



REC Review



of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

February 2023

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	4
REGION 2	9
REGION 3	12
REGION 4	16
REGION 5	17
MEET THE REC STAFF.....	20

SPOTLIGHT STORY

Camp Lejeune Awarded Environmental Restoration Award by Secretaries of Defense and Navy

For the second year in a row, Marine Corps Base (MCB) Camp Lejeune Environmental Management Division (EMD) was recently awarded the 2022 Secretary of the Navy Environmental Award for “Environmental Restoration, Installation” as well as the 2022 Secretary of Defense award in the same category. The Environmental Management Division is responsible for a diverse installation with 72,000 upland forests, 49,000 acres of wetlands, 26,000 acres of water and 7,500 acres of developed land.

Their efforts during the last year included recognition by the U.S. Environmental Protection Agency (EPA) for implementing best practices during cleanup activities; updating the Base-wide Vapor Intrusion Evaluation which identified buildings where vapor intrusion may occur; and an evaluation of the effectiveness of alternative treatment technologies to address contaminated groundwater.

During 2021, EMD spearheaded efforts to conduct virtual public meetings and a 3-D virtual open house to provide transparent communication to the public during identification and sampling of off-base drinking water wells that were identified during a basewide per- and polyfluoroalkyl substances (PFAS) investigation. During the investigation, EMD developed a geospatial dashboard for tracking water sources, sampling IDs and sampling requests that allowed for rapid results communication and evaluation.

MCB Camp Lejeune has been actively engaged in environmental investigations and remediation programs since 1981. During the past year, EMD has installed over 200 monitoring wells, collected over 1,400 environmental samples and removed over 1,000 munitions items.

For more information:

<https://www.dvidshub.net/news/437204/camp-lejeune-awarded-environmental-restoration-award-secretaries-defense-and-navy>

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

Administration Releases New Guidance to Disclose Climate Impacts in Environmental Reviews The Council on Environmental Quality (CEQ) released updated guidance on consideration of greenhouse gas emissions and climate change to help federal agencies better assess and disclose climate impacts as they conduct environmental reviews, delivering more certainty and efficiency in the permitting process for clean energy and other infrastructure projects. This step, directed by Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, advances President Biden's commitment to restore science in Federal decision making, fight climate change, and build resilient infrastructure.

<https://www.whitehouse.gov/ceq/news-updates/2023/01/06/biden-harris-administration-releases-new-guidance-to-disclose-climate-impacts-in-environmental-reviews/>

EPA Releases New PFAS Analytic Tools EPA has released a new interactive webpage, called the "PFAS Analytic Tools," which provides information about PFAS across the country. This information will help the public, researchers, and other stakeholders better understand potential PFAS sources in their communities. The PFAS Analytic Tools bring together multiple sources of information in one spot with mapping, charting, and filtering functions, allowing the public to see where testing has been done and what level of detections were measured.

<https://www.epa.gov/newsreleases/epa-releases-new-pfas-analytic-tools>

AIR

Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards EPA is finalizing a program to further reduce air pollution, including ozone and particulate matter (PM), from heavy-duty engines and vehicles across the United States. The final program includes new emission standards that are significantly more stringent and that cover a wider range of heavy-duty engine operating conditions compared to today's standards; further, the final program requires these more stringent emissions standards to be met for a longer period of when these engines operate on the road. Heavy-duty vehicles and engines are important contributors to concentrations of ozone and particulate matter and their resulting threat to public health, which includes premature death, respiratory illness (including childhood asthma), cardiovascular problems, and other adverse health impacts. The final rulemaking promulgates new numeric standards and changes key provisions of the existing heavy-duty emission control program, including the test procedures, regulatory useful life, emission-related warranty, and other requirements. Together, the provisions in the final rule will further reduce the air quality impacts of heavy-duty engines across a range of operating conditions and over a longer period of the operational life of heavy-duty engines. The requirements in the final rule will lower emissions of NO_x and other air pollutants (PM, hydrocarbons (HC), carbon monoxide (CO), and air toxics) beginning no later than model year 2027. EPA is also finalizing limited amendments to the regulations that implement our air pollutant emission standards for other sectors (e.g., light-duty vehicles, marine diesel engines, locomotives, and various other types of non-road engines, vehicles, and equipment).

