



REC Review

of Legislative & Regulatory Actions



The Navy Regional Environmental Coordination Office

September 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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SPOTLIGHT STORY

NAVFAC Washington Cuts the Ribbon on Largest Archive for Navy History

Naval Facilities Engineering Systems Command (NAVFAC) Washington cut the ribbon on the Naval History and Research Center (NHRC) on the Washington Navy Yard (WNY) on Aug. 8, 2022 to showcase its newest conservation and preservation site. The NHRC was designed to support Naval History and Heritage Command’s need for modern facilities that will provide for the stewardship of the Navy’s intellectual property and some of the Navy’s most important collections.

“History shows that the Navy that adapted better, learned faster and improved faster gained warfighting advantages over the long haul,” said Chief of Naval Operations, Adm. Michael Gilday. “Stories of the past help us heed the warnings of history while helping us to reflect on and sustain our legacy as the world’s premiere maritime force.”

Gilday explained, “This building and the stories and artifacts within will preserve the experiences and lessons of the past; use the Navy’s legacy of valor and sacrifice to inspire current and future generations of Sailors; and let those who serve today know that their sacrifice will always be remembered, honored, and valued.”

The NHRC will house the Navy’s Operational Archives, the Navy Photo Archives, and the Department of the Navy Library and Rare Book Room. The Navy Art Collection, the Navy’s combat artists and studio, and the Underwater Archeology Conservation Laboratory will also call the new NHRC home. To complete the NHRC, NAVFAC Washington renovated WNY Buildings 46 and 67, built in 1840 and 1899 respectively. The facilities now meet Navy standards for the protection and care of Navy historic collections. The new facilities provide optimal environmental controls for preservation of archival materials.

For more information:

<https://www.dvidshub.net/news/426817/navfac-washington-cuts-ribbon-largest-archive-navy-history>

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 Announces Initial Availability of \$11 Million for Technical Assistance Centers to Support Underserved

Communities EPA announced the availability of \$11 million in initial grant funding to establish Environmental Justice (EJ) Thriving Community Technical Assistance Centers across the nation. The EPA funding is available under the first year of a partnership with the Department of Energy, with future phases of up to 10 multi-year awards for a maximum potential program value of \$50 million. The Centers will provide technical assistance, training, and capacity-building support to communities with environmental justice concerns and their partners. They will also assist with navigating federal systems such as Grants.gov and SAM.gov, effectively managing and leveraging grant funding, and translation and interpretation services for limited English-speaking participants. The support provided will focus on building community-centered collaborations through meaningful engagement, guidance on accessing other forms of support and technical assistance across the federal government, and assistance with writing grant proposals. This opportunity is available to public and private universities and colleges; public and private nonprofit institutions/organizations; and collaborating tribal governments. Applications are due on Oct. 4, 2022. Awards will be issued as cooperative agreements and EPA will be substantially involved in the operation of the centers.

<https://www.epa.gov/environmentaljustice/environmental-justice-thriving-communities-technical-assistance-centers>

EPA Calls for Nominations for 2023 Green Chemistry Challenge Awards EPA announced it is now accepting nominations for the 2023 Green Chemistry Challenge Awards from companies or institutions that have developed a new green chemistry process or product that helps protect human health and the environment. EPA is again including an award category to recognize technology that reduces or eliminates greenhouse gas emissions, to combat the climate crisis. Additionally, EPA is announcing a webinar to be held on Sept. 28, 2022, from 2–3:30 p.m. EDT, to educate stakeholders on the Green Chemistry Challenge Awards and the nomination process. Green chemistry is the design of chemical products and processes that reduce or eliminate the generation and use of chemicals that are hazardous to the environment and people's health.

<https://www.epa.gov/greenchemistry/information-about-green-chemistry-challenge>

AIR

National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines; Court Vacatur

The Environmental Protection Agency (EPA) is amending the Code of Federal Regulations (CFR) to reflect a 2015 court decision regarding the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE) and the New Source Performance Standards (NSPS) for Stationary Internal Combustion Engines (ICE). The court vacated provisions in the regulations specifying that emergency engines could operate for emergency demand response or during periods where there is a deviation of voltage or frequency. This ministerial rule revises the RICE NESHAP and ICE NSPS to conform to the court's decision.

<https://www.federalregister.gov/documents/2022/08/10/2022-17060/national-emission-standards-for-hazardous-air-pollutants-for-reciprocating-internal-combustion>

NATURAL RESOURCES

Use of Environmental DNA to Monitor Population Parameters on DoD Lands (Web-based): Oct. 6, 2022, Noon to 1 p.m. This Strategic Environmental Research and Development Program (SERDP) and Environmental Security Technology Certification Program (ESTCP) webinar focuses on DoD-funded research efforts to enhance and expand the use of environmental DNA (eDNA) as a species conservation and management tool. Specifically, investigators will cover novel methods to detect rare species and address the limited inference from the detection or quantification of eDNA, as well as the expansion of eDNA usage as a conservation tool for monitoring species of concern in flowing waters on DoD lands. https://www.fedcenter.gov/Events/index.cfm?id=39778&pge_prg_id=42307

TOXICS

Addition of Diisononyl Phthalate Category; Community Right-to-Know Toxic Chemical Release Reporting

On Sept. 5, 2000, in response to a petition filed under the Emergency Planning and Community Right-to-Know Act (EPCRA), EPA issued a proposed rule to add a diisononyl phthalate (DINP) category to the list of toxic chemicals subject to the reporting requirements under EPCRA and the Pollution Prevention Act (PPA). EPA proposed to add this chemical category to the EPCRA toxic chemical list based on its preliminary conclusion that this category met the EPCRA toxicity criterion. EPA has updated its hazard assessment for DINP and is proposing to add DINP as a category defined to include branched alkyl di-esters of 1,2 benzenedicarboxylic acid in which alkyl ester moieties contain a total of nine carbons. The updated hazard assessment demonstrates that the proposed DINP category meets the EPCRA toxicity criterion because the members of the category can reasonably be anticipated to cause cancer and serious or irreversible chronic health effects in humans; specifically, developmental, kidney, and liver toxicity. EPA is proposing to add the DINP category to the toxic chemical list on this basis and is requesting comment on the updated DINP hazard assessment and associated updated economic analysis.

