



REC UPDATE

Monthly environmental news for DoD facilities in EPA Regions 1, 2 & 3



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GENERAL INTEREST

EPA Advises Facility Operators to Plan Ahead and Minimize Releases Due to Hazardous Weather Events

As hurricane season approaches, the Environmental Protection Agency (EPA) is issuing a Hazardous Weather Release Prevention and Reporting Alert to remind facility operators of certain regulations that require minimization of chemical releases during process shutdown operations. This alert is designed to increase awareness among facility operators about their obligation to operate facilities safely and report chemical releases in a timely manner. The alert specifies operational release minimization requirements and clarifies reporting requirements, including exemptions. Unlike some natural disasters, the onset of a hurricane is predictable and allows for early preparations to lessen its effect on a facility. Before hurricane force winds and associated storm surge flooding damage industrial processes, the alert recommends that operators take preventive action by safely shutting down processes, or otherwise operate safely under emergency procedures.

The alert and requirements are available at http://www.epa.gov/region4/r4_hurricanereleases.html.

In the event of a hazardous weather incident, please visit <http://www.epa.gov/naturalevents/> for updated emergency information.

Endangered Species Bulletin Focuses on DoD Endangered Species Program

The Department of Defense (DoD) and the military services work hard to ensure that soldiers have high-quality natural environments in which to train. They also work to defend, protect, and sustain our nation's natural resources for future generations. This edition of the bulletin highlights DoD stewardship efforts and successes and can be found at:

<http://www.fws.gov/endangered/bulletin/2011/spring2011.pdf?CFID=4727561&CFTOKEN=77669579>.

June 2011 is National Oceans Month

June has been declared National Oceans Month by presidential proclamation. More information can be found at: http://www.whitehouse.gov/sites/default/files/microsites/ceq/2011oceans.prc_rel.pdf?CFID=4730744&CFTOKEN=86448902.

DoD Requires ELAP-Accredited Labs for Environmental Restoration Data

DoD Instruction 4715.15, Environmental Quality Systems, 11 DEC 2006 was updated on 10 MAY 11. The revised Instruction can be viewed at <http://www.dtic.mil/whs/directives/corres/pdf/471515p.pdf>. This ruling was issued on 10 MAY 11 and is effective immediately.

Presidential Memorandum – Federal Fleet Performance

This memorandum directs that by 31 DEC 2015, all new light duty vehicles leased or purchased by agencies must be alternative fueled vehicles. It also requires federal agencies to disclose on the Agency website any executive fleet vehicles that are larger than a midsize sedan or do not comply with alternative fueled vehicle requirements. The memo also addresses the management of fleet inventory. For more information, go to:

<http://www.whitehouse.gov/the-press-office/2011/05/24/presidential-memorandum-federal-fleet-performance>.

Water Program Managers Conference Call

The next quarterly conference call of DoD Water Program Managers (aka "Water Warriors") in EPA Regions 1, 2, and 3 and NC will be held on 29 June 11 from 1000 - 1100. All DoD Water Quality Managers are invited to participate. An agenda will be forwarded prior to the call. For additional information or to request a certain topic/issue be discussed, contact Will Bullard at 757-341-0429 or william.bullard1@navy.mil.

Navy Tests "Green" Hybrid Diesel Trucks

By Darrell E. Waller, Naval Facilities Engineering Command Public Affairs

Navy engineers in San Diego, CA and Bangor, WA began testing diesel powered hybrid vehicle technology for possible deployment to Navy and Marine Corps bases worldwide. The program kicked off with the 12 MAY 11 delivery of two vehicles to the Naval Facilities Engineering Command Southwest Coastal Integrated Product Team (IPT) in San Diego. A second pair of trucks will be delivered to the recycling team in Bangor, WA in June. The Navy has commissioned a total of four test vehicles - two diesel hybrids and two conventionally powered trucks - that will be compared side by side for six months at the Bangor and San Diego sites. Each location will receive a single hybrid to be tested against a similar, non-hybrid model. Both sites will operate the trucks under normal conditions and the results will be compared at the end of the test period to determine potential fuel savings. "The testing in this phase will be compared to earlier baseline tests to determine how well the hybrids match up in the real world against their conventional counterparts," said Capt. Paz B. Gomez, Naval Facilities Engineering Service Center commanding officer. "This has the potential to save millions of dollars for the fleet and taxpayers, enabling the Navy to move closer to achieving the SECNAV's energy goals of 50 percent reduction in petroleum used in naval vehicles by 2015."

NAVFAC ESC is working with the sites to monitor critical operating data on the truck use and hybrid system status for the duration of the test period. The trucks will be required to undergo weekly inspections of the hybrid systems. The fleet managers, operators and service teams will provide input on the truck status throughout the demonstration period. One demonstration truck includes an innovative hybrid platform known as a hydraulic hybrid system, which works by charging an on-board gas accumulator. Its simple layout allows for rigorous use and frequent stops while delivering lower costs through high volume production. This type of technology becomes increasingly important with the rising costs of petroleum.

Hybrid electric systems will reduce noise, allowing quiet engine-off operation at low speeds or idling for work modes. This not only enhances environmental quality of life, but also improves safety and productivity. Line workers can better communicate without having to compete with diesel engine noise, and crews can work normal shifts without concerns about additional noise disturbance.

While improved fuel efficiency is a critical driver for this demonstration, the hybrid systems offer unique environmental benefits. The hybrid trucks' regenerative braking system will significantly eliminate the use of a conventional brake system. This not only avoids the downtime and cost of brake replacement, but it also avoids the fine particulate matter generated with each application of the brakes, better protecting air and water resources.

Test data will be released to other Department of Defense components and federal government organizations by 2012, and the technology may eventually benefit warfighters in all theaters.