<https://www.federalregister.gov/documents/2023/01/24/2022-27957/control-of-air-pollution-from-new-motor-vehicles-heavy-duty-engine-and-vehicle-standards>

WASTE

EPA Requires Reporting on Releases and Other Waste Management for Nine Additional PFAS EPA announced the automatic addition of nine PFAS to the Toxics Release Inventory (TRI) list. TRI data are reported to EPA annually by facilities in certain industry sectors and federal facilities that manufacture, process, or otherwise use TRI-listed chemicals above certain quantities. The data include quantities of such chemicals that were released into the environment or otherwise managed as waste. Information collected through TRI allows communities to learn how facilities in their area are managing listed chemicals. The data collected also helps to support informed decision-making by companies, government agencies, non-governmental organizations, and the public. These nine PFAS were added to the TRI list pursuant to the Fiscal Year 2020 National Defense Authorization Act (NDAA), which provides the framework for the automatic addition of PFAS to TRI each year in response to certain EPA activities involving such PFAS. For TRI Reporting Year 2023 (reporting forms due by July 1, 2024), reporting is required for nine additional PFAS, bringing the total PFAS subject to TRI reporting to 189.

<https://www.epa.gov/toxics-release-inventory-tri-program/addition-certain-pfas-tri-national-defense-authorization-act>

WATER

Revised Definition of "Waters of the United States" The EPA and the Department of the Army are finalizing a rule defining the scope of waters protected under the Clean Water Act. In developing this rule, the agencies considered the text of the relevant provisions of the Clean Water Act and the statute as a whole, the scientific record, relevant Supreme Court case law, and the agencies' experience and technical expertise after more than 45 years of implementing the longstanding pre-2015 regulations defining "waters of the United States." This final rule advances the objective of the Clean Water Act and ensures critical protections for the nation's vital water resources, which support public health, environmental protection, agricultural activity, and economic growth across the United States. This action is effective on March 20, 2023.

<https://www.federalregister.gov/documents/2023/01/18/2022-28595/revised-definition-of-waters-of-the-united-states>

EPA Effluent Guidelines Program Plan 15 EPA released Effluent Guidelines Program Plan 15, which arranges how the Agency will work to protect the nation's waterways by following the science and the Clean Water Act to develop technology-based pollution limits and studies on wastewater discharges from industrial sources. Plan 15 focuses on evaluating the extent and nature of both nutrient and PFAS discharges. Plan 15 further advances EPA's commitment in the PFAS Strategic Roadmap to restrict PFAS discharges from industrial sources through a multi-faceted Effluent Limitations Guidelines program. <https://www.epa.gov/eg/current-effluent-guidelines-program-plan>

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 Jan. 4, 2023 and will adjourn on May 3, 2023.

PROPOSED LEGISLATION

Connecticut HB 5069 This act would require green roof techniques for certain new construction. Its purpose would be to reduce impermeable surface area runoff on new construction and provide for enhanced stormwater management. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05069-R00-HB.PDF>

Connecticut HB 5072 This act would separate the Department of Energy from the Department of Environmental Protection. Its purpose would be to enable the Department of Energy and the Department of Environmental Protection to fully pursue their separate statutory purposes. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05072-R00-HB.PDF>

Connecticut HB 5106 This act would augment the state's environmental justice statute. Its purpose would be to strengthen the state's environmental justice law with enhanced public participation and the authority to deny applications for new, renewed, expanded or modified permits affecting facilities in order to protect the public health and environment. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05106-R00-HB.PDF>

Connecticut HB 5213 This act would prohibit the sale and distribution of single-use plastic water bottles in certain state buildings and require the installation of reusable bottle water -filling stations in such buildings. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05213-R00-HB.PDF>

Connecticut HB 5399 This act is concerning the diversion of food waste from the solid waste stream. Its purpose would be to encourage a reduction in the amount of trash generated and reduce town costs for garbage disposal. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05399-R00-HB.PDF>

Connecticut HB 5570 This act is concerning environmental justice. Its purpose would be to right the legacy of injustice inherent in the permitting process and to enable state decisions to enhance environmental and public health protections under the state's environmental justice law. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05570-R00-HB.PDF>

Connecticut HB 5571 This act is concerning reducing plastics and developing Connecticut's economy in the recyclable and compostable packaging sector. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05571-R00-HB.PDF>

Connecticut HB 5613 This act is concerning the disposal of certain commercial organic wastes. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05613-R00-HB.PDF>

