



# REC Review



## of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

November 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.

**CLEARED  
For Open Publication**

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NAVFAC MIDLANT DoD REC Map

### Table of Contents

SPOTLIGHT .....	1
GENERAL INTEREST/FEDERAL NEWS .....	2
REGION 1 .....	5
REGION 2 .....	6
REGION 3 .....	8
REGION 4 .....	12
REGION 5 .....	13
MEET THE REC STAFF.....	15

### SPOTLIGHT STORY

#### More Than 150 Military, Civilian Senior Leaders attend CNRMA-hosted 2022 Chesapeake Bay Commanders' Conference

More than 150 military and civilian senior leaders attended the Commander, Navy Region Mid-Atlantic (CNRMA)-hosted 2022 Chesapeake Bay Commanders' Conference, Aug. 17-18. The Department of Defense (DoD), Chesapeake Bay Program (CBP)-supported virtual event also included secretariat-level attendees, and key environmental, planning and climate resilience support staff, from multi-service installations throughout the Chesapeake bay watershed, to include the District of Columbia, Maryland, Pennsylvania, and Virginia.

Participants had the opportunity to learn about the DoD collective progress in Chesapeake Bay restoration and protection, innovative funding opportunities, the DoD Climate Adaptation plan, the Readiness and Environmental Protection Integration and Sentinel Landscape programs, and more from 25 guest speakers and presenters during the two, half-day event.

"This year's conference was focused on providing information on DoD's responsibility to meet the requirements of Executive Order (EO) 13508 and the 2014 Watershed Agreement, and on providing funding and collaboration opportunities for installations to use in meeting those requirements," said Commander, Navy Region Mid-Atlantic Rear Adm. Scott Gray, who is also the Region 3 Environmental Coordinator for the DoD and U.S. Navy.

The DoD continues to show leadership in Chesapeake Bay protection and restoration by instituting the goals of the conference and the DoD CBP mission to integrate restoration, engage all levels of DoD, and partner with federal, state, and local government and organizations.

For additional information:

<https://www.dvidshub.net/news/431643/more-than-150-military-civilian-senior-leaders-attend-cnrma-hosted-chesapeake-bay-commanders-conference>

# 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

### **FACT SHEET: Biden-Harris Administration Strengthens the Federal Government's Resilience to Climate Change Impacts**

The Biden-Harris Administration announced new actions by more than 20 agencies to bolster the Federal Government's resilience to the worsening impacts of climate change. These actions are detailed in annual agency adaptation progress reports and highlight an Administration-wide commitment to confronting the climate crisis by integrating climate-readiness across every agency's mission and programs.

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/06/fact-sheet-biden-harris-administration-strengthens-the-federal-governments-resilience-to-climate-change-impacts/>

## AIR

### **National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters**

This action finalizes amendments to the national emission standards for hazardous air pollutants (NESHAP) at major sources from new and existing industrial, commercial, and institutional (ICI) boilers and process heaters. Certain aspects of these standards were challenged and subsequently remanded to the Agency by the United States Court of Appeals for the District of Columbia Circuit. This action finalizes amendments to several numeric emission limits for new and existing boilers and process heaters consistent with the court's opinion and sets compliance dates for these new emission limits. This action also provides further explanation of one aspect of the Agency's use of carbon monoxide (CO) as a surrogate for organic hazardous air pollutants (HAP) and its use of a CO threshold to represent the application of the maximum achievable control technology (MACT) for organic HAP. This final rule is effective on Dec. 5, 2022.