New Multi-Agency Sustainability Acquisition Rule for EO 13514

The DoD, GSA, and NASA are issuing an interim rule amending the Federal Acquisition Regulation (FAR) to implement Executive Orders 13514, "Federal Leadership in Environmental, Energy, and Economic Performance," and 13423, "Strengthening Federal Environmental, Energy, and Transportation Management." Although the Interim Rule is effective immediately, comments will be accepted until August 1, 2011 and will be used in developing a final rule [[76 FR 31395](http://www.federalregister.gov) May 31, 2011]. The rule affects all new contracts including micro-

purchases (credit card), and new delivery orders on existing contracts. A 95% compliance goal has been established, and applies to contracts within the United States, except those for weapon systems. Additionally agency heads may exempt law enforcement of national security activities and facilities. This interim rule requires Federal agencies to leverage agency acquisitions to foster markets for sustainable technologies, materials, products, and services. Federal agencies are additionally required to implement high-performance sustainable building design, construction, renovation, repair, commissioning, operation and maintenance, management, and deconstruction practices in applicable acquisitions. Contractors will be required to support the goals of an agency's environmental management system. This rule requires agencies to provide for the following:

- To specify needs for printing and writing paper with 30% postconsumer fiber minimum.
- To issue in contracting solicitations and clauses that when printing use double sided paper with at least 30% postconsumer fiber content, when not using electronic means.
- To measure and assess the effect of Federal contracting for promoting sustainable technologies, materials, products, and high performance sustainable buildings. To be accomplished by collecting and reporting data on sustainable acquisition, including types of products purchased, purchase costs.
- To procure biobased products, products with recovered materials, environmentally preferable products and services, Energy Star and Federal Energy Management Program-designated products, renewable energy, water efficient products, and non-ozone depleting products.
- To comply with the Guiding Principles for Federal Leadership in High-Performance and Sustainable Buildings for the design, construction, renovation, repair, or deconstruction of federal buildings http://www.wbdg.org/pdfs/hpsb_guidance.pdf.
- To ensure facilities and operations maximize use of energy-savings performance contracts (ESPC) when cost effective, to reduce energy use and cost.

Additionally, contractor compliance with Federal environmental requirements, when the contractor is operating Government-owned facilities or vehicles, to the same extent as the agency would be required to comply if the agency operated the facilities or vehicles. Also the rule defines Renewable Energy, Sustainable Acquisition, and Water Consumption Intensity.

New Bio-based Penetrating Lubricants are Available

The Defense Logistics Agency (DLA) Aviation Engineering has increased the availability and use of “green” products by successfully introducing a new family of [bio-based products](#) into the federal supply system. Engineers in the Hazardous Minimization and Green Products Branch collaborated with Aviation Supplier Operations’ Chemicals/Petroleum, Oils and Lubricants/Gases Integrated Supplier Team to provide qualified, less hazardous products for use by our military service customers. Penetrating lubricants are chemicals designed to lubricate moving parts on equipment susceptible to rusting. DLA Aviation and National Defense Center for Energy and Environment (NDCEE) performed an in-depth comparative analysis of bio-based items to determine if they would meet DoD performance requirements. For penetrating lubricants, DoD Standard A-A-50493B (Oil, Penetrating (for Loosening Frozen Metallic Parts)) outlines the basic criteria that any bio-based product would have to meet. After careful examination, two commercial bio-based products (Environmental Logic 38 and Bio-Blast) met the specification requirements on paper. In almost every case, the bio-based products performed as well or better than the baseline petroleum-based product. The new bio-based penetrating lubricants have NSNs and these products are now readily available.

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.

AIR

Initiative Afoot to Control Diesel Emissions on Construction Projects

The EPA is interested in reducing emissions from diesel engines on construction sites. The Northeast Diesel Collaborative (NEDC) is working on draft model contract specifications for the implementation of clean construction strategies and technologies at this time. Anyone interested in participating on the NEDC Clean Construction Workgroup to discuss the current issues in the construction industry with a variety of stakeholders can contact Jenna Salomone at USEPA Region 2 at 212-637-3741. Conference calls are held on the 4th Thursday of every month at 10:00 a.m. If you join the group, you are in no way obligated to participate on the calls and can be removed from the mailing list at any time. The model contract specifications can be found at information can be found at: <http://www.northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf>.

WATER

Searchable Website for Water Quality Violations

The EPA has improved the availability and usability of drinking water data in the Enforcement and Compliance History Online (ECHO) tool. ECHO now allows the public to search to see whether drinking water in their community met the standards required under the Safe Drinking Water Act (SDWA), which is designed to safeguard the nation's drinking water and protect people's health. SDWA requires states to report drinking water information periodically to EPA. ECHO also includes a new feature identifying drinking water systems that have had serious noncompliance.

The new Safe Drinking Water Act information on EPA's website provides:

- Users with information about whether their drinking water has exceeded drinking water standards.
- A serious violators report that lists all water suppliers with serious noncompliance.
- The 2009 EPA National Public Water Systems Compliance Report, which is a national summary of compliance and enforcement at public drinking water systems.

The serious violators list identifies water systems that have had serious noncompliance due to a combination of unresolved violations. The data in ECHO shows that overall, the number of systems identified as serious violators continues to decrease due to lead agencies, in most cases the states, more efficiently addressing serious noncompliance. Currently, approximately 4 percent of all public water systems are considered serious violators.

Under the SDWA, water suppliers are required to promptly inform customers if drinking water has been contaminated by something that could cause immediate illness or impact people's health. If such a violation occurs, the water system will announce the violation and provide information about the potential health effects, steps the system is taking to correct the violation, and the need to use alternative water supplies (such as boiled or bottled water) until the problem is corrected. Systems inform customers about violations of less immediate concern in the first water bill sent after the violation, in a Consumer Confidence Report, or by mail.

The enforcement goals for clean water include working with states and tribes to ensure clean drinking water for all communities and improving transparency by making facility compliance data available to the public. The release of drinking water violations data in ECHO advances these goals and creates additional incentives for government agencies to improve their reporting of drinking water violations and increase efforts to address those violations.

For more information, go to the Safe Drinking Water Act search page:
http://www.epa-echo.gov/echo/compliance_report_sdwa.html.

The Enforcement and Compliance History Online tool can be found at: <http://www.epa-echo.gov/echo/>. The REC recommends all installations examine their status in ECHO on a periodic basis.