Connecticut HB 5617 This act is concerning the reduction of single-use plastics waste. Its purpose would be to reduce the use of single-use plastics and the waste stream created by such plastics in order to protect the marine habitat and human health. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05617-R00-HB.PDF>

Connecticut HB 5862 This act is concerning the idling of motor vehicles. Its purpose would be to authorize municipal enforcement of a state agency regulation prohibiting the idling of a motor vehicle for more than three minutes. <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-05862-R00-HB.PDF>

Connecticut SB 189 This act would require composting. Its purpose would be to protect the environment, decrease methane production and reduce waste hauling costs. <https://www.cga.ct.gov/2023/TOB/S/PDF/2023SB-00189-R00-SB.PDF>

Connecticut SB 313 This act is concerning the use of sodium chloride to mitigate snow and ice accumulations. <https://www.cga.ct.gov/2023/TOB/S/PDF/2023SB-00313-R00-SB.PDF>



Note: The Maine Legislature convened on Dec. 7, 2022 and will adjourn on May 7, 2024.

PROPOSED LEGISLATION

Maine LD 71 This act pertains to a legislative review of Chapter 171: Control of Petroleum Storage Facilities. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0046&item=1&snum=131>

Maine LD 169 This act would amend and clarify the laws governing PFAS substances and other harmful chemicals. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0110&item=1&snum=131>

Maine LD 171 This would provide that all rules regarding PFAS are major substantive rules. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0112&item=1&snum=131>

Maine LD 188 This act would require the Department of Environmental Protection to pay for certain water tests for PFAS. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0092&item=1&snum=131>

Maine LD 319 This act would amend Maine's underground oil storage tank laws. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0140&item=1&snum=131>

OTHER ACTIONS AND OPPORTUNITIES

Gulf of Maine Council Annual Awards The Gulf of Maine Council on the Marine Environment recognizes efforts by individuals, groups or organizations that seek to protect, enhance and restore the ecosystem of the Gulf of Maine region and safeguard and improve the wellbeing of the communities that depend on its resources. The Council has established awards to bestow on individuals and organizations for their exemplary work as stewards of the ocean. Each year the Council accepts nominations for the awards which include: Visionary awards, the Sustainable Community awards, the Industry award, the Art Longard award, and the Susan Snow-Cotter award. Nomination forms are due by March 31, 2023.

<https://www.gulfofmaine.org/public/gulf-of-maine-council-on-the-marine-environment/awards/>



MASSACHUSETTS

Note: The Massachusetts Legislature convened on Jan. 3, 2023 and will adjourn on Jan. 2, 2025.

PROPOSED LEGISLATION

Massachusetts HD 965 This act would prohibit the registration of any vehicle that is not a zero emissions vehicle on and after Jan. 1, 2038. <https://malegislature.gov/Bills/193/HD965/House/Bill/Text>

Massachusetts HD 1166 This act would further define an environmental justice population. <https://malegislature.gov/Bills/193/HD1166/House/Bill/Text>

Massachusetts HD 1334 This act would provide notice to the public of hazardous waste sites. <https://malegislature.gov/Bills/193/HD1334/House/Bill/Text>

Massachusetts HD 1482 This act is regarding the phasedown of hydrofluorocarbons (HFCs). <https://malegislature.gov/Bills/193/HD1482/House/Bill/Text>

Massachusetts HD 2053 This act would improve plastic bottles and their recycling. <https://malegislature.gov/Bills/193/HD2053/House/Bill/Text>

Massachusetts HD 2432 This act would prohibit the use of polystyrene foam food containers. <https://malegislature.gov/Bills/193/HD2432/House/Bill/Text>

Massachusetts HD 2917 This act would require any undertaking by a federal, state, county, municipal or quasi-governmental public agency for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of a structure to comply with the requirement of the specialized stretch energy code, as developed and promulgated pursuant to clause (14) of section 6 of chapter 25A of the General Laws. <https://malegislature.gov/Bills/193/HD2917/House/Bill/Text>

Massachusetts HD 3075 This act would prohibit single-use plastic bags. <https://malegislature.gov/Bills/193/HD3075/House/Bill/Text>

Massachusetts HD 3306 This act is related to reducing packaging waste. <https://malegislature.gov/Bills/193/HD3306/House/Bill/Text>

Massachusetts HD 3324 This act would protect Massachusetts' public health from PFAS. <https://malegislature.gov/Bills/193/HD3324/House/Bill/Text>

Massachusetts HD 3422 This act would require that a food service provider provide single-use food service ware or single-use condiments only upon request by a customer. <https://malegislature.gov/Bills/193/HD3422/House/Bill/Text>

Massachusetts HD 3854 This act would reduce single-use plastics from the environment.