<https://www.federalregister.gov/documents/2022/10/06/2022-19612/national-emission-standards-for-hazardous-air-pollutants-for-major-sources-industrial-commercial-and>

### **Prevention of Significant Deterioration and Nonattainment New Source Review: Reconsideration of Fugitive Emissions Rule (Draft)**

The U.S. Environmental Protection Agency (EPA) is proposing to repeal regulatory amendments promulgated through a final rule adopted in 2008 under the Clean Air Act (CAA) that addressed the consideration of fugitive emissions of air pollutants from stationary sources when determining the applicability of certain permitting requirements under the Act. Those amendments have been stayed as a result of the reconsideration process. To bring closure to the reconsideration proceeding, the EPA is proposing to fully repeal the 2008 rule by removing the stayed provisions of the regulatory amendments adopted in 2008. The EPA is also proposing to remove a related exemption for modifications that would be considered major solely due to the inclusion of fugitive emissions. As a result of the proposed changes, all existing major stationary sources would be required to include fugitive emissions in determining whether a physical or operational change constitutes a major modification, requiring a permit under the Prevention of Significant Deterioration (PSD) or Nonattainment New Source Review (NNSR) programs. Engagement on behalf of DoD will be managed through the Office of Secretary of Defense.

<https://www.federalregister.gov/documents/2022/10/14/2022-22259/prevention-of-significant-deterioration-psd-and-nonattainment-new-source-review-nnsr-reconsideration>

### **Reclassification of Areas Classified as Serious for the 2008 Ozone National Ambient Air Quality Standards (Final)**

EPA is finalizing actions pursuant to section 181(b)(2) of the CAA for most remaining areas in the country classified as "Serious" for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS )of 0.075 ppm. Applying a uniform methodology, the Agency is determining that one serious area attained the standards by the July 20, 2021, applicable attainment date and that five serious areas failed to attain the standards by the applicable attainment date. Pursuant to its authority under the CAA, the EPA is establishing new, consistent deadlines by which the responsible state air agencies for the reclassified areas must submit state implementation plan (SIP) revisions and implement controls to satisfy the statutory and regulatory requirements for severe areas for the 2008 ozone NAAQS. Additionally, in areas reclassified as severe, where not already prohibited, the CAA will prohibit the sale of conventional gasoline and require that federal reformulated gasoline instead be sold beginning 1 year after the effective date of this final rule, Nov. 7, 2023. The effective date of this rule was Nov. 7, 2022.

<https://www.federalregister.gov/documents/2022/10/07/2022-20458/determinations-of-attainment-by-the-attainment-date-extensions-of-the-attainment-date-and>

## **NATURAL RESOURCES**

### **Native American Graves Protection and Repatriation Act Systematic Process for Disposition and Repatriation of Native American Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony**

The Department of the Interior proposes to revise regulations to improve implementation of the Native American Graves Protection and Repatriation Act of 1990. These proposed regulations would clarify and improve upon the systematic process for the disposition and repatriation of Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony. The proposed changes would provide a step-by-step roadmap for museums and Federal agencies to comply with requirements within specific timelines to facilitate the required disposition and repatriation. The proposed changes would describe the processes in accessible language with clear timelines and terms, reduce ambiguity, and improve efficiency in meeting the requirements. In addition, the proposed changes emphasize consultation in every step and defer to the customs, traditions, and Native American traditional knowledge of lineal descendants, Indian Tribes, and Native Hawaiian organizations.

<https://www.federalregister.gov/documents/2022/10/18/2022-22376/native-american-graves-protection-and-repatriation-act-systematic-process-for-disposition-and>

## **NEPA**

### **EPA Launches New National Office Dedicated to Advancing Environmental Justice and Civil Rights**

EPA announced that it is establishing a new national office charged with advancing environmental justice and civil rights. The new office will dedicate more than 200 EPA staff in EPA headquarters and across 10 regions towards solving environmental challenges in communities. The new office will oversee the implementation and delivery of a \$3 billion climate and environmental justice block grant program created by the Inflation Reduction Act, a critical component of the law's historic \$60 billion investment in environmental justice. The office also will ensure EPA's implementation of other funding programs provided by the Inflation Reduction Act, Bipartisan Infrastructure Law, and regular appropriations meet or exceed the President's Justice40 Initiative.