CHESAPEAKE BAY

EPA Applauds Maryland Lawn Fertilizer Bill for Helping Meet Chesapeake Bay Pollution Diet Goals

The Maryland House and Senate recently passed legislation that will minimize polluted runoff from lawns and achieve measureable reductions in nitrogen and phosphorus to local waterways and the Chesapeake Bay. "Limiting the use of fertilizer on commercial and residential lands is one of the most cost-effective ways of reducing harmful pollutants that make their way into our rivers and streams," said EPA mid-Atlantic Regional Administrator Shawn M. Garvin. Garvin especially acknowledged the work of members of the Chesapeake Bay Commission for helping to usher in this new legislation: Delegate Hubbard, Senator Frosh, Delegate McIntosh, Senator Middleton, and retired Maryland Senator Bernie Fowler. The bill will help the state meet its commitments as part of a rigorous pollution diet or TMDL for meeting water quality standards in the Chesapeake Bay and its tidal tributaries, and restoring local rivers and streams throughout the 64,000-square-mile Bay watershed. Maryland, Delaware, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia are expected to have all nutrient-reduction practices in place to meet the limits in the pollution diet by 2025, with 60 percent of the effort completed by 2017.

For more information about the Chesapeake Bay TMDL visit: <http://www.epa.gov/chesapeakebaytmdl/>.

USS Harry S. Truman Gives Back – Oyster Shells Laid to Protect Living Shoreline

Volunteers from the aircraft carrier USS Harry S. Truman worked with the Chesapeake Bay Foundation to restore a living shoreline in Gloucester County on Monday. They placed approximately 49,000 pounds of oyster shells in Sarah Creek to help protect the shoreline, enhance water quality, and increase natural habitat. "When we create a living shoreline and put sand behind the oyster bag sill, we're going to have more habitat area for the herons, the blue crabs, and all kinds of wildlife," said property owner Charles Hogge. According to the Chesapeake Bay Foundation, living shorelines are simply shorelines altered by man to prevent the effects of erosion by planting marsh vegetation, nourishing the beach with additional sand, and installing low-profile oyster reefs, breakwaters and sills. A living shoreline also produces a natural filter against pollutants. "We're also gonna wash all the water that comes off the ground before it hits the creek through all the sand and through the oyster shells. Just the mere fact that each oyster shell will filter 50 gallons of water a day is in itself a huge benefit," said Hogge. Living shorelines have proven to be effective at controlling erosion in other states. "It really is a win-win. The fact that you can actually marry shoreline protection and increase habitat value at the same time, it's just a wonderful thing," said Walter Priest with the National Oceanic and Atmospheric Administration. The next phase in the Gloucester County project is to replenish sand and plant marsh grass sometime in the future.

New Decision on Natural Gas Drilling Site Outside of the Chesapeake Bay

On 27 MAY 11, pending off shore drilling legislation [[H.R. 1230](#)] was canceled. The bill included a lease sale of an ocean parcel located 50 miles off the Virginia coast near the mouth of the Chesapeake Bay called [Lease Sale 220](#). The Obama administration instituted a seven year ban on drilling off the Virginia coast on the basis that drilling activities in that area would have severely impacted critical training areas for the U.S. Navy. The Department of Defense released a [report on Virginia drilling](#) in which DoD concluded that more than 78% of the Lease Sale 220 area would occur in areas where military operations would be impeded by drilling structures and related activities. The remaining 22% of the lease area contains major commercial shipping channels for Norfolk and the Chesapeake Bay and this would also have conflicted with drilling operations.

Blue Plains Nutrient Removal and Sustainability Projects

In May 2011, the District of Columbia Water and Sewer Authority broke ground on two projects at the Blue Plains Advanced Wastewater Treatment Plant that will increase water quality and help protect the Chesapeake Bay. The \$1.4 billion upgrades will enable Blue Plains to reduce the amount of nutrients, nitrogen, and phosphorus discharged to the Potomac River. The Blue Plains wastewater treatment plant processes an average of 370 million gallons of wastewater per day from customers in the District of Columbia, Maryland, and Virginia. The new facilities will bring Enhanced Nutrient Removal online at Blue Plains by 2014, in time to meet pollution reduction goals set by USEPA and Chesapeake Bay Program. Blue Plains will also become the first facility in North America to apply a process that treats sewage sludge and generates electricity in the process. Anaerobic digesters will utilize thermal hydrolysis to pressure-cook bio-solids, breaking them down into simpler compounds, reducing their volume, and producing a methane-based gas that will be used generate enough electricity to meet one-third of Blue Plain's heat and power needs. The process will reduce carbon emissions and cut the amount of bio-solids to be disposed at the end of the process in half.

ENERGY

New Operational Energy Strategy is Published

For the first time, the DoD is publishing a strategy to transform the way the Department consumes energy in military operations, consistent with 10 U.S.C. § 138c. Section 138c establishes an Assistant Secretary of Defense for Operational Energy Plans and Programs¹ (ASD(OEPP)) and directs the production of an Operational Energy Strategy for the Department of Defense. The mission of the ASD(OEPP) is to promote the energy security of military operations through guidance for and oversight of Departmental activities and investments.

The DoD Operational Energy Strategy sets the overall direction for operational energy security for the Office of the Secretary of Defense (OSD), Combatant Commands, Defense Agencies, and Military Departments/Services (hereinafter "DoD Components"). Within 90 days of the publication of this strategy, the Department will release an implementation plan, which will include specific targets and timelines for achieving this strategy in the near-, mid-, and long-term. Annual updates to the strategy and implementation plan will include specific performance metrics, as directed by section 138c. Together, these documents will form the basis of the ASD(OEPP)'s annual certification of Departmental budgets, as required by law.

Energy security is critical to national security. As described in the 2010 Quadrennial Defense Review (QDR), energy security for the DoD means having assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs. The Department's energy portfolio includes the energy used at military installations in the United States and overseas as well as the energy used by military forces in execution of their day-to-day missions. This strategy focuses on the energy used by military forces in their day-to-day missions.

For more information, go to:

http://energy.defense.gov/OES_report_to_congress.pdf?CFID=4889282&CFTOKEN=53128828.