<https://malegislature.gov/Bills/193/HD3854/House/Bill/Text>

Massachusetts HD 3981 This act is relative to the reduction of plastics.

<https://malegislature.gov/Bills/193/HD3981/House/Bill/Text>

Massachusetts SD 1507 This act is relative to the reduction of certain toxic chemicals in firefighter personal protective equipment. <https://malegislature.gov/Bills/193/SD1507/Senate/Bill/Text>

Massachusetts SD 1716 This act would establish a moratorium on the procurement of structures or activities generating PFAS emissions. <https://malegislature.gov/Bills/193/SD1716/Senate/Bill/Text>

Massachusetts SD 1912 This act is relative to chemicals in food packaging.

<https://malegislature.gov/Bills/193/SD1912/Senate/Bill/Text>

Massachusetts SD 2046 This act would require the owners of large buildings to report building energy use on an annual basis and for the Massachusetts Department of Environmental Protection to make this information publicly available. <https://malegislature.gov/Bills/193/SD2046/Senate/Bill/Text>

Massachusetts SD 2053 This act would protect Massachusetts public health from PFAS.

<https://malegislature.gov/Bills/193/SD2053/Senate/Bill/Text>

Massachusetts SD 2074 This act is related to reducing plastics.

<https://malegislature.gov/Bills/193/SD2074/Senate/Bill/Text>

Massachusetts SD 2116 This act is related to reducing single-use plastics from the environment.

<https://malegislature.gov/Bills/193/SD2116/Senate/Bill/Text>

Massachusetts SD 2307 This act is related to restricting the use of polystyrene.

<https://malegislature.gov/Bills/193/SD2307/Senate/Bill/Text>

Massachusetts SD 2379 This act would reduce greenhouse gas emissions threatening the natural environment.

<https://malegislature.gov/Bills/193/SD2379/Senate/Bill/Text>

Massachusetts SD 2394 This act would establish performance standards for municipal solid waste reduction on the basis of pounds per capita of solid waste disposed.

<https://malegislature.gov/Bills/193/SD2394/Senate/Bill/Text>

PROPOSED REGULATION

Massachusetts Air Pollution Control The Department of Environmental Protection has proposed rules to require a cumulative impact analysis for comprehensive plan applications for facilities located in or near environmental justice populations. The proposed cumulative impact analysis regulations include enhanced public outreach to and involvement of environmental justice populations, assessment of existing community conditions, and analysis of cumulative impacts. <https://www.mass.gov/info-details/massdep-public-hearings-comment-opportunities>



NEW HAMPSHIRE

Note: The New Hampshire Legislature convened on Jan. 4, 2023 and will adjourn on June 30, 2023.

PROPOSED LEGISLATION

New Hampshire HB 641 This act is relative to clearance inspections following identification of a lead exposure hazard. https://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2023&id=705&txtFormat=html

New Hampshire SB 123 This act is relative to the adoption of ambient groundwater quality standards by the Department of Environmental Services.
https://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2023&id=882&txtFormat=html



RHODE ISLAND

Note: The Rhode Island Legislature convened on Jan. 3, 2023 and will adjourn on June 30, 2023.

PROPOSED LEGISLATION

Rhode Island HB 5171 This act would require a covered entity generating organic waste materials of more than 52 tons/year and located less than 30 miles from an authorized composting facility or anaerobic digestion facility to recycle the waste at that facility beginning Jan. 1, 2024.
<http://webserver.rilin.state.ri.us/BillText23/HouseText23/H5171.htm>



VERMONT

Note: The Vermont Legislature convened on Jan. 4, 2023 and will adjourn on May 10, 2024.