<https://www.epa.gov/newsreleases/epa-launches-new-national-office-dedicated-advancing-environmental-justice-and-civil>

## TOXICS

**Parent Company Definition for Toxics Release Inventory (TRI) Reporting** EPA is finalizing a rule to codify the definition of “parent company” for purposes of reporting to the Toxics Release Inventory (TRI) and to require the reporting of a foreign parent company when applicable. The existing regulation requires facilities reporting to TRI to identify their parent company in annual reporting forms. This rule adds a codified definition of this data element. Among the facilities reporting to TRI are those with complicated corporate ownership structures. As such, effort is required each year by reporting facilities and EPA to clarify how the parent company data element should be represented on the form. A codified definition of parent company will allow EPA to address various corporate ownership scenarios explicitly and will reduce the reporting burden caused by regulatory uncertainty. This rule clarifies existing requirements to reporting facilities and adds a foreign parent company data element, while improving the Agency's data quality.

<https://www.federalregister.gov/documents/2022/10/21/2022-22833/parent-company-definition-for-toxics-release-inventory-tri-reporting>

**EPA Releases First-ever Agency-Wide Strategy to Reduce Lead Exposures and Disparities in U.S. Communities** EPA has released its Strategy to Reduce Lead Exposures and Disparities in U.S. Communities (Lead Strategy), in conjunction with National Lead Poisoning Prevention Week. This first-ever, agency-wide Lead Strategy outlines how EPA will utilize its full suite of authorities, expertise, and resources to reduce lead exposure in communities overburdened by pollution.

<https://www.epa.gov/lead/final-strategy-reduce-lead-exposures-and-disparities-us-communities>

## WASTE

**EPA's 10-Step Blueprint for Managing Pharmaceutical Waste** This practical guide helps healthcare facilities, including hospitals, surgery centers, and urgent care facilities, understand the applicable regulations so they can develop compliant, holistic, and cost-effective pharmaceutical waste management programs. The primary focus is to help healthcare facilities understand EPA's hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA) as they apply to hazardous waste pharmaceuticals, but other regulations are also discussed.

[https://www.fedcenter.gov/plugins/programs/remotelink/rlnk.cfm?dest=https://hercenter.org/10\\_step\\_blueprint\\_guide\\_final\\_9-22.pdf](https://www.fedcenter.gov/plugins/programs/remotelink/rlnk.cfm?dest=https://hercenter.org/10_step_blueprint_guide_final_9-22.pdf)

## WATER

**EPA Issues Final List of Contaminants for Potential Regulatory Consideration in Drinking Water, Significantly Increases PFAS Chemicals for Review** EPA published the Final Fifth Drinking Water Contaminant Candidate List (CCL 5), which will serve as the basis for EPA's regulatory considerations over the next five-year cycle under the Safe Drinking Water Act. This update includes a substantial expansion of per- and polyfluoroalkyl substances (PFAS), an important first step towards identifying additional PFAS that may require regulation under the Safe Drinking Water Act. In addition to a group of PFAS, the Final CCL 5 includes 66 individually listed chemicals, two additional chemical groups (cyanotoxins and disinfection byproducts (DBPs)), and 12 microbes.

<https://www.epa.gov/newsreleases/epa-issues-final-list-contaminants-potential-regulatory-consideration-drinking-water>

# 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.

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



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

## **PROPOSED REGULATION**

**Maine Motor Vehicle Fuel Volatility Requirements** The Department of Environmental Protection has proposed rulemaking to remove the reformulated gasoline (RFG) requirement, which is no longer required in the Southern Maine Area due to EPA's approval. <https://www.maine.gov/dep/rules/index.html>



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

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



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

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



## 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.

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

### **PROPOSED LEGISLATION**

**New Jersey AB 4476 (SB 2881)** This act would require emergency medical technicians and firefighters to receive training concerning electric vehicle fires. [https://pub.njleg.gov/bills/2022/A4500/4476\\_11.HTM](https://pub.njleg.gov/bills/2022/A4500/4476_11.HTM)

**New Jersey AB 4658 (SB 2978)** This act would revise the State renewable energy portfolio standards. [https://pub.njleg.gov/bills/2022/A5000/4658\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4658_11.HTM)

**New Jersey AB 4758 (SB 3177)** The “Protecting Against Forever Chemicals Act” would establish requirements, prohibitions, and programs for regulation of PFAS. [https://pub.njleg.gov/bills/2022/A5000/4758\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4758_11.HTM)

**New Jersey AB 4759 (SB 3179)** This act would require public water systems and landlords to provide certain notice of elevated PFAS levels in drinking water. It also would require the Department of Environmental Protection (DEP) to establish educational program. [https://pub.njleg.gov/bills/2022/A5000/4759\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4759_11.HTM)

**New Jersey AB 4760 (SB 3176)** This act would require DEP and the Drinking Water Quality Institute to perform a study concerning regulation and treatment of PFAS.