REGION 1



CONNECTICUT

Note: The Connecticut General Assembly convened on 5 JAN 11 and adjourned on 8 JUN 11.

Proposed Legislation

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

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.



MASSACHUSETTS

Note: The Massachusetts General Court meets throughout the year.

Proposed Legislation

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

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.

Cleanup Decisions Reached for Camp Edwards

The EPA and the Commonwealth of Massachusetts have reached another cleanup decision regarding a former military training and contractor testing area at Camp Edwards on the Massachusetts Military Reservation (MMR). This decision marks a final cleanup strategy for MMR's J1 Range and its two affiliated "northern and southern" groundwater plumes. Three plumes and multiple soil areas on Camp Edwards await final cleanup decisions. For more information, go to:

<http://yosemite.epa.gov/opa/admpress.nsf/0/ed524b82e3040b36852578a100578a21?OpenDocument&CFID=4727560&CFTOKEN=18872514>.



MAINE

Note: The Maine General Assembly convened on 1 DEC 10 and adjourned on 15 JUN 11.

Legislation

ME H 266 Snow Dump Rules – This legislation was enacted on 23 MAY 11 and directs the Department of Environmental Protection to amend its rules regarding snow dumps to exempt from the waste discharge licensing requirement any snow dump operation controlled by a municipality for the primary purpose of removing accumulated snow from public rights-of-way for the safety and convenience of the traveling public.

ME H 461 Radon Registration Act - This legislation was enacted on 25 MAY 11. It amends the Radon Registration Act, updates the lead agency name, clarifies who the act applies to, requires registration, makes new construction comply with the Maine Uniform Building and Energy Code, and requires the Department of Health and Human Services to set fees by rule.

ME H 751 Environmental Protection Reporting Requirements – This legislation was enacted on 23 MAY 11. It repeals a requirement that the Commissioner of the DEP conduct a review related to the permit by rule system and makes any recommendations concerning additional categories of permits. It also repeals requirements that the Department evaluate implementation of California low-emission vehicle standards and monitoring of levels of MTBE in shipments of gasoline to storage terminals. It also exempts agricultural producers from certain water withdrawal reporting requirements.

ME H 783 Rental Housing Radon Testing Requirement – This legislation was enacted on 26 MAY 11. It amends current law requiring the owners of residential rental property to begin testing the air in their rental properties for the presence of radon by 2012 by moving back the date by which testing must be done to 1 MAR 14.

ME H 1020 Natural Resources Protection Act – This legislation was enacted on 6 JUN 11. It amends the exemption for certain maintenance and repair activities in the Natural Resources Protection Act, eliminates a longstanding duplicate exemption applying to stream crossings, replaces the exemption for certain existing road culverts in the Natural Resources Protection Act, and provides that a permit is not required for the repair and maintenance of an existing crossing or for the replacement of an existing crossing in any protected natural resource area as long as certain conditions are met.

ME S 145 Mercury Added Lamps – This legislation was enacted on 9 JUN 11. It authorizes the use of crushing devices in a mercury-added lamp recycling program. Under the bill, the owner of the crushing device must register with the Department of Environmental Protection, develop an operating manual for safely crushing mercury-added lamps, document maintenance activities, meet federal Occupational Safety and Health Administration requirements, dispose of all material crushed in the device, and maintain an annual report for review by the Department of Environmental Protection.

ME S 148 Water Quality and Waste Discharge – This legislation was enacted on 1 JUN 11. It revises water quality standards to establish waste discharge license parameters and establishes procedures for developing alternative state and site- specific water quality standards. It also relates to required mercury testing, inorganic arsenic, waste discharge license limits for toxic substances and applicable effluent limitations. Finally, it provides that any limitations for metals in a waste discharge license may be expressed only as mass-based limits.

ME S 266 Storm Water Permits – This legislation was enacted on 23 MAY 11. It directs the Department of Environmental Protection to amend its rules relating to the Natural Resources Protection Act and the laws governing site location of development and storm water to provide that permits issued with respect to these laws are valid for 4 years after they are issued and that a person who holds such a permit has 7 years to complete a project pursuant to such a permit.

Regulation

ME 9625 2010 Source Surveillance/Emissions Monitoring – This regulation was adopted on 18 MAY 11. The purpose of the repeal and replacement of this rule is to clarify, update and standardize requirements for air emission sources that are required to continuously monitor their emissions. The intent is to clarify the procedural protocol for continuous emissions monitoring that is required by air emissions operating permits. In addition, there has been a significant improvement in emissions monitoring technology since that time. This rule enables the owners and operators, as well as Department staff to better analyze and quantify emissions and provides a clear protocol for making a determination that sources are, or are not, in compliance with their established permit requirements. It clarifies the protocol for existing gaseous pollutant monitoring as well as providing a standard protocol for emerging gaseous pollutant monitoring that is anticipated to increase over the next decade.

Approval of Perchloroethylene Air Emissions Standards for Dry Cleaning Facilities

Pursuant to section 112(l) of the Clean Air Act and Federal regulations promulgated thereunder, the Maine Department of Environmental Protection ("ME DEP") submitted a request for approval to implement and enforce the amended "Chapter 125: Perchloroethylene Dry Cleaner Regulation" (Maine Dry Cleaner Rule) as a partial substitution for the amended National Emissions Standards for Hazardous Air Pollutants for Perchloroethylene Dry Cleaning Facilities ("Dry Cleaning NESHAP"), as it applies to area sources. EPA has reviewed this request and has determined that the amended Maine Dry Cleaner Rule satisfies the requirements necessary for partial substitution approval. Thus, EPA is hereby granting ME DEP the authority to implement and enforce its amended Maine Dry Cleaner Rule in place of the Dry Cleaning NESHAP for area sources, but EPA is retaining its authority with respect to major source dry cleaners and dry cleaners installed in a residence between July 13, 2006, and June 24, 2009. This approval makes the amended Maine Dry Cleaner Rule Federally enforceable. This direct final rule will be effective 25 JUL 11.