PROPOSED LEGISLATION

Vermont HB 152 This act is related to regulating products containing certain chemicals and chemical classes.
<https://legislature.vermont.gov/Documents/2024/Docs/BILLS/H-0152/H-0152%20As%20Introduced.pdf>

Vermont SB 82 This act is related to the development of a committee to study the impacts of PFAS in leachate from landfills in the State.
<https://legislature.vermont.gov/Documents/2024/Docs/BILLS/S-0082/S-0082%20As%20Introduced.pdf>

REGION II

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NEW JERSEY

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

PROPOSED LEGISLATION

New Jersey AB 5102 This act would impose restrictions on vehicle idling.

https://pub.njleg.gov/bills/2022/A9999/5102_11.HTM

New Jersey AB 5191 (SB 421) This act would establish statewide targets to reduce disposal of organic waste in landfills. <https://www.njleg.state.nj.us/bill-search/2022/A5191>



NEW YORK

Note: The New York State Legislature convened on Jan. 4, 2023 and will adjourn on Jan. 2, 2025.

PROPOSED LEGISLATION

New York AB 132 (SB3335) This act would establish the Office of Flooding Prevention and Mitigation to manage and coordinate the work of task forces, commissions, and other bodies and programs tasked with examining issues related to flooding, to review and assess best practices and make recommendations regarding flood prevention and mitigation, and to assist municipalities in developing strategies and policies to combat flooding.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A132

New York AB 202 This act would authorize the commissioner of transportation to conduct a study relating to airborne ultrafine particles. https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A202

New York AB 411 (SB3581) This act would declare a climate emergency and place a ban on fossil fuel infrastructure projects, but shall not apply to repair or maintenance of existing infrastructure.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A411

New York AB 661 This act would enact the state and local government Food Waste Prevention and Diversion Act, which would require facilities generating excess food waste to take measures to minimize such waste.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A661

New York AB 800 This act is looking to promulgate rules and regulations establishing performance standards for small electric generating sources and include a permitting requirement.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A800

New York AB 964 (SB1292) This act would establish the clean fuel standard of 2023.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A964

New York AB 1154 This act relates to a notice to the commander of a military station of certain municipal actions that occur within 3000 feet of the property to be affected by the proposed action.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A1154

New York AB 1787 This act would require the establishment of a one hundred percent clean energy system by 2032.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A1787

New York AB 1821 (SB2808) This act would prohibit the disposal of any dredged spoils containing toxic pollutants into the waters of the marine district.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A1821

New York AB 2273 (SB592) This act would prohibit the location of certain wind electric generation facilities within forty miles of an airfield or airbase under jurisdiction of any federal military department.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A2273

New York AB 2975 This act would establish the governor's military council for purposes of growing and protecting major military activities in the state, to leverage such military activities into creating additional defense-related jobs, and to help local units of government improve the quality of life of members of the armed forces and their families in New York state.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A2975

New York AB 2996 (SB2927) This act would establish the maximum contaminant level goals (MCLGs) for emerging contaminants.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A2996

New York AB 3296 (SB227) This act would enact the PFAS Surface Water Discharge Disclosure Act and would require publicly owned treatment works and people who discharge industrial waste to such treatment works to disclose the measurement of PFAS chemicals found in any discharge into the state waterways.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A3296

New York AB 3447 This act would enact the New York State Excess Food Act which provides for mandatory donation of consumable food products; provide mandatory composting of appropriate materials; and establish the New York state excess food fund which will be funded by fines collected from violations of the New York state excess food act.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A3447v

New York AB 3719 This act would prohibit idling by heavy duty vehicles.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A3719

New York AB 4143 (SB4692) This act would enact the state and local government food waste prevention and diversion act, which would require facilities generating excess food waste to take measures to minimize such waste.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=A4143

New York SB 227 (AB3296) This act would enact the PFAS Surface Water Discharge Disclosure Act, which would require publicly owned treatment works and people who discharge industrial waste to such treatment works to disclose the measurement of PFAS chemicals found in any discharge into the state waterways.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S227

New York SB 562 (AB920) This act would enact the All-Electric Building Act, which provides that the state energy conservation construction code shall prohibit infrastructure, building systems, or equipment used for the combustion of fossil fuels in new construction statewide no later than December 31, 2023 if the building is less than seven stories and July 1, 2027 if the building is seven stories or more.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S562

New York SB 992 This act would prohibit the sale and distribution of anti-fogging sprays and wipes containing PFAS and provide penalties for violations.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S992

New York SB 1178 This act would prohibit the idling of any passenger vehicle, with certain exceptions, for more than three consecutive minutes and establish that the first violation is a warning and subsequent violations of such section are traffic infractions punishable by a fine of \$150.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S1178

