



REC Review

of Legislative & Regulatory Actions



The Navy Regional Environmental Coordination Office

July 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

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SPOTLIGHT STORY

NSA Hampton Roads hosts Clean the Base Day at Portsmouth Annex

Approximately 235 volunteers took a break from their daily work duties and spent a beautiful Friday morning walking around the base and picking up trash during Clean the Base Day at Naval Support Activity (NSA) Hampton Roads-Portsmouth Annex May 5, 2023.

The event was in conjunction with Earth Day and emphasized this year’s theme, “Invest in Our Planet” which encourages people to take action and join the environmental movement of working together to save our planet.

“We really enjoy putting this event together every year because personnel want to do their part and help clean up the environment,” said Rachel L. Donegan, stormwater manager for NSA Hampton Roads who organized this year’s event. “Each year it gets bigger and better and we have more people who want to participate.”

Armed with gloves and trash bags, Sailors and Civilians from NSA Hampton Roads, Naval Medical Forces Atlantic (NMFL), Naval Medical Center Portsmouth, and Navy Medicine Readiness and Training Command (NMRTC) Portsmouth traversed throughout the installation and along the shoreline to gather trash, debris and other items. Shannon Glover, Mayor of Portsmouth, Va., also attended the Clean the Base Day event.

“It is important to keep the Virginia watershed, waterways and shorelines clean of debris for the environment and façade,” said Jared Bobzien, site director at NSA Hampton Roads-Portsmouth Annex. “This was a joint stewardship and another example of how we continue to expand and strengthen the current relationship we share as a cohesive unit with the goal of keeping the Chesapeake Bay clean.”

For more information:

<https://www.dvidshub.net/news/444923/nsa-hampton-roads-hosts-clean-base-day-portsmouth-annex>

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

Federal Energy and Water Management Awards Now Accepting Nominations Each year the Federal Energy Management Program (FEMP) honors federal employees who developed and implemented exemplary, cost-effective projects and programs that cut energy waste and advance America's progress toward energy independence, resilience, and security, while also advancing federal agency missions.

The Federal Energy and Water Management Awards honor outstanding achievements in:

- Energy and water efficiency and conservation
- Energy and water resilience and cybersecurity
- Distributed energy generation
- Fleet and transportation management.

Nominations must be submitted by Aug. 31, 2023.

https://www.fedcenter.gov/Announcements/index.cfm?id=41043&pge_id=1854

Phasedown of Hydrofluorocarbons: Allowance Allocation Methodology for 2024 and Later Years (Final)

The United States Environmental Protection Agency (EPA) is amending existing regulations to implement certain provisions of the American Innovation and Manufacturing Act. This rule establishes the methodology for allocating hydrofluorocarbon production and consumption allowances for the calendar years of 2024 through 2028. EPA is also amending the consumption baseline to reflect updated data and to make other adjustments based on lessons learned from implementation of the hydrofluorocarbon phasedown program thus far, including to: codify the existing approach of how allowances must be expended for import of regulated substances, revise recordkeeping and reporting requirements, and implement other modifications to the existing regulations. This final rule is effective on Sep. 18, 2023, except for amendatory instructions 3 and 13, which are effective Oct. 1, 2024.

<https://www.federalregister.gov/documents/2023/07/20/2023-14312/phasedown-of-hydrofluorocarbons-allowance-allocation-methodology-for-2024-and-later-years>

EPA Announces New Framework to Prevent Unsafe New PFAS from Entering the Market EPA announced its framework for addressing new and new uses of per- and poly-fluoroalkyl substances (PFAS). The framework outlines EPA's planned approach when reviewing new PFAS and new uses of PFAS to ensure that, before these chemicals are allowed to enter into commerce, EPA will undertake an extensive evaluation to ensure they pose no harm to human health and the environment.

