



REC Review



of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

October 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

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Department of Defense
OFFICE OF PREPUBLICATION AND SECURITY REVIEW

SPOTLIGHT STORY

NAVFAC MIDLANT Receives EPA 2022 Excellence in Site Reuse Award for Restoration Efforts

Naval Facilities Engineering Systems Command Mid-Atlantic (NAVFAC MIDLANT), as part of a team that included the Environmental Protection Agency (EPA) Region 5; the Minnesota Pollution Control Agency (MPCA); the City of Fridley, Minnesota; and Hyde Development, received the EPA National Federal Facility Excellence in Site Reuse Award (Superfund National Priorities List category), for restoration efforts at the former Naval Industrial Reserve Ordnance Plant (NIROP) Fridley, during a ceremony at the Northern Stacks Events venue, in Fridley, Minnesota, Aug. 31.

“Congratulations to the 2022 National Federal Facility Excellence in Site Reuse Award winners,” said EPA Deputy Assistant Administrator for the Office of Land and Emergency Management, Dr. Carlton Waterhouse, in an official EPA press release announcing the winners. “These awards highlight the hard work and tremendous partnerships needed to address contaminated federal facilities, and implement locally driven reuse strategies to safeguard communities and protect the environment.”

Furthermore, these awards are given to project teams including: federal agency project managers; developers; reuse authorities; or state, tribal, and local partners who demonstrated excellence in working cooperatively with the EPA to ensure the reuse of a site complements the type of cleanup actions taken. Awardees demonstrate excellence in working cooperatively and forming partnerships; complementing redevelopment design with the selected remedy; innovating beneficial use outcomes; considering the impacts on and inputs from the local community, especially communities disproportionately impacted by environmental contamination; and creating jobs, fostering economic development, or recreational opportunities.

For more information:

<https://www.navy.mil/Press-Office/News-Stories/Article/3153409/navfac-midlant-receives-epa-2022-excellence-in-site-reuse-award-for-restoration/>

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

EPA's Enforcement Compliance History Online (ECHO) (Oct. 25, 2022 from 1:30 PM - 2:30 PM) This webinar will provide an overview about the data in ECHO and guide users through how to use ECHO to answer environmental enforcement and compliance questions. The focus of this webinar is a collection of short, step-by-step demonstrations geared toward new and infrequent users. We will demonstrate the capabilities of the ECHO Facility Search to answer questions such as: • How do I search for a specific facility? • How do I search for facilities in my community? • How do I search for facilities releasing a pollutant? • How do I find visual depiction of data that track both facility and regulatory agency performance? <https://www.fedcenter.gov/Events/index.cfm?id=39959>

Executive Order 14057, Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability, Implementing Instructions Issued These implementing instructions provide federal executive departments and agencies with direction for implementing Executive Order (EO) 14057, Catalyzing Clean Energy Industries and Jobs through Federal Sustainability. Independent agencies are encouraged to consider the Instructions and implement E.O. 14057, consistent with applicable law. https://www.sustainability.gov/pdfs/EO_14057_Implementing_Instructions.pdf

All Fifty States Plus D.C. and Puerto Rico Greenlit to Move EV Charging Networks Forward, Covering 75,000 Miles of Highway The Biden-Harris Administration announced it has approved Electric Vehicle (EV) Infrastructure Deployment Plans for all 50 States, the District of Columbia and Puerto Rico ahead of schedule under the National Electric Vehicle Infrastructure (NEVI) Formula Program, established and funded by the Infrastructure Law. With this approval, all states now have access to all FY22 and FY23 NEVI formula funding, totaling more than \$1.5 billion to help build EV chargers covering approximately 75,000 miles of highway across the country. The NEVI formula funding, which makes \$5 billion available over five years, will help build a convenient, reliable, and affordable EV charging network across the country. https://www.fedcenter.gov/Announcements/index.cfm?id=39969&pge_prg_id=44063