New York SB 2510 This act would require applicants for major projects located near a disadvantaged community to submit an enhanced public participation plan.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S2510

New York SB 2981 This act relates to prohibiting the sale or manufacture of single-use plastic water bottles not comprised of one hundred percent recycled material; prohibiting the sale of single-use plastic beverage containers comprised of less than seventy-five percent recycled materials; establishing penalties for violations; requiring food service establishments to provide customers with tap water, beverages and leftovers in reusable beverage containers provided by a customer. https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S2981

New York SB 2994 This act would prohibit fuel oil, grade number four in any building or facility in the state on and after July 1, 2029. https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S2994

New York SB 3287 This act relates to declaring the goal of the state of New York to source reduce, reuse, recycle, or compost no less than eighty-five percent of the solid waste generated by the year 2033.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2023&bn=S3287

OTHER ACTIONS AND OPPORTUNITIES

New York Department of Environmental Conservation 2023 Regulatory Agenda The Department of Environmental Conservation has issued notice of its regulatory agenda for 2023.

<https://dos.ny.gov/system/files/documents/2023/01/010423.pdf#page=92>

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, 2023 and will adjourn on Dec. 31, 2024.

FINAL REGULATION

District of Columbia Hazardous Waste Management Regulations The Department of Energy and Environment (DOEE) has adopted recently finalized United States Environmental Protection Agency (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://www.dcregs.dc.gov/Common/DCMR/RuleList.aspx?ChapterNum=20-42>



Note: The Delaware General Assembly convened on Jan. 10, 2023 and will adjourn on June 30, 2024.

FINAL REGULATION

Delaware Lead Based Paints Hazards The Division of Public Health has adopted rulemaking regarding standards for regulation of lead-based paint activities, including the training and certification of companies and workers engaged in lead-based paint activities, the establishment of work standards for lead-based paint activities, the accreditation of lead-based paint activities training programs, and the establishment of procedures for enforcement. Effective Feb. 11, 2023.

<https://regulations.delaware.gov/register/february2023/final/26%20DE%20Reg%20697%2002-01-23.htm>



Note: The Maryland General Assembly convened on Jan. 11, 2023 and will adjourn on April 10, 2023.

PROPOSED LEGISLATION

Maryland HB 147 (SB250) This act would require each county to prepare a climate crisis plan to address the effects of climate change in the county. <https://mgaleg.maryland.gov/2023RS/bills/hb/hb0147F.pdf>

Maryland HB 473 This act would require the Department of the Environment to deploy ambient air monitors sufficient to monitor levels of particulate matter and fine particulate matter in certain census tracts on or before Jan. 1, 2026. <https://mgaleg.maryland.gov/2023RS/bills/hb/hb0473F.pdf>

Maryland HB 499 (SB225) This act would require the owner or operator of a publicly owned treatment works to monitor and report the levels of certain PFAS in effluent, influent, and biosolids. <https://mgaleg.maryland.gov/2023RS/bills/hb/hb0499F.pdf>

OTHER ACTIONS AND OPPORTUNITIES

Maryland General Permit for Stormwater Discharges Associated with Construction Activity The Department of the Environment has issued a notice announcing that it is reissuing the State/National Pollution Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity. The new permit will be No. 20-CP (NPDES No. MDRC), effective April 1, 2023. This permit replaces the 14-GP, which expired on Dec. 31, 2019. The permit applies to stormwater discharges from construction activities in the state of Maryland that will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.

https://mde.maryland.gov/programs/water/www/Pages/gp_construction.aspx



Note: The Pennsylvania General Assembly Special Session 1 convened on Jan. 9, 2023 and will adjourn on Feb. 28, 2023.

PROPOSED LEGISLATION

Pennsylvania SB 29 This act would amend the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; in residual waste, further providing for disposal, processing and storage of residual waste and providing for exempt special wastes; and making an editorial change.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=S&billTyp=B&billNbr=0029&pn=0047>

Pennsylvania SB 144 This act would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for firefighting foam management.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=S&billTyp=B&billNbr=0144&pn=0119>

Pennsylvania SB 158 This act would amend the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Environmental Resources, its officers and departmental and advisory boards and commissions, providing for Office of Environmental Justice.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=S&billTyp=B&billNbr=0158&pn=0130>