<https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/framework-addressing-new-pfas-and>

AIR

Reciprocating Internal Combustion Engines (RICE) and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting (Draft) The EPA is proposing to amend the National Emission Standards for Hazardous Air Pollutants (NESHAP) for RICE, the New Source Performance Standards (NSPS) for Stationary Compression Ignition (CI) Internal Combustion Engines, and the NSPS for Stationary Spark Ignition (SI) Internal Combustion Engines, to add electronic reporting provisions. The addition of electronic reporting provisions will provide for simplified reporting by sources and enhance availability of data on sources to the EPA and the public. In addition, a small number of clarifications and corrections to these rules are being proposed to correct inadvertent and other minor errors in the Code of Federal Regulations (CFR), particularly related to tables. Finally, information is being solicited on the provisions specifying that emergency engines can operate for up to 50 hours per year to mitigate local transmission and/or distribution limitations to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

<https://www.federalregister.gov/documents/2023/06/26/2023-13445/national-emission-standards-for-hazardous-air-pollutants-reciprocating-internal-combustion-engines>

Removal of Title V Emergency Affirmative Defense Provisions from State Operating Permit Programs and Federal Operating Permit Program (Final) EPA is removing the "emergency" affirmative defense provisions from the EPA's Title V operating permit program regulations. These provisions established an affirmative defense that sources could have asserted in enforcement cases brought for noncompliance with technology-based emission limitations in operating permits, provided that the exceedances occurred due to qualifying emergency circumstances. These provisions are being removed because they are inconsistent with the EPA's interpretation of the enforcement structure of the CAA in light of prior court decisions from the U.S. Court of Appeals for the D.C. Circuit. Through this document, the EPA is also providing guidance on the implementation process resulting from the removal of the emergency affirmative defense provisions from the EPA's regulations, including the need for some state, local, and tribal permitting authorities to submit program revisions to the EPA to remove similar title V affirmative defense provisions from their EPA-approved title V programs, and to remove similar provisions from individual operating permits. This final rule is effective on 21 August 2023.

<https://www.federalregister.gov/documents/2023/07/21/2023-15067/removal-of-title-v-emergency-affirmative-defense-provisions-from-state-operating-permit-programs-and>

TOXICS

EPA and The Department of Housing and Urban Development (HUD) Seeking Presenters for Virtual Workshop on Revisiting Definition of Lead-Based Paint On Oct. 17 and 18, 2023, the EPA and HUD will hold a virtual public workshop to receive stakeholder input on the detection, measurement and characterization of lead-based paint to support efforts to reduce lead exposure. EPA and HUD will use information received during the workshop to inform their joint effort to revisit the federal definition of lead-based paint and propose and finalize a revised definition, if necessary. The workshop will cover several topics related to low levels of lead in existing paint, including the potential health effects, the relationship between lead-based paint and dust-lead, possible exposure pathways (e.g., renovation and maintenance, deteriorating paint and direct ingestion), and emerging detection and measurement technologies used to quantify lead in paint. Additionally, EPA and HUD also seek any available new information on lead-based paint characteristics and medical evidence related to low levels of lead in paint to help with EPA and HUD's reevaluation of the definition of lead-based paint. The information shared will increase awareness of exposure pathways that must be considered, inform models that examine the exposure to lead at various concentrations and provide greater context for the impacts a lower definition may have. <https://www.epa.gov/lead/2023-lead-based-paint-technical-workshop>

WASTE

EPA Issues Final Rule to Require Reporting on Releases and Other Waste Management for Nine PFAS

EPA is issuing a final rule to update the Toxics Release Inventory (TRI) chemical list to identify nine additional PFAS subject to reporting requirements. TRI data are reported to EPA annually by facilities in certain industry sectors, including federal facilities that manufacture, process, or otherwise use TRI-listed chemicals above certain quantities. The data collected help to support informed decision-making by companies, government agencies, non-governmental organizations, and the public. The data collected also help inform EPA's efforts to better understand the listed substances. As part of EPA's PFAS Strategic Roadmap, the Agency also proposed a rule in December 2022 to enhance PFAS reporting to TRI by eliminating an exemption that allows facilities to avoid reporting information on PFAS when those chemicals are used in small, or de minimis, concentrations. Because PFAS are used at low concentrations in many products, that rule would ensure that covered industry sectors and federal facilities that make or use TRI-listed PFAS will no longer be able to rely on the de minimis exemption to avoid disclosing their PFAS releases and other waste management quantities for these chemicals.