[https://pub.njleg.gov/bills/2022/A5000/4760\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4760_11.HTM)

**New Jersey AB 4761 (SB 3178)** This act would require DEP to perform certain assessments concerning regulation of PFAS. [https://pub.njleg.gov/bills/2022/A5000/4761\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4761_11.HTM)

**New Jersey AB 4762 (SB 3180)** This act would require certain water purveyors to identify and use alternative water supply source when PFAS exceed maximum contaminant levels.

[https://pub.njleg.gov/bills/2022/A5000/4762\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4762_11.HTM)

**New Jersey AB 4791 (SB 3184)** This act would establish the Resiliency and Environmental System Investment Charge Program. [https://pub.njleg.gov/bills/2022/A5000/4791\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4791_11.HTM)

**New Jersey AB 4821 (SB 3283)** This act would direct DEP to adopt regulations concerning identification and testing of microplastics in drinking water. [https://pub.njleg.gov/bills/2022/A5000/4821\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4821_11.HTM)

**New Jersey AB 4823 (SB 3282)** This act would require DEP and the Board of Public Utilities (BPU) to study and promote use of microplastics filtering systems and technologies in New Jersey.

[https://pub.njleg.gov/bills/2022/A5000/4823\\_11.HTM](https://pub.njleg.gov/bills/2022/A5000/4823_11.HTM)

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

**New Jersey Air Containment Emissions Fees** The Department of Environmental Protection has issued a notice of the annual percentage increase in the Consumer Price Index (CPI) relative to the 1989 CPI and the resultant per-ton emission fee for fiscal year (FY) 2023. In addition, pursuant to N.J.A.C. 7:27-8.23(a)2, the Department is publishing notice of the threshold dollar amount for FY 2023 for reconstruction of a significant source operation relative to the 1995 CPI. <https://www.state.nj.us/dep/aqpp/FY23emissionfees.pdf>

**New Jersey Notice of Establishment of Interim Remediation Standards** The Department of Environmental Protection has issued a notice that it is establishing interim residential and nonresidential soil remediation standards for the ingestion-dermal exposure pathway for perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and hexafluoropropylene oxide dimer acid and its ammonium salt (also known as GenX). Department is also establishing interim soil and soil leachate remediation standards for the migration to ground water exposure pathway for PFNA, PFOA, and PFOS. The Remediation Standards at N.J.A.C. 7:26D-6.2 enable the Department to establish interim soil and soil leachate standards for constituents. The Department amended the Remediation Standards, N.J.A.C. 7:26D, in 2021 to allow for the provision of interim remediation standards. This provision enables the Department to respond to environmental threats on a timely basis, while at the same time notifying the regulated community as to the applicable standards. The interim remediation standards are rounded to two significant figures for soil and soil leachate.

<https://www.nj.gov/dep/rules/adminchg/adminchg-20221017a.pdf>



# NEW YORK

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

### PROPOSED LEGISLATION

**New York SB 9562** This act would expand the food donation and food scraps recycling program by scaling down the annual average tonnage requirement every two years until 2026 and would remove exceptions regarding recycler capacity. [https://assembly.state.ny.us/leg/?default\\_fld=&Text=Y&term=2021&bn=S9562](https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=S9562)

### PROPOSED REGULATION

**New York Maximum Contaminant Levels (MCLs)** The Department of Health has proposed amendments that would adopt Maximum Contaminant Levels (MCLs) for four (4) additional PFAS. <https://dos.ny.gov/system/files/documents/2022/10/100522.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 Jan. 2, 2021 and will adjourn on Dec. 31, 2022.