FINAL REGULATION

Pennsylvania Safe Drinking Water PFAS MCL Rule The Department of Environmental Protection has adopted rulemaking regarding drinking water standards for two chemicals, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), which are part of a larger group of PFAS. Effective Jan. 14, 2023. <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol53/53-2/46.html>

OTHER ACTIONS AND OPPORTUNITIES

Pennsylvania Calculation of Civil Penalties The Department of Environmental Protection has issued a notice to announce a minor revision to the following technical guidance document (TGD): Calculation of Civil Penalties. This TGD provides policy and procedure for the calculation of civil penalties so that civil penalties are calculated uniformly within the Department's Bureau of Waste Management. <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol53/53-2/53.html>



Note: The Virginia General Assembly convened on Jan. 11, 2023 and will adjourn on Feb. 25, 2023.

PROPOSED LEGISLATION

Virginia HB 1559 This act will allow local governing bodies to regulate, by ordinance, noise from vehicles not conforming to exhaust system requirements that are operated on highways or on public or private property in or within 500 feet of any residential district. <http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+HB1559+hil>

Virginia HB 2333 The act is to promote the development, construction, and operation of small modular nuclear reactors. <http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+HB2333H1+hil>

Virginia SB 867 This act would eliminate the notarization requirement for a permit issued by a local wetlands board for the use or development of any wetland. <http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+SB867+hil>

Virginia SB 959 This act would establish that nutrient credits generated through stream restoration projects that are certified or recertified by the Department of Environmental Quality and located in tributaries outside of the Chesapeake Bay watershed may be calculated using a delivery factor deemed by the Director of the Department of Environmental Quality to be based on the best available scientific and technical information appropriate for the tributaries outside of the Chesapeake Bay watershed. <http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+SB959S1+hil>

Virginia SB 1501 This act would require the Department of Environmental Quality, prior to assessing any civil penalty against any person for an alleged violation of regulations adopted by the State Air Pollution Control Board, the Virginia Waste Management Board, or the State Water Control Board, or permit issued by the Department, to inform such person in writing of the alleged violation, the potential penalties, and the actions necessary to achieve compliance and remediate the alleged violation. <http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+SB1501ER+hil>

FINAL REGULATION

Virginia Regulated Medical Waste Management Regulations The Department of Environmental Quality has adopted rules regarding permit requirements for the storage, treatment and disposal of regulated medical wastes, rules for packaging and labelling the waste, and approved treatment processes. Effective March 15, 2023.

<http://register.dls.virginia.gov/details.aspx?id=10575>

PROPOSED REGULATION

Virginia General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems The Department of Environmental Quality has initiated rulemaking regarding General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems. <https://townhall.virginia.gov/L/ViewStage.cfm?stageid=9895>

OTHER ACTIONS AND OPPORTUNITIES

Hampton Roads Sanitation District (HRSD) Pollution Prevention Award Each year HRSD honors businesses and industries for outstanding pollution prevention (P2) MEASURES. P2 awards are presented for multi-media (air, land, water) efforts that focus on reduction of waste (or its toxicity) at the source rather than traditional treatment, control, and disposal. Applications are due March 1, 2023.

<https://www.hrsd.com/pollution-prevention-p2-awards>



Note: The West Virginia Legislature convened on Jan. 11, 2023 and will adjourn on March 11, 2023.

PROPOSED LEGISLATION

West Virginia HB 2860 This act is related to disposal of old aqueous film forming foam (AFFF) accumulated by fire departments.

http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=hb2860%20intr.htm&yr=2023&sesstype=RS&i=2860

West Virginia HB 3017 This act would establish a food waste task force to examine ways to reduce food waste.

http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=hb3017%20intr.htm&yr=2023&sesstype=RS&i=3017

West Virginia HB 3189 This act is aimed at identifying and abating health risks of PFAS discharged into source waters used for public drinking water.

http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=hb3189%20intr.htm&yr=2023&sesstype=RS&i=3189

West Virginia SB 266 This act is related to tobacco usage restrictions.

http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=sb266%20sub1.htm&yr=2023&sesstype=RS&i=266

West Virginia SB 485 This act would direct the West Virginia Department of Environmental Protection to write PFAS action plans to identify and address sources of PFAS for certain public water systems. This act would also require facilities using certain types of PFAS chemicals to monitor and report their use.

http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=sb485%20sub1.htm&yr=2023&sesstype=RS&i=485

OTHER ACTIONS AND OPPORTUNITIES

West Virginia Hazardous Waste Emergency Response Fee Assessment The Department of Environmental Protection has issued a notice related to annual fees assessed on waste generators.

