



# REC UPDATE

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



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## GENERAL INTEREST

### **President Proclaims November as Military Family Month**

**By American Forces Press Service**

In our military families, we

### **US Navy Seabees Spend Veterans Day Helping Hurricane Sandy Victims in Breezy Point**

**By Defense Media Activity - Navy**

They were supposed to have time off with family before an upcoming deployment to Japan, but the U.S. Navy Seabees of Naval Mobile Construction Battalion 5 based in California are providing muscle to the cleanup effort in Breezy Point, N.Y. after Hurricane Sandy. To view the photoblog, go to:

<http://photoblog.nbcnews.com/news/2012/11/12/15117049-us-navy-seabees-spend-veterans-day-helping-hurricane-sandy-victims-in-breezy-point?lite>.

### **My Community/My Facility Pages Provide Access to a Wealth of Environmental Information**

The **My Community / My Facility** page provides access to the numerous data systems which contain information about issues such as: your compliance record, the permits you have, the wastes generated by your facility and your neighbors, the status of your watersheds, air monitoring data, and population statistics.

Click on any of the links below to find information about your community/facility in the following areas:

- [How Do I Find Environmental Information About My Community?](#)
- [Violations/Enforcement Actions At Your Facility](#)
- [Does Your Facility Have Any Sources of Air Emissions?](#)
- [Is Your Facility a Cleanup Site?](#)
- [Does Your Facility Generate Hazardous Waste?](#)
- [Does Your Facility Have Any Wastewater Permits?](#)
- [What Spills/Releases Have Been Reported For My Facility?](#)
- [Does Your Facility Treat Drinking Water?](#)
- [How Do I Find Multi-media Environmental Information About My Facility?](#)
- [Where Do I Find Information On EPA Federal Facility Programs?](#)
- [How Can I Prepare For An Emergency?](#)
- [What Recycling Services Are Available To My Facility?](#)
- [What Is "Federal Real Property?"](#)
- [What Endangered/Threatened Species Might Be In My Area?](#)
- [Where Are Treatment, Storage and Disposal Facilities Located Near Me?](#)

For more information, go to: <http://www.fedcenter.gov/assistance/myfacility/#1>.

### **US Navy Builds Solar Power Farm near Norfolk Base**

**By Scott Harper – The Virginia Pilot**

The Navy has completed construction of the largest solar energy project in Virginia, a 10-acre landscape of black solar panels in neat rows within sight of the Chesapeake Bay and the Hampton Roads Bridge-Tunnel.

The solar farm contains more than 8,600 panels, each bolted onto steel stilts in a marshy field called Monkey Bottom, just outside the fenceline of Norfolk Naval Station. Together, they can generate up to 2.1 megawatts of electricity - enough to power 200 homes, said Michelle Perry, project manager for the Naval Facilities

Engineering Command. That's only about 2 percent of the electricity required to run the Norfolk Navy base, the largest of its kind in the world, "but you have to start somewhere," Perry said.

Although construction was finished late last month, the photovoltaic panels are not yet connected to the electricity grid that feeds the base. The connection is expected by Christmas, Perry said, allowing the base to start using the renewable energy and not have to pay Dominion Virginia Power for it.

"It's an absolutely amazing sight," Perry said, as she and colleagues looked at the farm from a small sand hill. One colleague, Tom Kreidel, said the facility is the largest solar project at any Navy base on the East Coast, outsized only by ones in Western states where solar energy is more common.

For more information, go to: <http://hamptonroads.com/2012/12/navy-builds-solar-power-farm-near-norfolk-base>.

### **Shale Oil Boom Puts America on Track to Surpass Saudi Arabia in Oil Production by 2020**

**By Benoît Faucon and Keith Johnson – Wall Street Journal**

A shale-oil boom will help the U.S. overtake Saudi Arabia as the world's largest oil producer by 2020, according to the International Energy Agency. This represents a shift that could transform not just energy supplies but also U.S. politics and diplomacy.