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

WATER

Alternative Site Stormwater Management Case Studies EPA has published a collection of case studies, titled, Off-site Stormwater Management Case Studies, featuring Delaware Department of Transportation (DOT), Washington, DC, Grand Rapids, MI, and St. Paul, MN. The multiple benefits of green infrastructure are most significant when nature-based solutions are installed throughout a community. Off-site stormwater management can provide options for operators of development and redevelopment projects to meet post-construction stormwater performance standards outside the right-of-way or limit of the area of development in some circumstances. This flexibility can facilitate achieving additional environmental and planning goals in the community, such as implementation of green infrastructure in areas not undergoing development. EPA recently developed these off-site stormwater management case studies to provide examples of a range of strategies used by local and state governments.

<https://www.epa.gov/npdes/alternative-site-stormwater-management-case-studies>

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 adjourned on May 3, 2023.

FINAL LEGISLATION

Connecticut HB 6664 This act is concerning the management of solid waste and establishing the Mira Dissolution Authority. Its purpose is to implement the Governor's budget recommendations. Signed Jun. 29, 2023.

<https://www.cga.ct.gov/2023/ACT/PA/PDF/2023PA-00170-R00HB-06664-PA.PDF>

Connecticut SB 1147 This act is concerning the Environmental Justice Program of the Department of Energy and Environmental Protection. Its purpose is to enhance the environmental and public health considerations made under the state's environmental justice statute and provide the Department of Energy and Environmental Protection and the Connecticut Siting Council with the ability to deny certain permits for a new affecting facility and apply conditions to the expansion of an existing facility. Effective Oct. 1, 2023.

<https://www.cga.ct.gov/2023/ACT/PA/PDF/2023PA-00202-R00SB-01147-PA.PDF>

PROPOSED REGULATION

Connecticut Advanced Clean Cars The Department of Energy & Environmental Protection has proposed adding new section 22a-174-36d of the Regulations of Connecticut State Agencies (RCSA). The primary objective of this proposal is to adopt the regulatory infrastructure necessary to establish emission standards and electrification targets for light-duty and medium-duty passenger motor vehicles.

<https://eregulations.ct.gov/eRegsPortal/Search/getDocument?guid={E0E67989-0000-C713-BE31-F084ED3CC9EA}>

Connecticut Medium and Heavy-duty Emission Standards The Department of Energy & Environmental Protection has proposed amendments to section 22a-174-37 of the Regulations of Connecticut State Agencies (RCSA). The primary objective of this proposal is to adopt the regulatory infrastructure necessary to establish emission standards and electrification targets for medium and heavy-duty motor vehicles.

<https://eregulations.ct.gov/eRegsPortal/Search/getDocument?guid={B0E47989-0000-C91D-B891-FD5BF8DFF4B5}>



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

FINAL LEGISLATION

Maine LD 1172 This act reestablishes annual reporting on solid waste in Maine. Effective Sep. 16, 2023.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0744&item=3&snum=131>

Maine LD 1246 This act includes endangered and threatened species habitat in the definition of significant wildlife habitat under the Natural Resources Protection Act. Effective Sep. 16, 2023.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0794&item=3&snum=131>

Maine LD 1248 This act pertains to proposed rules regulating testing for PFAS in bottled water. Effective Sep. 16, 2023.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0796&item=5&snum=131>

Maine LD 1814 This act would reduce mercury in the environment by phasing out certain fluorescent light bulbs.

Effective Sep. 16, 2023. <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1160&item=6&snum=131>

PROPOSED LEGISLATION

Maine LD 2007 This act would advance self-determination for Wabanaki Nations.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1287&item=1&snum=131>

PROPOSED REGULATION

Maine Advanced Clean Cars II Program The Department of Environmental Protection has proposed rulemaking to establish motor vehicle emission standards for new passenger cars, light-duty trucks, and medium-duty vehicles by incorporating the requirements of the California Advanced Clean Cars II regulations, beginning model year 2027.

<https://www.maine.gov/dep/rules/index.html#11458245>

Maine Advanced Clean Trucks Program The Department of Environmental Protection has proposed rulemaking to establish a program to reduce emissions from on-road vehicles over 8,500 pounds gross vehicle weight rating (GVWR) by incorporating the requirements of the California Advanced Clean Trucks regulation and is intended to accelerate sales of zero-emission vehicles over 8,500 pounds GVWR.