EPA's FY 2022-2026 Strategic Plan EPA has issued its FY 2022-2026 Strategic Plan which communicates its priorities and provides the roadmap for achieving its mission to protect human health and the environment. In this Strategic Plan, the Agency renews its commitment to four principles: to follow the science, follow the law, to be transparent and to advance justice and equity. <https://www.epa.gov/system/files/documents/2022-03/fy-2022-2026-epa-strategic-plan.pdf>

AIR

Information Collection Request for New Source Performance Standards for Steam Generating Units EPA has submitted an information collection request (ICR) titled “New Source Performance Standards (NSPS) for Industrial/Commercial/Institutional Steam Generating Units” to the Office of Management and Budget. This notice is a proposed 30 day extension of the ICR, which is currently approved through November 30, 2022. The NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR part 60, subpart Db) apply to existing and new steam generating units (boilers) that have a heat input capacity from fuels combusted in the unit of greater than 29 megawatts (100 million British thermal units per hour). Emissions of concern are SO₂, PM, and NO_x.

<https://www.federalregister.gov/documents/2022/09/26/2022-20544/information-collection-request-submitted-to-omb-for-review-and-approval-comment-request-nsps-for>

NATURAL RESOURCES

National Fish and Wildlife Foundation Announces 2022 Longleaf Landscape Stewardship Fund Grant Awards The National Fish and Wildlife Foundation (NFWF) officially announced the Longleaf Landscape Stewardship Fund (LLSF) would award \$7.5 million through 22 grants to restore, enhance, and protect longleaf pine forests in nine southern states. This year's grant slate, the largest in the program's history, will impact more than 400,000 acres of longleaf pine habitat and leverage \$9 million in matching contributions to generate a total conservation impact of \$16.5 million. For every dollar DoD invests, approximately \$11 in matching partner funds will help establish more than 9,000 acres of new longleaf pine, implement prescribed fire on more than 347,000 acres, and enhance an additional 10,000 acres of existing longleaf pine through management treatments. Altogether, 12 military installations in the Southeast will directly benefit from LLSF projects, including Fort Benning and Fort Stewart, Georgia; Camp Blanding, Eglin Air Force Base (AFB), Naval Air Station (NAS) Pensacola, NAS Whiting Field, and Tyndall AFB, Florida; Fort Polk, Louisiana; Camp Lejeune, Fort Bragg, and Marine Corps Air Station Cherry Point, North Carolina; Camp Shelby, Mississippi. The LLSF is a landmark public-private partnership between NFWF, federal agencies, private industry, and charitable organizations that leverage funding to execute projects to restore forest health and manage key natural resources that benefit military testing and training at installations and ranges across the Southeast.

<https://www.fedcenter.gov/plugins/programs/remotelink/rlnk.cfm?dest=https://www.nfwf.org/media-center/press-releases/nfwf-announces-75-million-conservation-grants-restore-iconic-longleaf-pine-ecosystem>

NEPA

EPA Environmental Justice and Civil Rights in Permitting FAQs The Environmental Justice and Civil Rights in Permitting Frequently Asked Questions (FAQs) provides information to EPA, federal, tribal, state, and local environmental permitting programs on how to integrate EJ into their permitting processes. It also outlines how recipients of EPA financial assistance are obligated to comply with federal civil rights statutes, including Title VI of the Civil Rights Act of 1964, in their permitting processes.

<https://www.epa.gov/system/files/documents/202208/EJ%20and%20CR%20in%20PERMITTING%20FAQs%20508%20compliant.pdf>

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 Endangered and Threatened Species Listing The Department of Inland Fisheries and Wildlife has proposed rulemaking to recommend additions and modifications to the list of endangered and threatened species to the Maine State Legislature for their consideration and approval.