The Paris-based agency, which advises industrialized nations on their energy policies, said the global energy map "is being redrawn by the resurgence in oil and gas production in the United States." The assessment—a stark contrast from last year, when Russia and Saudi Arabia were seen vying for the top position—comes a week after the end of a presidential campaign in which energy was a prime topic, and it shows how different President Barack Obama's second term will be from his first on energy policy.

In Mr. Obama's second term, Republican control of the House makes any big climate-change legislation unlikely, and budget deficits will limit any effort to spend billions more on green-energy projects. But the surge in U.S. oil production, to a projected 11.1 million barrels a day in 2020, has given the White House a chance to make peace with Republicans and energy executives, at least on some fronts. Like Republicans, Mr. Obama has said that growing energy extraction in the U.S. can create jobs and boost the economy. Also, the rising use of natural gas in place of coal to generate electricity helps reduce carbon-dioxide emissions without legislation.

The IEA, an authoritative source of information on global oil markets, is joining other forecasters such as the Organization of the Petroleum Exporting Countries and the U.S. Energy Information Administration in predicting the sharp rise in U.S. oil production in the coming years. The IEA also said natural gas will displace oil as the largest single fuel in the U.S. energy mix by 2030.

Higher U.S. oil production doesn't necessarily mean lower prices at the gasoline pump, because oil prices are set on the global market, and U.S. oil is expensive to extract. Next-month oil futures traded around \$85.62 a barrel in late November, down from nearly \$100 a barrel in September. U.S. and Iraqi production have helped keep a lid on prices, but a bigger factor may be Europe's economic woes and weaker global demand.

U.S. oil consumption last year also dropped to 18.9 million barrels a day, down 8.4% from 2006, and the IEA projected continued declines in coming decades.

But the changes can take industry players off guard. Some U.S. refiners spent billions upgrading their refineries to process heavier crude oil found outside the U.S. in places such as Venezuela's Orinoco belt or in Canada's tar sands. If the IEA's predictions come true, the U.S. could soon be awash in easier-to-process domestic crude oil—with no way to get rid of the excess supply, because U.S. law generally bans crude-oil exports. The crude export ban was designed to ensure U.S. energy security following the Arab oil embargo in 1973. That would force new investment in refining capacity for lighter, sweeter grades of oil.

Within a decade, the IEA forecasts U.S. oil imports will fall by more than half, to just four million barrels a day from 10 million barrels a day currently. It credited tougher gas-mileage standards for cars, mandated in Mr. Obama's first term, in addition to the higher domestic oil output.

The IEA suggested that newly found U.S. energy independence could redefine military commitments. OPEC will continue to be the powerhouse of global production, the agency said, but a growing portion of its output will go to nations like China and India instead of North America. China already receives half of its oil imports from the Persian Gulf, while the U.S. receives less than 20% of its imports from the region. U.S. military protection of Middle East sea lanes has for decades been a core mission of the Navy's Fifth Fleet, at an estimated cost of between \$60 billion and \$80 billion a year. Given the high U.S. budget deficit, looming defense cuts and what many perceive as an overstretched Navy, that mission could come into question.

However, no other navy could ensure global freedom of navigation on the high seas, a task the British Navy carried out during the 19th and early 20th century and which the U.S. Navy has handled since World War II.

### **DoD Releases Annual Energy Report**

The U.S. Department of Defense (DoD) recently released its "Annual Energy Management Report" for Fiscal Year 2011. The 441-page document details DOD activities to promote energy security and leverage new energy technologies, focusing on energy at its fixed installations. This annual report discusses a variety of energy issues, including DOD efforts to manage its facility energy program and reduce energy consumption in part by increasing the supply of renewable energy. For more information, go to:

<http://www.acq.osd.mil/ie/index.shtml?CFID=2491984&CFTOKEN=48795942>.