### PROPOSED LEGISLATION

**District of Columbia B 966** This act would amend the Sustainable Solid Waste Management Amendment Act of 2014 to clarify that the law applies only to primary batteries and rechargeable batteries. [https://lims.dccouncil.gov/downloads/LIMS/51210/Signed\\_Act/B24-0966-Signed\\_Act.pdf](https://lims.dccouncil.gov/downloads/LIMS/51210/Signed_Act/B24-0966-Signed_Act.pdf)

**District of Columbia B 1035** This act would grant the DC Office of the Attorney General the authority to file civil lawsuits for damages, civil penalties, recovery of the District's response costs, and injunctive or other relief against those who violate the state's illegal dumping prohibition. <https://lims.dccouncil.gov/downloads/LIMS/51398/Introduction/B24-1035-Introduction.pdf>





**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.**

### ***FINAL REGULATION***

**Maryland Water Pollution** The Department of the Environment has adopted amendments revising water quality standards for the Triennial Review, including ammonia criteria. Effective Oct. 31, 2022.

<http://www.dsd.state.md.us/MDR/4922/Assembled.htm>



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

### ***PROPOSED LEGISLATION***

**Pennsylvania SB 736** This act would amend Title 75 of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for use of farm vehicle plates; consolidating the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations and for emergency controls and electrical disconnects; and making a related repeal.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=0736&pn=1938>

**Pennsylvania SB 1351** This act would amend Title 3 of the Pennsylvania Consolidated Statutes, in food protection, further providing for penalties and prohibiting certain food packaging and imposing a penalty.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=1351&pn=1955>

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

**Governor's Award for Environmental Excellence** The Governor's Award for Environmental Excellence is open to any Pennsylvania business, farm, government agency, educational institution, non-profit organization and individual that has created, or participated in, the development of a project that promotes environmental stewardship in Pennsylvania. Applications can be submitted to DEP from Oct. 11, 2022 through Dec. 21, 2022.

<https://www.dep.pa.gov/About/Awards/EnvironmentalExcellence/Pages/default.aspx>

**Pennsylvania Nutrient Credit Trading Program** The Department of Environmental Protection has issued a notice of its intent under the Nutrient Trading Program to issue a mass certification to all significant sewage point source discharges located in the Commonwealth portion of the Chesapeake Bay watershed that have annual mass load effluent limitations (cap loads) in their National Pollutant Discharge Elimination System (NPDES) permits.

<https://www.dep.pa.gov/Business/Water/CleanWater/NutrientTrading/Pages/default.aspx>



**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.**

### ***PROPOSED LEGISLATION***

**Virginia HB 1378** This act would repeal the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

<http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+HB1378+hil>

### ***FINAL REGULATION***

**Virginia Closure Plans and Demonstration of Financial Capability** The State Water Control Board has adopted amendments to conform 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=10438>

**Virginia Fees for Permits and Certificates** The State Water Control Board has adopted amendments to conform 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, including changing "board" to "department" as necessary and removing provisions delegating authority. Effective Nov. 23, 2022.

<http://register.dls.virginia.gov/details.aspx?id=10435>

**Virginia General Definitions, Permits for Stationary Sources of Pollutants, and Regulation for General Administration** The State Air Pollution Control Board has adopted amendments related to limit the authority of the State Air Pollution Control Board to issuance of regulations and transfer the board's existing authority to issue permits, orders, and variances to the Department of Environmental Quality; (ii) add procedures for public comment on pending controversial permits; and (iii) make technical corrections. Effective Nov. 23, 2022.

<http://register.dls.virginia.gov/details.aspx?id=10450>

**Virginia General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges From Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests** The Department of Environmental Quality has adopted amendments and reissue the existing general permit regulation. Effective March 1, 2023.

<http://register.dls.virginia.gov/details.aspx?id=10422>

**Virginia General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Non-Contact Cooling Water Discharges of 50,000 Gallons Per Day or Less** The Department of Environmental Quality has adopted rulemaking regarding the General VPDES Permit for Non-Contact Cooling Water Discharges of 50,000 Gallons Per Day or Less. Effective Nov. 9, 2022.