<https://www.federalregister.gov/documents/2022/08/08/2022-16908/addition-of-diisononyl-phthalate-category-community-right-to-know-toxic-chemical-release-reporting>

EPA Updates Safer Chemical Ingredients List EPA is updating its Safer Chemical Ingredients List (SCIL), a living list of chemicals by functional-use class that EPA's Safer Choice program has evaluated and determined meet the Safer Choice Standard. In this update, EPA is adding 22 chemicals to the SCIL. To expand the number of chemicals and functional-use categories on the SCIL, EPA encourages manufacturers to submit their safer chemicals to EPA for review and listing on the SCIL. The addition of chemicals to the SCIL incentivizes further innovation in safer chemistry, which can promote environmental justice, bolster resilience to the impacts of climate change, and improve water quality. Chemicals on the SCIL are among the safest for their functional use.

<https://www.epa.gov/saferchoice/safer-ingredients>

WATER

Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures (Final) This action announces the EPA's approval of alternative testing methods for use in measuring the levels of contaminants in drinking water to determine compliance with national primary drinking water regulations. The Safe Drinking Water Act authorizes EPA to approve the use of alternative testing methods through publication in the Federal Register. EPA is using this streamlined authority to make seven additional methods available for analyzing drinking water samples. This expedited approach provides public water systems, laboratories, and primacy agencies with more timely access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protection. This action was effective Aug. 17, 2022.

<https://www.federalregister.gov/documents/2022/08/17/2022-17651/expedited-approval-of-alternative-test-procedures-for-the-analysis-of-contaminants-under-the-safe>

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.

OTHER ACTIONS AND OPPORTUNITIES

Connecticut General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities The Department of Energy and Environmental Protection has issued notice of an opportunity to comment regarding a tentative decision to modify the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities.

<https://portal.ct.gov/DEEP/Public-Notices/Public-Notices-Proposed-Actions---Opportunity-for-Comment/Proposed-General-Permits/General-Permit-for-the-Discharge-of-Stormwater-from-Construction-Activities>



MAINE

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

PROPOSED REGULATION

Maine Operations, Maintenance, and Asset Management Standards for Publicly Owned Treatment Works and Municipal Satellite Collection Systems The Department of Environmental Protection has proposed rulemaking that establishes standards for the operations, maintenance and asset management for publicly owned treatment works (POTW) and municipal satellite collection systems (MSCS). <https://www.maine.gov/dep/rules/>



MASSACHUSETTS

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.



NEW HAMPSHIRE

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

FINAL REGULATION

New Hampshire Hazardous Waste Amendments re: Permits, Identification of Hazardous Waste, Generators, Transporters, Facility Owners/Operators, Universal Waste, Land Disposal Restrictions The Department of Environmental Services has adopted various amendments to hazardous waste guidelines. Effective July 23, 2022. [http://gencourt.state.nh.us/rules/register/2022/0811/Doc.%2013406%20\(NN%202022-40\).pdf](http://gencourt.state.nh.us/rules/register/2022/0811/Doc.%2013406%20(NN%202022-40).pdf)



RHODE ISLAND

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

FINAL LEGISLATION

Rhode Island HB 7611 This act establishes the Rhode Island Executive Climate Change Coordinating Council Equity and Environmental Justice Advisory Board to advise on decision-making and equitable outcomes. Effective June 29, 2022. <http://webserver.rilin.state.ri.us/BillText22/HouseText22/H7611A.htm>



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.

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



NEW YORK

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

PROPOSED LEGISLATION

New York SB 9525 This 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 per- and polyfluoroalkyl (PFAS) chemicals found in any discharge into the state waterways.

https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=S9525

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.

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



DELAWARE

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.



MARYLAND

Note: The Maryland General Assembly convened on Jan. 12, 2022 and adjourned on April 11, 2022.

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



PENNSYLVANIA

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

PROPOSED LEGISLATION

Pennsylvania SB 1310 This act would amend Title 27 of the Pennsylvania Consolidated Statutes, providing for electronic waste recycling.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=1310&pn=1872>

PROPOSED REGULATION

Pennsylvania Radiological Health Fees The Environmental Quality Board has proposed an amendment to increase the annual fees for radiation-producing machine and service provider (vendor) registrations, accelerator licenses, and radioactive material licenses, and increase the hourly rate professional fee associated with certain full cost recovery licenses.

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-35/1292.html>



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 will adjourn on Sept. 30, 2022.

OTHER ACTIONS AND OPPORTUNITIES

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. The 2023 applications will be available in September 2022.

<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.

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.

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



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

PROPOSED REGULATION

Ohio Hazardous Waste The Environmental Protection Agency has proposed rulemaking amending hazardous waste rules to conform with federal regulations. <https://www.registerofohio.state.oh.us/rules/search>



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

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

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