Naval Air Station Brunswick Marks End to Service

Naval Air Station Brunswick was disestablished on 31 MAY 11, ending a 68 year naval history and embarking on a new journey with the Mid-Coast Regional Redevelopment Authority. For more information, go to: http://www.navy.mil/search/display.asp?story_id=60709.



NEW HAMPSHIRE

Note: The NH General Court convened on 5 JAN 11 and adjourns on 1 JUL 11.

Legislation

NH H 27 River Protection – This legislation was enacted on 5 MAY 11. It permits the commissioner of the department of environmental services to approve certain permanent alterations which have de minimis impact to or restore channel geomorphic characteristics, requires tributaries and segments of rivers designated for protection to be listed in the same paragraph, and extends the time before septage and sludge land application restrictions apply.

Regulation

NH 7567 Rules for Reimbursement – This regulation was adopted on 10 MAY 11. It clarifies rules regarding reimbursement of petroleum spill cleanup costs under current statute, requires additional documentation to verify eligible costs, and extends compliance date for preventing spills for owners of on-premise-use heating oil tanks to 1 JUL 15.

NH 7612 2011 Prevention, Abatement, and Control of Air Pollution – This regulation was adopted on 1 MAY 11. It readopts and amends rules that establish requirements for open burning, fugitive dust, and firefighter instruction and training activities. It sets forth general open burning requirements, authorizes certain materials to be burned in the open, and identifies materials that are prohibited from being burned in the open. It also establishes limitations on particulate emissions from certain activities and establishes procedures for minimizing emissions of particulate matter and toxic air pollutants from firefighter instruction and training activities. Finally, it deletes the requirement for open burning to not create a nuisance, provides more detail for the precautions needed to prevent fugitive dust, and amends forms.

NH 7625 Permit Fee System – This regulation was adopted on 26 APR 11. It relates to the NO_x emissions reduction fund fee and establishes the calculations and payment requirements for permit fees for permits issued under RSA 125-C. It also clarifies the definition of regulated air pollutant.

NH 7643 Volatile Organic Compounds – This regulation was adopted on 1 JUN 11. It will to control the emission of volatile organic compounds from certain processes by establishing Reasonably Available Control Technology. It also restructures rules from PART Env-A 1204 to Chapter Env-A 1200, and incorporates 9 control technique guidelines issued by the US EPA.

NH 7664 Statewide Permit System – This regulation was adopted on 26 APR 11. It re-adopts rules that establish a permit system for the construction, operation, and modification of new and existing stationary sources, area sources, and devices in order to achieve and maintain ambient air quality standards and the ambient air limits for regulated toxic air pollutants.

NH 7665 Permit Application Forms – This regulation was adopted on 3 MAY 11. It re-adopts rules that identify the information that is required on applications submitted to the Department for air-related permits.

NH 7666 Pollutant Annual Budget Trading and Banking Program – This regulation was adopted on 13 MAY 11. It re-adopts rules that implement RSA 126-O, relative to a multiple pollutant annual budget trading and

banking program. It also includes the method for allocating allowances and the requirements for emissions monitoring, recordkeeping, reporting, and automatic deduction of allowances to offset emissions.



RHODE ISLAND

Note: The RI General Assembly convened on 4 JAN 11 and adjourns on 1 JUL 11.

Legislation

RI H 5389 State Affairs and Government – This legislation was enacted on 8 JUN 11. It addresses expiration periods pertaining to any approval or permit issued pursuant to any state statute or any regulation promulgated thereto pertaining to the development of property by the Department of Environmental Management, issued through local zoning ordinances, and issued by the Coastal Resources Management Council.

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.



VERMONT

Note: The Vermont General Assembly convened on 5 JAN 11 and adjourned on 31 MAY 11.

Legislation

VT H 11 Pharmaceutical Waste Discharge – This legislation was enacted on 17 MAY 11. It states that the discharge of pharmaceutical waste to state waters is prohibited unless such a discharge is permitted by the agency of natural resources. It also requires the Secretary of Natural Resources, after consultation with the Secretary of Human Services, to report to the General Assembly with a recommended state program for the take-back, collection, and disposal of unused or discarded prescription drugs.

VT H 26 Nonagricultural Turf Fertilization – This legislation was enacted on 19 MAY 11. It will prohibit the application of fertilizer containing phosphorus or nitrogen to nonagricultural turf unless certain conditions are satisfied. It also prohibits the application of any fertilizer to an impervious surface or within 25 feet of a water of the state. It relates to golf courses, relates to labeling and signposting of phosphorous fertilizer and the threat it poses to water quality and provides that golf courses should have a nutrient management plan.

VT H 34 Mercury-Containing Lamps – This legislation was enacted on 17 MAY 11. It will require manufacturers of mercury-containing lamps to implement a collection and disposal program. It will also require

that a manufacturer of a mercury-containing lamp shall not sell, offer for sale, or deliver to a retailer for subsequent sale a mercury-containing lamp unless the manufacturer is implementing an approved collection plan, has paid a fee, has demonstrated that no alternative non-mercury energy efficient lamp is available, and has fulfilled other requirements.

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.

REGION 2



NEW JERSEY

The New Jersey Legislature meets throughout the year.

Legislation

NJ S 2295 Disclosure Requirement Exemptions – This legislation was enacted on 9 MAY 11. It provides certain exemptions from disclosure requirements for licensing of solid waste and hazardous waste operations for a business that is a secondary business activity corporation, a publicly traded corporation, or an institutional investor, including limited partnership interests, that is not the applicant, licensee, or permittee but which is listed in the disclosure statement of an applicant, licensee, or permittee provided that such entities will not have any controlling interest in the operations.

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.

NJ Files Appeal against Delaware River Deepening

The State of New Jersey has filed an appeal with the U.S. Court of Appeals seeking to overturn lower court rulings that would allow the deepening of the Delaware River to move forward despite a lack of updated environmental impact studies. "We remain steadfast in our belief that the U.S. Army Corps of Engineers must be compelled to openly and thoroughly assess the impacts that deepening the shipping channel would have on the ecology of the river, including impacts to South Jersey's wetlands," Department of Environmental Protection (DEP) Commissioner Bob Martin said. "It is irresponsible for the Army Corps to move ahead with this project without addressing New Jersey's concerns and without completely updating testing for contaminants."

