaining portions of the proposal revise references to RCSA section 22a-174-4 in other air quality regulations by replacing them with references to the corresponding provisions in RCSA section 22a-174-4a (Sections 1 and 3 through 6 of the proposal). Effective Oct. 28, 2022.

<https://eregulations.ct.gov/eRegsPortal/Search/getDocument?guid={80FD1E84-0000-CA1E-920B-81327BD8229D}>.



Note: The Maine Legislature convened on Dec. 2, 2020 and adjourned on May 9, 2022.

PROPOSED REGULATION

Maine Oil Discharge Prevention and Pollution Control Rules for Marine Oil Terminals, Transportation Pipelines and Vessels The Department of Environmental Protection has proposed rulemaking to update the existing rules to more current standards, improve the protectiveness of the rule, make administrative changes, incorporate statutory changes, and include design, operation and planning for climate change.

<https://www.maine.gov/dep/rules/index.html#9644003>



MASSACHUSETTS

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

FINAL REGULATION

Massachusetts Proposed Greenhouse Gas Emissions Reporting Amendments The Department of Environmental Protection has adopted rulemaking to improve consistency between Massachusetts Department of Environmental Protection's (MassDEP's) greenhouse gas (GHG) reporting program for facilities and the EPA's GHG reporting program, accurately document the transition of the greenhouse gas reporting program to a new MassDEP electronic reporting platform, and remove unnecessary reporting requirements that have been identified as particularly burdensome for facilities. Effective Nov. 11, 2022.

<https://www.mass.gov/doc/310-cmr-771-775-greenhouse-gas-emissions-reporting-amendments-november-2022/download>



NEW HAMPSHIRE

Note: The New Hampshire Legislature convened on Jan. 5, 2022 and adjourned on June 30, 2022.

PROPOSED REGULATION

New Hampshire Restrictions on the Use of Pesticides, Prohibited-Limited Use Pesticides, and Restrictions to Protect Water Resources The Department of Agriculture, Markets and Food has proposed rulemaking regarding amendments to restrictions on the use of pesticides, prohibited-limited use pesticides, and restrictions to protect water resources. <https://www.agriculture.nh.gov/laws-rules/index.htm>



RHODE ISLAND

Note: The Rhode Island Legislature convened on Jan. 4, 2022 and adjourned on June 23, 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 Jan. 6, 2021 and adjourned on May 12, 2022.

PROPOSED REGULATION

Vermont Commercial Building Energy Standards The Department of Public Service has proposed amendments to the existing Vermont Commercial Building Energy Standards (CBES). The amendments reduce energy use in commercial buildings and improve efficiency of building operations by regulating the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, ventilation, electrical, service water- heating and illumination systems and equipment which will enable effective use of energy in commercial building construction.

<https://publicservice.vermont.gov/content/building-energy-standards-update>

Vermont Residential Building Energy Standards The Department of Public Service has proposed amendments to the 2020 Vermont Residential Building Energy Standards (RBES). Among the more significant changes from 2020 RBES are: Increased insulation R- values for walls, ceilings and basements; a continuous insulation requirement for walls; increased minimum window R-values; tighter air sealing requirements; efficient balanced whole-house ventilation system with heat recovery requirement; EV Capable and Solar Ready requirements.

<https://publicservice.vermont.gov/content/building-energy-standards-update>

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 Jan. 11, 2022 and will adjourn on Jan. 9, 2024.

PROPOSED LEGISLATION

New Jersey AB 4729 (SB 3279) This act would revise the method for appraisals of farmland to be acquired for farmland preservation purposes. https://pub.njleg.gov/bills/2022/A5000/4729_11.HTM

New Jersey AB 4862 This act would imposes restrictions on vehicle idling.

https://pub.njleg.gov/bills/2022/A5000/4862_11.HTM

PROPOSED REGULATION

New Jersey Model Year 2027 or Later Heavy-Duty New Engine and Vehicle Standards and Requirements; Diesel Vehicle Inspection Tests and Procedures The Department of Environmental Protection has proposed rules to establish a new regulatory program in New Jersey at proposed N.J.A.C. 7:27-28A, Model Year 2027 and Subsequent Model Year Heavy-Duty Engine and Vehicle Standards and Requirements (Heavy-Duty Emission Standards), that will be identical to California's emission standards for vehicles of the same model year and weight class beginning January 1, 2027. Specifically, the Department's proposed new rules will ensure that the gasoline- and diesel-powered vehicles rated in excess of 8,500 pounds GVWR that remain in operation during the transition to electrification of the transportation sector will be held to the most stringent NOx and PM emission standards and that those vehicles will remain in compliance with the emission standards over a longer period of time. As a result of the proposed incorporation by reference at N.J.A.C. 7:27-28A, the Department proposes to repeal N.J.A.C. 7:27-28, which applies to only a subset of heavy-duty vehicles. The proposed rules, if adopted, would ensure that the emission standards at proposed N.J.A.C. 7:27-28A apply to all new motor vehicles and engines with a GVWR greater than 8,500 pounds (diesel and gasoline) beginning with MY 2027.
<https://www.nj.gov/dep/rules/proposals/proposal-20221107a.pdf>