<https://www.maine.gov/dep/rules/index.html#11458246>



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

PROPOSED LEGISLATION

Massachusetts HB 3859 (HD 3580) This act is related to fuel standards.

<https://malegislature.gov/Bills/193/H3859/House/Bill/Text>

OTHER ACTIONS AND OPPORTUNITIES

2023 Massachusetts Clean Community Award Nominations The Massachusetts Clean Community Awards recognize volunteers, nonprofit leaders, government leaders, businesses, and municipal partners for exceptional environmental protection and community cleanup efforts. The deadline for 2023 nominations is Dec. 1, 2023.

<https://keepmassbeautiful.org/news-events/massachusetts-clean-community-awards.html>



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

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. 3, 2023 and adjourned on June 30, 2023.

FINAL LEGISLATION

Rhode Island HB 5861 and SB 724 This act is related to waters and navigation -- PFAS in drinking water, groundwater, and surface water. Effective Jun 22, 2023.

<http://webserver.rilin.state.ri.us/BillText23/HouseText23/H5861Aaa.htm>

Rhode Island SB 2 This act related to health and safety -- lead poisoning prevention act (establishes a lead water supply replacement program for public and private service lines and requires disclosure to tenants and buyers of real property of the presence of lead service lines). Effective Jun 24, 2023.

<http://webserver.rilin.state.ri.us/BillText23/SenateText23/S0002B.htm>

PROPOSED REGULATION

Rhode Island Air Pollution Control Regulation No. 11 - Petroleum Liquids Marketing and Storage The Department of Environmental Management has initiated rulemaking regarding Air Pollution Control Regulation No. 11 - Petroleum Liquids Marketing and Storage. <https://rules.sos.ri.gov/Promulgations/Part/250-120-05-11>



VERMONT

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

FINAL LEGISLATION

Vermont HB 126 This act is related to community resilience and biodiversity protection. Effective July 1, 2023.

<https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT059/ACT059%20As%20Enacted.pdf>

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 5605 (SB 4049) This act concerns railroad safety.

https://pub.njleg.gov/bills/2022/A6000/5605_11.HTM

FINAL REGULATION

New Jersey Stormwater Management Rules The Department of Environmental Protection has adopted amendments, repeal, and new rule to the Stormwater Management (SWM) rules at N.J.A.C. 7:8 and the Flood Hazard Area Control Act (FHACA) rules at N.J.A.C. 7:13. The proposed amendments are intended to ensure the use of current precipitation data and reliable climate science to aid New Jersey communities in better preparing themselves to confront one of the most critical threats to public safety presented by climate change-increased intensity of precipitation events and the resulting effects of additional stormwater runoff on stormwater management systems and flood elevations in fluvial areas. Effective July 17, 2023.

<https://dep.nj.gov/wp-content/uploads/rules/adoptions/adopt-20230717a.pdf>



NEW YORK

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

FINAL REGULATION

New York Chemical Bulk Storage The Department of Environmental Conservation has adopted rulemaking regarding the handling and storage of hazardous substances. Effective Oct. 17, 2023.

https://www.dec.ny.gov/enb/20230719_not0.html

New York Petroleum Bulk Storage The Department of Environmental Conservation has adopted rulemaking regarding the handling and storage of petroleum in underground and aboveground storage tank systems. Effective Oct. 17, 2023. https://www.dec.ny.gov/enb/20230719_not0.html

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 Removal of Development Zone from Environmental Impact Screening Form Exemptions The Department of Energy and Environment has adopted amendments to ensure an equitable application of environmental laws and regulations in the District of Columbia. Effective Aug. 7, 2023.

<https://www.dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N131334>

District of Columbia Underground Storage Tank Infractions The Department of Energy and Environment has adopted rulemaking establishing the class of infraction for a violation of each new requirement of the proposed amendments to the Underground Storage Tank regulations. Effective June 23, 2023.