If the project moves ahead, millions of tons of sediments would be dumped in confined disposal facilities along ecologically sensitive creeks and wetlands in Gloucester and Salem counties. The appeal, filed in the Third Circuit in Philadelphia by the Attorney General's Office, seeks to overturn rulings by U.S. District Court judges in New Jersey and Delaware who dismissed New Jersey's demand for new studies. The Army Corps' Philadelphia District is responsible for planning and implementing the project to deepen the river's 102-mile shipping channel between Camden and the mouth of Delaware Bay. New Jersey argues the Army Corps violated conditions of the National Environmental Policy Act, Clean Water Act, and Coastal Zone Management Act by failing to perform new environmental impact analyses that would address changes in the deepening project and provide more and complete testing of contaminants in river sediments. The majority of the Army Corps' environmental analyses were done in 1997, with limited updates. DEP testing shows river sediments contain elevated levels of PCBs, metals, polycyclic aromatic hydrocarbons and other contaminants.

The state's appeal notes that the Army Corps relied on limited and outdated data, largely of sediment samples taken from routine maintenance dredging, and did not adequately sample sediments from channel bends and side banks, areas that are likely to be the most contaminated. Furthermore, DEP alleges that the Army Corps failed to

review the limited samples it did have from these areas even though DEP pointed out this deficiency and questioned the reasonableness of relying on sampling of sediments from routine maintenance dredging. Finally, the DEP reviewed Army Corps testing of effluent discharged from sediments the Corps placed last year at the Killcohook Confined Disposal Facility in Salem County as part of the first phase of the deepening project, a 12-mile stretch in Delaware waters. The DEP review found elevated levels of selenium, copper, mercury, aluminum and cyanide that could affect surface water quality in the area, located near a federal wildlife refuge.

To view the appeal, go to: <http://www.nj.gov/dep/docs/20110518delaware.pdf>.



NEW YORK

The New York State Legislature meets throughout the year.

Proposed Legislation

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

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.

NY Announces Initiative to Keep Lake Ontario Waters Clean

Seeking to safeguard water quality and improve recreation, state officials are calling for New York's portion of Lake Ontario to be designated as a "Vessel Waste No-Discharge Zone" by the EPA. A no-discharge zone means that boaters are banned from discharging their on-board sewage into the water. They must instead dispose of it at specially designated pump-out stations. For more details, go to <http://www.dec.ny.gov/press/74650.html>.

REGION 3



DISTRICT OF COLUMBIA

Note: The Council of the District of Columbia meets twice per month throughout the year.

Proposed Legislation

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

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.



DELAWARE

Note: The Delaware General Assembly convened on 5 JAN 11 and adjourns on 30 JUN 11.

Proposed Legislation

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

Regulation

DE 2437 2009 Surface Water Quality Standards – This regulation was adopted on 17 MAY 11. These amended Surface Water Quality Standards are the result of a comprehensive review of the Standards that started with DNREC Start Action Notice #2008-24, approved on 29 OCT 08. To ensure compliance with the Clean Water Act and satisfy EPA requirements, the State of Delaware, in accordance with 7 Del.C. §6010, will amend the State of Delaware Surface Water Quality Standards (as amended 11 JUL 04).

DE 2619 2010 Water Quality Regulations – This regulation was adopted on 21 APR 11. It brings the River Basin Commission's criteria for toxic pollutants into conformity with current guidance published by the US Environmental Protection Agency and provides a more consistent regulatory framework for managing the tidal portion of the main stem Delaware River.

DE 2712 Coastal Management Program Federal Consistency – This regulation was adopted on 13 MAY 11. This action will update the existing list of Federal licenses and permits for which Delaware Coastal Management Program (DCMP) conducts Federal Consistency reviews and will establish a new list of federal activities occurring outside of State boundaries for which DCMP will conduct Federal Consistency reviews. There are no new regulations being introduced through this process. The update and changes to the Delaware Federal Consistency Policies and Procedures are considered a Routine Program Change under the NOAA Statute (15 CFR 923.84(a)).



MARYLAND

Note: The Maryland General Assembly convened on 12 JAN 11 and adjourned on 11 APR 11.

Legislation

MD H1033 Lead Risk Reduction Standard - This legislation was enacted on 19 MAY 11. It alters the requirements for the owner of an affected property to satisfy a specified lead risk reduction standard and alters the performance components required under a specified modified risk reduction standard. It also alters the information that the owner of an affected property is required to submit to verify satisfaction of a modified risk reduction standard. Regarding inspections, it requires a study to evaluate processes that reduce the incidence of lead poisoning in rental dwellings.

Regulation

MD 11028 2011 Emergency Generators – This regulation was adopted on 12 MAY 11. It amends rules regarding permits, approvals, registration, emergency generators and load shaving units. It renumbers rules pertaining to distributed generation and load shaving. It relates to control of fuel-burning equipment, stationary internal combustion engines, and certain fuel-burning installations.



NORTH CAROLINA

Note: The NC General Assembly convened on 26 JAN 11 and adjourns on 5 AUG 11.

Proposed Legislation

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

Proposed Rule

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

**PENNSYLVANIA**

Note: The Pennsylvania General Assembly meets throughout the year.

Proposed Legislation

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

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.

DEP Challenges EPA's Approach to Chesapeake Bay Stormwater Regulation

The PA Department of Environmental Protection (DEP) has written a letter to the EPA expressing concerns about EPA's approach to requiring stormwater controls in the Chesapeake Bay watershed and saying the \$5.3 billion estimated cost is "extraordinary" given stormwater's contribution of only 6 percent of the nutrient load to the Bay. "The urban stormwater sector is identified as contributing only approximately 6 percent of the problematic load.