<https://www.maine.gov/sos/cec/rules/notices/2022/092122.html>



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

PROPOSED REGULATION

Massachusetts Proposed Large Entity Reporting Regulation The Department of Environmental Protection has initiated rulemaking to require a one-time report from certain entities on their medium- and heavy-duty vehicle use. <https://www.mass.gov/doc/310-cmr-741-proposed-large-entity-reporting-regulation/download>



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 4473 (SB 2435) This act would extend the time period required for public notice of certain land use applications. https://pub.njleg.gov/bills/2022/A4500/4473_1.HTM

New Jersey SB 3066 This act would prohibit construction of commercial or industrial buildings within certain distance of residential homes without homeowner approval. It would also require development of a waiver form to allow construction of commercial or industrial buildings. <https://www.njleg.state.nj.us/bill-search/2022/S3066>



NEW YORK

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

PROPOSED LEGISLATION

New York AB 10688 (SB9204) This act relates to establishing electric vehicle charging station reliability reporting and standards. It would also requires entities to report and the public service commission to assess the reliability of charging stations and require the commission to develop minimum industry operational standards for the long term maintenance, preservation, reliability, and uptime requirements of publicly funded electric vehicle charging equipment. https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=A10688

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.

FINAL LEGISLATION

District of Columbia B 444 This act would give the Authority the ability to issue stop-work orders when it is clear that a contractor or person is about to remove a heritage or special tree and has not obtained the proper permit. Effective Aug. 16, 2022. https://lms.dccouncil.gov/downloads/LIMS/48038/Signed_Act/B24-0444-Signed_Act.pdf

PROPOSED LEGISLATION

District of Columbia B 993 This act would require certain entities and residential buildings with four or more units to provide food waste source- separation services at their properties beginning Jan. 1, 2025. <https://lms.dccouncil.gov/downloads/LIMS/51260/Introduction/B24-0993-Introduction.pdf>

FINAL REGULATION

District of Columbia Water Fees The Water and Sewer Authority has adopted rulemaking to add and amend DC Water’s fees and charges including, but not limited to: Engineering/Permitting fees; Fats, Oil and Grease (FOG) fee, Cross-Connection Control/Backflow Fee; Fire Hydrant Use Charges and Meter Rental Fees; High Strength Waste Fees; Hauled Waste Fees; Penalties and Turnoff Charges, Tap Fees, and other miscellaneous fees. Effective July 22, 2022. <https://dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=21-4100>

OTHER ACTIONS AND OPPORTUNITIES

District of Columbia Emission Permit The Department of Energy and Environment has issued a notice that pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE) intends to issue a permit to the U.S. Department of the Navy, Naval Research Laboratory (NRL) to operate one existing Newage/Cummins GTA28 emergency generator set, powered by a 770 bhp (574 kWm) Cummins natural gas-fired engine.

<https://doee.dc.gov/release/notice-public-comment-period-draft-air-quality-permit-6106-r2-us-department-navy-naval>

District of Columbia Notice of Permit Issued The Air Quality Division has issued a notice that it intends to issue a permit to the U.S. Department of the Navy, Naval Research Laboratory (NRL) to operate one existing 130 kWe Generac emergency generator set with a Generac natural gas-fired engine rated at 210 bhp (157 kWm) engine output. The generator is located on Joint Base Anacostia-Bolling property, but is owned and operated by NRL.

<https://doee.dc.gov/release/notice-public-comment-period-draft-air-quality-permit-6252-r2-us-department-navy-naval>



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.

PROPOSED REGULATION

Maryland Food Residuals - Organics Recycling and Waste Diversion The Department of the Environment has proposed rulemaking to implement Chs. 439 and 440, Acts of 2021, entitled Organics Recycling and Waste Division — Food Residuals. The law requires, beginning in 2023, certain persons who generate certain quantities of food residuals to separate their food residuals from other solid waste and divert those food residuals through reduction and recycling activities from final disposal in a refuse disposal system.