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

FINAL LEGISLATION

New York SB 8763 (AB9824) This act relates to the statute of limitations for public water suppliers to commence an action for injury to property; provides that any action, civil claim, or cause of action involving an emerging contaminant that is barred as of the applicable period of limitation has expired is hereby revived, and such action thereon may be commenced and prosecuted provided such action is commenced either before or in accordance with certain time period. Effective Oct. 5, 2022.
https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=S8763

PROPOSED LEGISLATION

New York SB 9587 This act would enact the Coal to Gas Plant Conversion and Redevelopment Blueprint Act, which would require the development of a blueprint to guide the replacement and redevelopment of New York's coal burning facilities and their sites by 2030.
https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=S9587

PROPOSED REGULATION

New York Adding Aerosol Cans and Paint to New York State Universal Waste Rule The Department of Environmental Conservation has proposed rulemaking regarding adding aerosol cans and paint to New York State's universal waste rule. <https://dos.ny.gov/system/files/documents/2022/11/110922.pdf#page=23>

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.



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

FINAL REGULATION

District of Columbia Building Energy Performance Standards Program Infractions The Department of Energy and Environment has adopted rules that establish a schedule of civil infractions for violations of the District's Building Energy Performance Program rules. Effective Nov. 25, 2022.

<https://dcregs.dc.gov/Common/NoticeDetail.aspx?Noticeld=N128119>

District of Columbia New Source Performance Standards The Department of Energy and Environment has adopted 40 C.F.R. part 60, subpart A and the standards for sixty-nine (69) source categories as codified in the Code of Federal Regulations (CFR) without modification, and for two (2) source categories with modifications as they were in effect on July 29, 2021. DOEE has also adopted the federal standards for stationary spark ignition internal combustion engines (Subpart JJJJ) and stationary compression ignition internal combustion engine (Subpart IIII), except for the provision permitting emergency generators to participate in demand response programs. Effective Nov. 25, 2022.

<https://dcregs.dc.gov/Common/NoticeDetail.aspx?Noticeld=N128159>



Note: The Delaware General Assembly convened on Jan. 12, 2021 and adjourned on July 15, 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 Jan. 12, 2022 and adjourned on April 11, 2022.

OTHER ACTIONS AND OPPORTUNITIES

Maryland Notice of Final Determination — General Permit for Stormwater Discharges Associated with Industrial Activity The Department of the Environment has issued a notice to provide the State/National Pollution Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activity.

https://dsd.maryland.gov/MDRIssues/4924/Assembled.aspx#_Toc119248370



PENNSYLVANIA

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

FINAL LEGISLATION

Pennsylvania HB 2079 This act amends the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in exemptions, applicability and penalties, further providing for exemptions. Effective Jan. 3, 2023. <https://www.legis.state.pa.us/WU01/LI/LI/US/HTM/2022/0/0123..HTM?82>

FINAL REGULATION

Pennsylvania Additional RACT Requirements for Major Sources of NOX and VOCs for the 2015 Ozone NAAQS The Department of Environmental Protection has adopted 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 Aug. 3, 2018, to address the 2015 ozone National Ambient Air Quality Standards (NAAQS). Effective Nov. 12, 2022.

<http://www.irrc.state.pa.us/regulations/RegSrchRslts.cfm?ID=3321>

Pennsylvania VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS The Department of Environmental Protection has adopted amendments Chapters 121 and 129 (relating to general provisions; standards for sources) to establish presumptive volatile organic compound (VOC) reasonably available control technology (RACT) requirements and RACT emission limitations for shipbuilding and ship repair facility surface coating operations. Effective Nov. 17, 2022.

<http://www.irrc.state.pa.us/regulations/RegSrchRslts.cfm?ID=3340>

OTHER ACTIONS AND OPPORTUNITIES

Pennsylvania Closure Requirements for Underground Storage Tank Systems The Department of Environmental Protection has issued a notice regarding a draft technical guidance document titled: Closure Requirements for Underground Storage Tank Systems.

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-48/1834.html>



VIRGINIA

Note: The Virginia General Assembly convened on Jan. 12, 2022 and adjourned on March 12, 2022. Special Session 1 convened on April 4, 2022 and adjourned on Sept. 30, 2022.

FINAL REGULATION

Virginia Sewage Collection and Treatment Regulations The State Water Control Board has adopted amendments conforming the regulation to a statutorily change shifting authority to issue and enforce permits from the State Water Control Board to the Department of Environmental Quality. Effective Nov. 23, 2022.

<http://register.dls.virginia.gov/details.aspx?id=10437>



WEST VIRGINIA

Note: The West Virginia Legislature convened on Jan. 12, 2022 and adjourned on March 12, 2022.