EPA contractors have estimated that it will cost municipalities \$5.3 billion to address the problem," said DEP Secretary Michael Krancer. "This extraordinary cost is simply not reasonable, not cost effective and not likely to result in significant needed environmental gains and comes at a time when local governments are in significant economic distress." DEP said the problem is based, in part, on assumptions made by EPA in the Chesapeake Bay Watershed TMDL. DEP further explained the model inputs can have as much as a 15 percent error rate and includes mining impacts in the urban stormwater section of the model. Another concern for DEP is that EPA is using counties as a basis for calculating runoff volumes and loads in the model, rather than Pennsylvania's traditional local governments-- townships and boroughs-- unnecessarily bringing a broader area under regulation.

"Pennsylvania has articulated these reservations to EPA for quite some time, and has been frustrated with the lack of collaborative dialogue on these issues," said Secretary Krancer. "DEP has also been further disheartened and frustrated by the lack of support and acknowledgement by EPA of Pennsylvania's strong stormwater management program. For more information about this topic, go to:

[http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=19303&SubjectID=.](http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=19303&SubjectID=)

A copy of the letter that DEP sent to EPA can be found at:

https://docs.google.com/viewer?a=v&pid=explorer&chrome=true&srcid=0B4Y3VQLxjkxOOTMxNTk4M2EtODdjYS00MwYxLWl1MDgtNDcyNTkwNDk0NGEw&hl=en_US.



VIRGINIA

The Virginia Legislature convened on 12 JAN 11 and adjourned on 26 FEB 11.

Legislation

VA H1723 Encroachment on Subaqueous Beds - This legislation was enacted on 24 MAR 11. It relates to permits for encroachment of subaqueous beds which are the Commonwealth's property. It also increases the value of projects eligible for an expedited administrative permit review before the Commissioner from \$50, 000 to \$500,000.

VA H1737 Stormwater Management Systems Regulation - This legislation was enacted on 24 MAR 11. It regulates stormwater management systems and makes technical changes regarding a locality's authority to regulate stormwater management systems. It also provides that income derived from a utility or system of charges shall be dedicated special revenue, may not exceed the actual costs incurred by a locality operating under the provisions of this section, and may be used only to pay or recover specified costs. It relates to water monitoring, public education, watershed planning, inspection, and pollution prevention.

VA H2041 Federal Security Installation Relocation - This legislation was enacted on 24 MAR 11. It allows any commission created by executive order to study and make recommendations concerning the prevention of closure and realignment of federal security installations in Virginia to withhold from public disclosure specified records relating to the relocation of national security facilities. It also allows those portions of meetings where such records are discussed to be closed to the public.

VA S964 Coastal Resources Management - This legislation was enacted on 29 APR 11. It requires localities in the Tidewater area to include coastal resources management guidance developed by the Virginia Institute of Marine Science (VIMS) in the next comprehensive plan. The Virginia Marine Resources Commission, in cooperation with the Department of Conservation and Recreation and VIMS, shall establish and implement a general permit regulation that authorizes and encourages the use of living shorelines as the preferred alternative for stabilizing tidal shorelines in the Commonwealth. The Commission shall develop integrated guidance for the management of tidal shoreline systems to provide a technical basis for the coordination of permit decisions required by any regulatory entity exercising authority over a shoreline management project.

VA SJR 334 Chesapeake Bay Watershed Nutrient Credit Exchange - This legislation was enacted on 24 FEB 11. It requests that the Secretary of Natural Resources study the expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program. It states that in conducting the study, the Secretary of Natural Resources shall convene a stakeholder committee to include representatives from the nutrient source sectors identified in the Chesapeake Bay Total Maximum Daily Load, private sector interests with experience and expertise in market-based approaches to nutrient credits and trading, and state agency personnel.

Proposed Rule

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



WEST VIRGINIA

The West Virginia Legislature convened 12 JAN 11 and adjourned mid-MAR 11.

Proposed Legislation

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

Proposed Rule

No new environmental regulations of significant importance to the DoD were identified during this reporting period.

PROFESSIONAL DEVELOPMENT

Conferences

Air & Waste Management Association Annual Conference, 21 – 24 JUN 11, Orlando, FL

The theme is "Beyond All Borders" and focuses on regional topics related to the Gulf of Mexico Oil Spill; air quality modeling; carbon dioxide; environmental management of ports, marinas and shipyards; waste disposal on the Gulf Coast, environmental issues related to transportation, and electronic waste will be presented. More information can be found at: <http://www.awma.org/ace2011/>.

DoD Sustaining Military Readiness Conference, 25-29 JUL 11, Nashville, TN

DoD personnel and stakeholders interested in military training and testing, natural and cultural resources management, and sustainable and compatible land, air, sea, and frequency use topics are invited to explore the interdisciplinary nature of sustaining military readiness, share lessons learned and best practices among colleagues and stakeholders, and participate in a broad spectrum of informative training workshops. Detailed agenda, lodging and travel information can be found at www.smrconference.com.

11th National Motor Vehicle and Aviation Training and Exposition (FedFleet), 26-28- JUL 11, Orlando, FL

FedFleet 2011 is a unique, one-stop educational experience that consolidates a comprehensive collection of fleet management, automotive procurement, aviation and marine educational sessions into a single venue. FedFleet 2011 will include GSA's Automotive Federal Vehicle Standards breakout sessions, manufacturers' panels (one for automotive, one for aircraft), a special Tuesday evening event, more Monday pre-conference activities than ever before (including a personal development workshop) and an all-day, optional pre-conference class on Basic Fleet Management. There will also be a full day of aircraft training even before the conference officially begins. Also, there will be additional breakout sessions for marine vessels and a full day of training on Thursday. For more information, go to: <http://www.fedfleet.org/>.

Greening the Procurement Cycle: The Benefits and Requirements of Greening for Government Procurement Officers, 27-28- JUL 11, Washington, DC

The training addresses each component of the federal green-purchasing program, including compliance with legal requirements and Federal Acquisition Regulation provisions. Students will learn different strategies on how to incorporate green principles into the procurement cycle, including acquisition, contract language, and existing product resources and standards (i.e., LEED). Green accounting principles, as well as available tools will be discussed. The course will cover implementation of a green procurement program, including success stories and challenges, goals, and metrics. For more information, go to:

<http://www.doiu.nbc.gov/viewevent.cfm?id=188115320&CFID=4729194&CFTOKEN=97233099>.