<https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=40046>

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. 11, 2023 and will adjourn on June 30, 2024.

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



KENTUCKY

Note: The Kentucky Legislature convened on Jan. 3, 2023 and will adjourn on March 30, 2023.

PROPOSED LEGISLATION

Kentucky HB 197 This would require the Kentucky Energy and Environment Cabinet to promulgate administrative regulations establishing maximum PFAS chemical limits and monitoring requirements on or before Jan. 1, 2024.

https://apps.legislature.ky.gov/recorddocuments/bill/23RS/hb197/orig_bill.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.



Note: The Illinois General Assembly convened on Jan. 11, 2023 and will adjourn on Jan. 5, 2025.

PROPOSED LEGISLATION

Illinois SB 85 This act would create the State Beverage Container Recycling Refunds Act.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300SB0085lv&SessionID=112&GA=103&DocTypeID=SB&DocNum=85&print=true>

Illinois SB 100 This act would amend the Environmental Protection Act. Defines terms by providing that, beginning Jan. 1, 2025, a retail establishment may not sell or distribute in this State a disposable food service container that is composed in whole or in part of polystyrene foam.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300SB0100lv&SessionID=112&GA=103&DocTypeID=SB&DocNum=100&print=true>

Illinois SB 104 This act would amend the Electric Vehicle Act.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300SB0104lv&SessionID=112&GA=103&DocTypeID=SB&DocNum=104&print=true>

Illinois SB 1696 This act would amend the PFAS Reduction Act.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300SB1696lv&SessionID=112&GA=103&DocTypeID=SB&DocNum=1696&print=true>

Illinois SB 1792 This act would create the Plastic Straw Ban Act.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300SB1792lv&SessionID=112&GA=103&DocTypeID=SB&DocNum=1792&print=true>

Illinois SB 1823 This act would require environmental justice assessment identifying the potential environmental and health impacts to the area associated with the proposed project prior to permit approval.

<https://www.ilga.gov/legislation/103/SB/10300SB1823lv.htm>

Illinois SB 2211 This act would establish that (1) no store or food service business shall provide or sell a single-use plastic carryout bag to a customer and (2) no grocery store shall provide or sell a single-use paper carryout bag to a customer.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300SB2211lv&SessionID=112&GA=103&DocTypeID=SB&DocNum=2211&print=true>



INDIANA

Note: The Indiana General Assembly convened on Jan. 10, 2023 and will adjourn on March 7, 2023.

PROPOSED LEGISLATION

Indiana HB 1530 This act would require the Indiana Department of Health to establish state MCLs for PFAS in water provided by public water systems. <https://iga.in.gov/legislative/2023/bills/house/1530>

Indiana SB 332 This act would allow a unit to establish a military impact zoning district for an area adversely impacted by the effects of military operations.
<https://iga.in.gov/legislative/2023/bills/senate/332>

Indiana SB 412 This act pertains to a violation or deficiency that is the subject of an enforcement action.
<https://iga.in.gov/legislative/2023/bills/senate/412>

Indiana SB 477 This act would prohibit the use of public funds to purchase certain communications equipment or services. <https://iga.in.gov/legislative/2023/bills/senate/477>

Indiana SB 482 This act would establish the PFAS biomonitoring pilot program to collect and analyze blood samples of 1000 current and former firefighters. <https://iga.in.gov/legislative/2023/bills/senate/482>



MICHIGAN

Note: The Michigan Legislature convened on Jan. 11, 2023 and will adjourn on Dec. 31, 2024.

PROPOSED LEGISLATION

Michigan HB 4023 This act would revise the placement distance of underground storage tanks from a public water supply system.
<http://www.legislature.mi.gov/documents/2023-2024/billintroduced/House/htm/2023-HIB-4023.htm>



Note: The Ohio General Assembly convened on Jan. 2, 2023 and will adjourn on Dec. 31, 2024.

FINAL REGULATION

Ohio General Provisions on Air Pollution Control The Environmental Protection Agency has adopted 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. Effective Feb. 19, 2023.

<https://www.registerofohio.state.oh.us/rules/search>



Note: The Wisconsin Legislature convened on Jan. 2, 2023 and will adjourn on Jan. 2, 2025.

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

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