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

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.



NORTH CAROLINA

Note: The North Carolina General Assembly convened on Jan. 13, 2021 and adjourned on July 26, 2022.

PROPOSED REGULATION

North Carolina Sulfur Dioxide Emissions from Combustion Sources The Department of Environmental Quality has proposed amendments to 15A NCAC 02D .0516, Sulfur Dioxide Emissions from Combustion Sources, and accompanying regulatory impact analysis for the proposed amendments. The revisions proposed in this rulemaking are primarily to provide clarity and consistency with the Division of Air Quality’s position that the use of excess or supplemental fuel beyond what is needed for combustion is not a means for compliance with the SO₂ standard in 15A NCAC 02D .0516.

<https://files.nc.gov/oah/documents/2022-12/Volume-37-Issue-11-December-1-2022.pdf?VersionId=2lcqsi0m70l1XFfs9xKXKnWEXIBFqxKoH>

North Carolina Designation of Wildlife Conservation Areas and Use of Conservation Area The Wildlife Resources Commission has proposed amendments to 15A NCAC 10J .0101 and .0102 related to the definitions an use of wildlife conservation lands.

<https://files.nc.gov/oah/documents/2022-12/Volume-37-Issue-11-December-1-2022.pdf?VersionId=2lcqsi0m70l1XFfs9xKXKnWEXIBFqxKoH>



KENTUCKY

Note: The Kentucky Legislature convened on Jan. 4, 2022 and adjourned on April 14, 2022.

PROPOSED REGULATION

Kentucky List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, and Source Category List The Energy and Environment Cabinet has proposed regulatory amendments to add 1-Bromopropane as a new hazardous air pollutant (HAP) consistent with the recently revised federal hazardous air pollutant list.

https://apps.legislature.ky.gov/law/kar/registers/49Ky_R_2022-23/05_Nov.pdf

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.



ILLINOIS

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

PROPOSED LEGISLATION

Illinois SB 4215 This act would amend the Environmental Protection Act and revert provisions regarding greenhouse gases to the language existing before changes made by amendment under P.A. 102-662. It would also repeal a provision defining "clean energy".

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200SB4215lv&SessionID=110&GA=102&DocTypeID=SB&DocNum=4215&print=true>

PROPOSED REGULATION

Illinois Oil and Gas Act The Department of Natural Resources has proposed rulemaking to update fees and update temporary abandonment procedures.

https://www.ilsos.gov/departments/index/register/volume46/register_volume46_issue_46.pdf



INDIANA

Note: The Indiana General Assembly convened on Jan. 4, 2022 and adjourned on March 8, 2022.

OTHER ACTIONS AND OPPORTUNITIES

Indiana U.S. Army Corps of Engineer's Programmatic General Permit (PGP) for Minor Activities The Department of Environmental Management has issued notice of an opportunity to comment regarding the U.S. Army Corps of Engineer's Programmatic General Permit (PGP) for Minor Activities.

https://www.in.gov/idem/files/notice_20221218_401_2022-1111-00-tms-a.pdf



MICHIGAN

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

PROPOSED LEGISLATION

Michigan HB 6482 This act pertains to public utilities and certain private utilities and the establishment of microgrids. <http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2022-HIB-6482.htm>



OHIO

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

PROPOSED REGULATION

Ohio Air Quality Standards - Attainment and Nonattainment Provisions The Environmental Protection Agency has initiated rulemaking regarding Air Quality Standards - Attainment and Nonattainment Provisions, definitions, applicability, requirements, and exemptions. <https://www.registerofohio.state.oh.us/rules/search>

Ohio General Provisions on Air Pollution Control The Environmental Protection Agency has initiated rulemaking regarding general provisions on air pollution control for the Ohio EPA. The general provisions include such things as: the authority of the director of Ohio EPA to request the collection and submission of emissions information, the measurement of emissions of air contaminants, the requirements for the determination of a "De Minimis" source of air pollution, the requirements in the event of equipment shut down caused by malfunction or maintenance, and other administrative rules.

<https://epa.ohio.gov/divisions-and-offices/air-pollution-control/regulations/proposed-rules>



Note: The Wisconsin Legislature convened on Jan. 4, 2021 and will adjourn on Jan. 2, 2023.

PROPOSED REGULATION

Wisconsin Fee Payment Structure for Owners or Operators of Facilities with Hazardous Chemicals Present The Department of Military Affairs has initiated rulemaking to increase facility fees to account for inflation since 2010 and to set a mechanism to recalculate fees annually going forward so the state Emergency Planning and Community Right-to-Know Act EPCRA program and grants to counties will be funded at sustainable levels and continue to meet the requirements of ss. 323.60 and 323.61, Stats.

https://docs.legis.wisconsin.gov/code/register/2022/803a3/register/ss/ss_090_22/ss_090_22

MEET THE REC STAFF

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(757) 341-0449

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(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

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