<http://www.dsd.state.md.us/MDR/4920/Assembled.htm>



PENNSYLVANIA

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

PROPOSED LEGISLATION

Pennsylvania HB 2826 This act would amend the act of May 19, 1995 (P.L.4, No.2), known as the Land Recycling and Environmental Remediation Standards Act.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=H&billTyp=B&billNbr=2826&pn=3478>

PROPOSED REGULATION

Pennsylvania Conservation of Pennsylvania Native Wild Plants The Department of Conservation and Natural Resources has proposed rulemaking updating Pennsylvania native wild plant species classification lists, including certain scientific names, common names and reference sources.

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-35/1291.html>

OTHER ACTIONS AND OPPORTUNITIES

Pennsylvania Extension of National Pollutant Discharge Elimination System General Permit for Discharges from the Application of Pesticides (PAG-15) The Department of Environmental Protection has issued a notice that it is extending for 12 months the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from the Application of Pesticides (PAG-15).

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-38/1437.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.

PROPOSED LEGISLATION

Virginia HB 1372 This act would repeal the State Air Pollution Control Board's authority to implement low-emissions and zero-emissions vehicle standards for vehicles with a model year of 2025 and later.

<http://leg1.state.va.us/cgi-bin/legp504.exe?231+ful+HB1372+hil>

FINAL REGULATION

Virginia Erosion and Sediment Control and Stormwater Management Certification Requirements The Department of Environmental Quality has adopted rulemaking regarding the Erosion and Sediment Control and Stormwater Management Certification Requirements. Effective Nov. 9, 2022.

<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17057>

Virginia Erosion and Sediment Control Regulations The Department of Environmental Protection has adopted rulemaking regarding erosion and sediment control regulations. Effective Nov. 9, 2022.

<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17056>

Virginia Facility and Aboveground Storage Tank (AST) Regulation The Department of Environmental Quality has adopted rulemaking regarding Facility and Aboveground Storage Tank (AST) Regulations. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17019>

Virginia General Permit for Discharges of Stormwater from Construction Activities The Department of Environmental Quality has adopted rulemaking regarding the General Permit for Discharges of Stormwater from Construction Activities. Effective Nov. 9, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17059>

Virginia General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia The Department of Environmental Quality has adopted rulemaking regarding the General Virginia Pollutant Discharge Elimination System (VPDES) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia. Effective Nov. 9, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17055>

Virginia General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems The Department of Environmental Quality has adopted rulemaking regarding the General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems. Effective Nov. 9, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17060>

Virginia Ground Water Standards The Department of Environmental Quality has adopted rulemaking regarding ground water standards. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17034>

Virginia Local and Regional Water Supply Planning The Department of Environmental Protection has adopted rulemaking regarding local and regional water supply planning. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17052>

Virginia Permits for Stationary Sources The Department of Environmental Quality has adopted rulemaking regarding permits for stationary sources. Effective Nov. 9, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17070>

Virginia Petroleum Underground Storage Tank Financial Responsibility Requirements The Department of Environmental Quality has adopted rulemaking regarding Petroleum Underground Storage Tank Financial Responsibility Requirements. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17040>

Virginia Regulation for Nutrient Enriched Waters and Dischargers within the Chesapeake Bay Watershed The Department of Environmental Quality has adopted rulemaking regarding Regulation for Nutrient Enriched Waters and Dischargers within the Chesapeake Bay Watershed. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17017>

Virginia Surface Water Management Area Regulation The Department of Environmental Quality has adopted rulemaking regarding the Surface Water Management Area Regulation. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17032>

Virginia Tank Vessel Oil Discharge Contingency Plan and Financial Responsibility Regulation The Department of Environmental Quality has adopted rulemaking regarding the Tank Vessel Oil Discharge Contingency Plan and Financial Responsibility Regulation. Effective Nov. 23, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17020>

Virginia Underground Storage Tanks: Technical Standards and Corrective Action Requirements The Department of Environmental Quality has adopted rulemaking regarding Underground Storage Tanks: Technical Standards and Corrective Action Requirements. Effective Nov. 23, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17039>

Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges From Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests The Department of Environmental Quality has adopted rulemaking regarding the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges From Petroleum Contaminated Sites, Groundwater Remediation and Hydrostatic Tests. Effective Nov. 9, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17023>

Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges Resulting from the Application of Pesticides to Surface Waters The Department of Environmental Protection has adopted rulemaking regarding the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Discharges Resulting from the Application of Pesticides to Surface Waters. Effective Nov. 9, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17054>

Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity The Department of Environmental Quality has adopted rulemaking regarding the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm Water Discharges Associated with Industrial Activity. Effective Nov. 9, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17024>

Virginia Pollutant Discharge Elimination System General Permit for Potable Water Treatment Plants The Department of Environmental Quality has adopted rulemaking regarding the Virginia Pollutant Discharge Elimination System General Permit for Potable Water Treatment Plants. Effective Nov. 9, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17058>

Virginia Pollution Abatement (VPA) Permit Regulation The Department of Environmental Quality has adopted rulemaking regarding the Virginia Pollution Abatement (VPA) Permit Regulation. Effective Nov. 23, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17016>

Virginia Water Protection Permit Regulation The Department of Environmental Quality has adopted rulemaking regarding the Virginia Water Protection Permit Regulation. Effective Nov. 9, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17031>

Virginia Water Quality Standards The Department of Environmental Quality has adopted rulemaking regarding water quality standards. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17033>

Virginia Water Reclamation and Reuse Regulation The Department of Environmental Quality has adopted rulemaking regarding the water reclamation and reuse regulation. Effective Nov. 24, 2022.
<https://townhall.virginia.gov/L/ViewXML.cfm?textid=17050>

Virginia Water Resources Policy The Department of Environmental Quality has adopted rulemaking regarding water resources policy. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17038>

Virginia Water Withdrawal Reporting The Department of Environmental Quality has adopted rulemaking regarding water withdrawal reporting. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17030>

Virginia Wetlands Policy The Department of Environmental Quality has adopted rulemaking regarding wetlands policy. Effective Nov. 23, 2022. <https://townhall.virginia.gov/L/ViewXML.cfm?textid=17037>

PROPOSED REGULATION

Virginia Regulation for Emissions Trading The State Air Pollution Control Board has proposed amending 9VAC5 140, Regulation for Emissions Trading. The purpose of the proposed action is to begin the process of developing a regulation to repeal the regulation implementing the Regional Greenhouse Gas Initiative (RGGI) participation pursuant to Executive Order 9 (2022) (EO-9) "Protecting Ratepayers from the Rising Cost of Living Due to the Regional Greenhouse Gas Initiative." EO-9 requires the Department of Environmental Quality (DEQ) reevaluate Virginia's participation in the RGGI and begin a regulatory process to end it. <http://register.dls.virginia.gov/details.aspx?id=10348>

OTHER ACTIONS AND OPPORTUNITIES

Virginia Coastal Resilience and Adaptation to Sea Level Rise and Climate Change The Department of Environmental Quality has issued notice of an opportunity to comment regarding draft guidance pertaining to the criteria and requirements for addressing coastal resilience and adaptation to sea level rise and climate change when considering development in Chesapeake Bay Preservation Areas. <https://townhall.virginia.gov/l/ViewNotice.cfm?GNID=2463>

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>



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.



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

PROPOSED REGULATION

North Carolina Environmental Management - Laboratory Certification The Department of Environmental Quality has proposed amendments related to the laboratory certification or the parameter known as “PFAS”. This parameter must be added to Certification rule 15A NCAC 02H .0804 (d).

https://files.nc.gov/oah/documents/2022-10/Volume-37-Issue-07-October-3-2022.pdf?VersionId=sHx0xWqKSlvHtoolpxLGg4_3peU7adXB#page=47



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.