<https://dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=16-4008>

PROPOSED REGULATION

District of Columbia District's Proposed 2021 Water Quality Standards The Department of Energy and Environment has proposed amendments to 21 DCMR 11 and a hearing will be held on the District's Proposed 2021 Water Quality Standards (WQS). EPA requires states to review their water quality standards every three years.

<https://doee.dc.gov/node/1669626>



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

FINAL LEGISLATION

Delaware HB 98 This act would create minimum requirements for public notice related to permits, permit renewals and electronic availability for public comments. Effective Jan. 17, 2024.

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocumentSessionLaw?sessionLawId=140482&docTypeId=13&sessionLawName=chp103>

Delaware HB 171 This act pertains to the Clean Air Act Title V Operating Permit Program. Effective Jan. 1, 2024.

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocumentSessionLaw?sessionLawId=140436&docTypeId=13&sessionLawName=chp104>

PROPOSED LEGISLATION

Delaware HB 248 This act pertains to pre-permit community outreach in underserved communities.

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=140714&legislationTypeId=1&docTypeId=2&legislationName=HB248>



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

PROPOSED REGULATION

Maryland Irreplaceable Natural Areas The Department of Natural Resources has proposed a rule to identify and describe irreplaceable natural areas in Maryland. <https://dsd.maryland.gov/MDRIssues/5013/Assembled.aspx>

Maryland Nonattainment Provisions for Major New Sources and Major Modifications The Department of the Environment has proposed a rule to repeal Regulation .01B(14-1) and .04F from COMAR 26.11.17 nonattainment provisions for major new sources and major modifications. <https://2019-dsd.maryland.gov/Pages/MDRegister.aspx>



Note: The Pennsylvania General Assembly Special Session 1 convened on Jan. 9, 2023 and adjourned on March 31, 2023.

PROPOSED LEGISLATION

Pennsylvania HB 1345 This act would amend the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, in other pollutions and potential pollution, further providing for potential pollution.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=H&billTyp=B&billNbr=1345&pn=1497>



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

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



WEST VIRGINIA

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

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

FINAL LEGISLATION

North Carolina HB 628 This act amends on-site wastewater/environment statutes. Signed July 10, 2023.
<https://www.ncleg.gov/Sessions/2023/Bills/House/HTML/H628v6.HTML>

FINAL REGULATION

North Carolina Sulfur Dioxide Emissions from Combustion Sources The Department of Environmental Quality has approved amendments to 15A NCAC 02D .0516, Sulfur Dioxide Emissions from Combustion Sources, and accompanying regulatory impact analysis for the proposed amendments. The revisions proposed in this rulemaking are primarily to provide clarity and consistency with the Division of Air Quality’s position that the use of excess or supplemental fuel beyond what is needed for combustion is not a means for compliance with the SO2 standard in 15A NCAC 02D .0516. Effective July 1, 2023.
<https://edocs.deq.nc.gov/AirQuality/DocView.aspx?id=422435&dbid=0&repo=AirQuality&cr=1>

PROPOSED REGULATION

North Carolina Coastal Management The Coastal Resources Commission has proposed a rule to amend its administrative rules in order to require a minimum of two growing seasons before planted vegetation can be used for oceanfront setback determinations and to extend the General Permit expiration date to 180 days.
<https://www.deq.nc.gov/permits-rules/rules-regulations/deq-proposed-rules/proposed-rules#15ANCAC07H0305-MinimumGrowingSeasonforPlantedVegetation-12853>



KENTUCKY

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

FINAL REGULATION

Kentucky Control of Asbestos Emissions from Asbestos Abatement Projects The Energy and Environment Cabinet has adopted rulemaking regarding the control of asbestos emissions from asbestos abatement projects. Effective July 20, 2023. <https://apps.legislature.ky.gov/law/kar/titles/401/058/040/>

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. 11, 2023 and will adjourn on Jan. 5, 2025.

FINAL LEGISLATION

Illinois HB 1190 This act pertains to proposed actions for owners of underground natural gas storage facilities to prevent and clean up releases. Effective Jan, 1, 2024.