Sustainable Water Management Conference, 18-21 MAR 12, Portland, OR

The 2012 Sustainable Water Management Conference will be a true sustainability conference focused on water resources integration. This conference seeks to combine technical presentations with in-depth discussions on legal, regulatory, and legislative matters facing water utilities today. It will address a wide range of topics concerning sustainable water management, including managing water resources and the environment, water conservation, sustainable utilities and infrastructure, urban planning and design, and community sustainability. For more information, go to:

<http://www.awwa.org/Conferences/SpecConf.cfm?ItemNumber=56511&showLogin=N>.

TRAINING

Only the CECOS courses offered within Regions 1-3 and North Carolina are listed here (with the exception of Natural Resources and Cultural Resources courses). For further information on the courses below, other course offerings, and/or to register, visit the CECOS training website at <https://www.netc.navy.mil/centers/csfe/cecos/>

CECOS Classroom Courses

| Beginning Date | End Date | Course | Location |
|----------------|-----------|--|------------------|
| 20 JUN 11 | 22 JUN 11 | Intro to Hazardous Waste Generation & Handling | Camp Lejeune, NC |
| 23 JUN 11 | 23 JUN 11 | RCRA Hazardous Waste Review | Camp Lejeune, NC |
| 28 JUN 11 | 30 JUN 11 | Basic Environmental Law | Newport, RI |
| 18 JUL 11 | 22 JUL 11 | Adv. Environmental Management | Newport, RI |
| 23 AUG 11 | 25 AUG 11 | Human Health Risk Assessment | Norfolk, VA |
| 22 AUG 11 | 26 AUG 11 | Environmental Quality Sampling | Dayton, OH |
| 22 AUG 11 | 26 AUG 11 | Adv. Pub Works Dept. & Fac. Eng. Comm Operations | Washington, DC |
| 29 AUG 11 | 2 SEP 11 | US Marine Corps Facilities Management | Washington, DC |

CECOS Online Courses/Web Conferences

| Beginning Date | End Date | Course | Location |
|----------------|----------|--|----------|
| Various | | EMS General Awareness: Computer Based Training | On-Line |
| Various | | Bird Aircraft Strike Hazard (BASH) Awareness | On-Line |
| Various | | Environmental Sampling (Chapter 29) | On-Line |
| Various | | HAZWOPER for Uncontrolled Hazardous Waste Site Workers-Refresher | On-Line |
| Various | | Construction Technology for Non-Engineers | On-Line |

| Beginning Date | End Date | Course | Location |
|-----------------------|-----------------|--|-----------------|
| 19 JUL 11 | 20 JUL 11 | Pollution Prevention Program Operations and Management | Web Conference |
| 21 JUL 11 | 21 JUL 11 | Sustainability in the Navy | Web Conference |

NPDES Permit Writer's Training on the Web

EPA has created a web-based training series based on its popular National Pollutant Discharge Elimination System (NPDES) Permit Writer's Course. This will allow students, staff, stakeholders, and the public to access NPDES permit program training content online. The Course is a five-day training session covering the key elements of NPDES permit development and is taught by experienced instructors. These recorded presentations enable one to review the material on demand in a self-paced environment to become familiar and comfortable with the concepts of the NPDES permit program. The NPDES web-based training series can be found at <http://www.epa.gov/npdes/training> under "Self-Paced Web Training."

CECOS

EMS General Awareness: Computer Based Training (CBT) Module Available 24/7 at www.cecosweb.com under Training by Subject>EMS. A certificate is issued to all registered users upon completion. This module is designed to provide an awareness level overview of EMS to satisfy the requirement that ALL personnel have basic EMS knowledge. It is also to be taken as a quick refresher for anyone that takes the Advancing an Effective EMS and/or Integrated EMS/Compliance trainings.

NAVOSH & Environmental Training Center

For further information on the courses and/or to register, visit NAVOSH & Environmental Training Center website at: <http://www.safetycenter.navy.mil/training/default.htm>.

EPA Watershed Assessment Tools Training, Various Times & Locations

More information is available at: <http://www.epa.gov/waterscience/basins/training.htm>.

USDA Forest Service Continuing Education Program, Various Times & Locations

More information is available at: <http://www.fs.fed.us/biology/education/>.

EPA Online EMS Training Course

The course is available at: <http://www.epa.gov/osw/inforesources/ems/ems-101/>.

MEET THE REC

STAFF

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|---|--|
| <p>RADM M. S. Boensel DoD Regional Environmental Coordinator (757) 322-2800, DSN 262-2800</p> <p>Director, Regional Environmental Coordination (REC) Office (757) 341- 0363</p> <p>REC Counsel (757) 322-2938 DSN 262-2938 or Deputy (757)-322-2812</p> <p>Cultural Resources (757) 341-0372</p> <p>Potable Water, Stormwater, Groundwater, Wastewater (757) 341- 0428 or (757) 341- 0429</p> <p>Air Quality, Asbestos, Radon (757) 341- 0386</p> <p>P2, EPCRA, RCRA - HW/SW (757) 341-0408</p> <p>Navy On Scene Coordinator Representative (757) 341-0449</p> | <p>POL/Tanks (757) 341-0381</p> <p>Regional NEPA, Natural Resources (757) 341-0486</p> <p>Land Use, Encroachment (757) 322-3011, DSN 262-3011</p> <p>Environmental Restoration (757) 341-0394</p> <p>REC Support (757) 341-0430</p> <p>DoD Chesapeake Bay Coordinator - DC/PA Liaison (757) 341-0455</p> <p>DoD Chesapeake Bay Coordinator - VA/WV Liaison (757) 341-0383</p> <p>DoD Chesapeake Bay Coordinator - MD/NY Liaison (757) 341-0450</p> |
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DENIX - Many of our links are to DENIX. To subscribe to DENIX go to:
<https://www.denix.osd.mil/denix/register.html> and register.

If you find a dead link, please contact us at dodrecreg3@navy.mil and we will find the link for you.

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dodrecreg3@navy.mil. Thanks.