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

PROPOSED REGULATION

Illinois Administrative Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances The Office of the State Fire Marshal has proposed rulemaking to revise the Illinois administrative and technical requirements for underground storage tank systems (USTs). https://www.ilsos.gov/departments/index/register/volume46/register_volume46_issue_39.pdf

Illinois Compliance Certification for Underground Storage Tanks The Office of the State Fire Marshal has proposed rulemaking regarding compliance certification for underground storage tanks.

https://www.ilsos.gov/departments/index/register/volume46/register_volume46_issue_39.pdf

Illinois General Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances The Office of the State Fire Marshal has proposed rulemaking regarding updates and clarifications for underground storage tank system (UST) rules concerning the storage, handling and use of flammable and combustible liquids, bulk handling, incorporations by reference, and definitions for purpose of UST rules. https://www.ilsos.gov/departments/index/register/volume46/register_volume46_issue_39.pdf

Illinois Technical Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances The Office of the State Fire Marshal has proposed rulemaking to update the Illinois technical requirements for underground storage tank systems (USTs).

https://www.ilsos.gov/departments/index/register/volume46/register_volume46_issue_39.pdf



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.



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

PROPOSED LEGISLATION

Michigan SB 1169 This act would revise the placement distance of underground storage tanks from a public water supply system. <http://www.legislature.mi.gov/documents/2021-2022/billintroduced/Senate/htm/2022-SIB-1169.htm>



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

FINAL REGULATION

Ohio NOX and VOC Emission Statements, Air Pollution Control Fees The Environmental Protection Agency has adopted rulemaking related to the submission of annual emission statements and air pollution control emissions fee reporting. Effective Sept. 23, 2022.

https://epa.ohio.gov/static/Portals/27/regs/3745-78/3745-24and78_PN_Final.pdf

PROPOSED REGULATION

Ohio Solid Waste Fee Rules The Environmental Protection Agency has proposed rulemaking regarding procedures for collecting and remitting state disposal and environmental protection fees, solid waste management district disposal and generation fees, host community fees, and construction and demolition debris disposal fees at municipal solid waste landfills. <https://epa.ohio.gov/static/Portals/34/document/drafrule/fees-jcarr.pdf>

OTHER ACTIONS AND OPPORTUNITIES

Ohio Architectural and Industrial Maintenance (AIM) Coatings The Environmental Protection Agency has issued notice of an opportunity to comment regarding “Architectural and Industrial Maintenance (AIM) Coatings” to adopt a more recent version of the Ozone Transport Commission (OTC) model rule for AIM coatings.

https://epa.ohio.gov/static/Portals/27/regs/3745-113/3745-113_PN_Prop.pdf



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

PROPOSED REGULATION

Wisconsin PFAS in Groundwater The Department of Natural Resources has proposed rulemaking to add public health groundwater standards for the four PFAS for which the EPA released drinking water health advisories (HAs) on June 15, 2022 in light of newly available science and in accordance with EPA’s responsibility to protect public health.

<https://townofpeshtigo.org/wp-content/uploads/2022/09/Ground-Water-Scope-Statement-DG-17-22-copy.pdf>

MEET THE REC STAFF

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DoD Regional Environmental Coordinator
(757) 322-2800, DSN 262-2800

Director, Regional Environmental Coordination
(REC) Office
(757) 341-0363

REC Counsel
(757) 322-2938, DSN 262-2938
(757) 322-2812, DSN 262-2812 or (916) 952-1003

Cultural Resources
(757) 341-0925

Potable Water, Stormwater, Groundwater,
Wastewater
(757) 341-0429

Air Quality, Asbestos, Radon
(757) 341-0383

P2, EPCRA, RCRA - HW/SW
(757) 341-0408

Navy On-Scene Coordinator Representative
(757) 341-0449

POL/Tanks
(757) 341-0453

Regional NEPA, Natural Resources
(757) 341-0494

Land Use, Encroachment
(757) 341-0264

Environmental Restoration
(757) 341-0394

REC Support
(757) 341-0430

REC Outreach
(757) 341-0383

DoD Chesapeake Bay Coordinator
(757) 341-0424
(757) 341-0395