<http://register.dls.virginia.gov/details.aspx?id=10365>

**Virginia Ground Water Standards** The State Water Control Board as adopted amendments to conform 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=10415>

**Virginia Policy for the Protection of Water Quality in Virginia's Shellfish Growing Waters** The State Water Control Board has adopted amendments to conform 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=10425>

**Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation** The Department of Environmental Quality has adopted rulemaking regarding the VPDES Permit Regulation. Effective Nov. 9, 2022.

<http://register.dls.virginia.gov/details.aspx?id=10380>

**Virginia Pollutant Discharge Elimination System General Permit for Sewage Discharges Less Than or Equal to 1,000 Gallons Per Day** The Department of Environmental Quality has adopted rulemaking regarding the Virginia Pollutant Discharge Elimination System General Permit for Sewage Discharges Less Than or Equal to 1,000 Gallons Per Day. Effective Nov. 9, 2022. <http://register.dls.virginia.gov/details.aspx?id=10351>

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

**Virginia Federal Operating Permit - Naval Air Station Oceana** The Department of Environmental Quality has issued a notice to seek public comment on a draft permit for the Naval Air Station Oceana.

<https://www.deq.virginia.gov/permits-regulations/public-notices/air>

**Virginia Final 2022 305(b)/303(d) Water Quality Assessment Integrated Report** The Department of Environmental Quality has issued the Final 2022 305(b)/303(d) Water Quality Assessment Integrated Report.

<https://www.deq.virginia.gov/water/water-quality/assessments/integrated-report>

**Virginia General Definitions, Permits for Stationary Sources of Pollutants, and Regulation for General Administration** The State Air Pollution Control Board has adopted amendments related to limit the authority of the State Air Pollution Control Board to issuance of regulations and transfer the board's existing authority to issue permits, orders, and variances to the Department of Environmental Quality; (ii) add procedures for public comment on pending controversial permits; and (iii) make technical corrections.

<http://register.dls.virginia.gov/details.aspx?id=10450>

**Virginia Governor's Environmental Excellence Award** The Governor's Environmental Excellence Awards recognize successful and innovative efforts that improve Virginia's environment. The awards program is run annually by DEQ in partnership with the Department of Conservation and Recreation. There are four broad categories of awards: Sustainability, Environmental Project, Land Conservation and implementation of the Virginia Outdoors Plan.

<https://www.deq.virginia.gov/get-involved/pollution-prevention/governor-s-environmental-excellence-awards>



## 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.**

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. 4, 2022 and adjourned on April 14, 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.



### ILLINOIS

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

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



### INDIANA

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

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



### MICHIGAN

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

#### ***PROPOSED LEGISLATION***

**Michigan HB 6420** This act pertains to permit for air emissions near dwellings and other specified uses. It would also require permittee to install vegetative buffer and to offer to purchase the dwellings.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/htm/2022-HIB-6420.htm>



**OHIO**

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

***FINAL REGULATION***

**Ohio Hazardous Waste** The Environmental Protection Agency has adopted rulemaking amending hazardous waste rules to conform with federal regulations. Effective Oct. 23, 2022.

[https://epa.ohio.gov/static/Portals/30/rules/Chapter%203745-273\\_Universal%20Waste%20Standards.pdf](https://epa.ohio.gov/static/Portals/30/rules/Chapter%203745-273_Universal%20Waste%20Standards.pdf)

WISCONSIN



1848

**WISCONSIN**

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

***FINAL REGULATION***

**Wisconsin Processes for Waterbody Assessments and Impaired Waters Listing, Biological Criteria for Water Quality Standards, And Biological Confirmation of Phosphorus Impairments** The Department of Natural Resources has adopted rulemaking relating to the creation of Chapter NR 102, Subchapter III as it pertains to waterbody assessments and impaired waters listings. Effective Oct. 1, 2022.

[https://docs.legis.wisconsin.gov/code/register/2022/801B/register/final/cr\\_19\\_094\\_rule\\_text/cr\\_19\\_094\\_rule\\_text](https://docs.legis.wisconsin.gov/code/register/2022/801B/register/final/cr_19_094_rule_text/cr_19_094_rule_text)

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