<https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=103-0120>

Illinois HB 2776 This act pertains to community water suppliers and the replacement of lead pipes or lead service lines. Effective June 30, 2023. <https://www.ilga.gov/legislation/publicacts/103/103-0167.htm>

Illinois HB 2788 This act pertains to the Environmental Protection Act and authorizes the extension of mutually agreed deadlines for the submittal of enforcement-related items. Effective June 30, 2023.

<https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=103-0168>

Illinois HB 2901 This act would provide that the Illinois EPA may require an RA for a site to make an advance partial payment of \$2,500 (rather than an advance partial payment not exceeding \$5,000 or one-half the total anticipated costs of the Agency, whichever sum is less). Effective June 30, 2023.

<https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=103-0172>

Illinois SB 203 This act would provide that for any person applying a pesticide that results in exposure to the pesticide by a human, the penalty shall be \$2,500. Effective June 9, 2023.

<https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=103-0062>

Illinois SB 1563 This act pertains to the testing of drinking water for microplastics. Effective Jan. 1, 2024.

<https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=103-0093>

Illinois SB 1804 This act would provide that, notwithstanding any other provision of law, use of a refrigerant is not prohibited or otherwise limited if the refrigerant is identified as a safe alternative under a specified federal statute and is contained within equipment that is listed and installed in accordance with specified federal safety standards and use conditions. Effective June 30, 2023.

<https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=103-0230>

PROPOSED REGULATION

Illinois Definitions and General Provisions The Pollution Control Board has issued a notice announcing that docket number R24-8 has been reserved to accommodate any amendments to the 40 CFR 51.100(s) definition of volatile organic material (VOM) that EPA may adopt between Jan. 1, 2023 and June 30, 2023.

https://www.ilsos.gov/departments/index/register/volume47/register_volume47_27.pdf



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

FINAL LEGISLATION

Indiana HB 1138 This act would require the individual or entity having authority over a childcare facility or preschool to test the drinking water in the childcare facility or preschool before Jan. 1, 2025 to determine whether lead is present. Effective July 1, 2023. <https://iga.in.gov/legislative/2023/bills/house/1138/details>

Indiana SB 246 This act would transfer the authority to issue certificates for people who work on underground storage tanks in Indiana. July 1, 2023. <https://iga.in.gov/legislative/2023/bills/senate/246/details>

PROPOSED REGULATION

Indiana Title V Air Permit Fees The Department of Environmental Management has proposed amendments to 326 IAC 2-1.1-7, concerning Title V air permit fees. <http://iac.iga.in.gov/iac//20230705-IR-326230290PHA.xml.pdf>



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

PROPOSED LEGISLATION

Michigan SB 394 This act pertains to environmental protection permits.

<http://www.legislature.mi.gov/documents/2023-2024/billintroduced/Senate/htm/2023-SIB-0394.htm>

PROPOSED REGULATION

Michigan Revisions to the Michigan State Implementation Plan for the West Michigan Moderate Elements of the 2015 Ozone National Ambient Air Quality Standard The Department of Environment, Great Lakes, and Energy has issued notice of an opportunity to comment regarding revisions to the Michigan State Implementation Plan for the West Michigan Moderate Elements of the 2015 Ozone National Ambient Air Quality Standard.

<https://www.michigan.gov/-/media/Project/Websites/egle/Documents/Programs/AQD/State-Implementation-Plan/Notices-and-Activities/public-comment-period-revisions.pdf?rev=6a535079e31d48308400c68a95958da6>



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

FINAL REGULATION

Ohio General Operating Requirements - Tank Systems The Environmental Protection Agency has adopted rulemaking regarding general operating requirements for tank systems. Effective June 12, 2023.

<https://codes.ohio.gov/ohio-administrative-code/rule-3745-51-194>



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

PROPOSED LEGISLATION

Wisconsin AB 318 (SB 316) This act is related to aquatic plant management plans and permit exemptions.

<https://docs.legis.wisconsin.gov/2023/related/proposals/ab318.pdf>

PROPOSED REGULATION

Wisconsin Bureau of Wildlife Management Housekeeping The Department of Natural Resources has proposed amendments that impact invasive species, endangered species, and other wildlife management practices.

https://docs.legis.wisconsin.gov/code/register/2023/809A4/register/submit_proposed/cr_23_025/cr_23_025

MEET THE REC STAFF

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(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
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