### **US Warships Could Soon Run on Rotating Detonated Wave Engines**

**By Andrew Tarantola - Gizmodo**

There are now about 430 gas turbines on 129 Navy ships and they are used for either basic propulsion or to generate electricity for their critical systems—typically both. The majority of the Navy's fleet of aircraft relies on gas turbines for propulsion. But as fuel costs continue to rise, these turbines now burn through nearly \$2 billion of fuel annually. That's why the Naval Research Lab is developing a revolutionary new type of engine that could reduce the fleet's energy consumption by as much as 25 percent (and save \$400 million a year) even as the Navy transitions to "all electric" propulsion systems.

Gas turbines, the same sort that power commercial aircraft, boast significant advantages over the diesel-fed internal combustion engines that they replaced; they're more readily scaled to higher power outputs, smaller, lighter, and easier to service. Operating on the [Brayton cycle](#), whereby fuel and air are mixed then compressed before combustion, these engines are already a mature, optimized technology. As such, there unfortunately isn't much that can be tweaked to improve power output or efficiency by more than a few percentage points—we've effectively wrung every last ounce of power out of the Brayton cycle.

That's why the Naval Research Lab in Washington DC is looking beyond Brayton for its next power source and has been exploring the potential use of the Rotating Detonation Wave Engine (RDWE) for nearly a decade. RDWEs are a variation of Pulse Detonation Engines, which rely on continuous detonation waves to combust the fuel/oxidizer mix. These propulsion systems can theoretically operate at speeds of up to Mach 5 and lack many of the moving internal parts of current turbines, resulting in significant weight and space savings.

As the NRL explains, a RDWE operates like so:

The combustion chamber is an annular ring, in which the mean direction of flow is from the injection end to the exit plane. A series of micro-nozzle injectors spray in a premixture of fuel and air or oxygen axially from a high pressure plenum and a detonation propagates circumferentially around the combustion chamber, consuming the freshly injected mixture. The gas then expands azimuthally and axially, and can be either subsonic or supersonic (or both), depending on the back pressure at the outlet plane. The flow has a very strong circumferential aspect due to the detonation wave propagation. Because the radial dimension is typically small compared to the azimuthal and axial dimensions, there is generally little variation radially within the flow. Because of this, the RDE is usually "unrolled" into two dimensions, and we do this for many of our simulations with small thickness-to-diameter ratios.

Basically, the fuel/oxidizer mix is injected into a cylinder and exploded by a detonation wave (aka a shock wave) travelling around the inner surface of the tube. As the wave hits the fuel, it creates another detonation, propagating the wave as well as generating forward thrust. While PDW engines have yet to be practically implemented 70 years after their inception, researchers at the NRL hope that developing this technology will yield a 10-percent increase in power while simultaneously improving fuel efficiency by 25 percent.

### **General Electric to Power the Navy's Newest Amphibious Assault Ship**

#### **The Maritime Executive**

GE's Power Conversion business has signed a contract worth more than \$10 million with Huntington Ingalls Industries of Pascagoula, MS to provide an auxiliary propulsion system (APS) for the future USS Tripoli (LHA-7), which is the U.S. Navy's latest large-deck amphibious assault ship. This project builds on Power Conversion's past success with providing similar equipment for other U.S. Navy ships, including the LHD-8 and LHA-6. "By using our hybrid propulsion technology, the USS Makin Island (LHD-8) has saved more than 4 million gallons of fuel during its seven-month maiden deployment, resulting in an estimated cost savings of \$15 million," said Paul English, marine vertical leader, GE's Power Conversion business. "This project will allow the U.S. Navy to lower operating costs due to fuel savings provided by a more efficient power and propulsion system. It also will help reduce routine maintenance costs and time as well as enable a smaller carbon footprint due to lower fuel expenses."

The technology in this project is similar to that of a hybrid vehicle. The U.S. Navy's two GE LM2500+ gas turbines are the main propulsion source and are used when full speed is required, as gas is used in hybrid cars when full power is needed. Power Conversion's APS, or electrical drive train, is connected to the same propeller shafts, similar to the electric portion of a hybrid vehicle. The purpose of the APS is to provide a fuel-saving alternative, compared to the gas turbine engines, during low-speed operations, which is when the gas turbines are less fuel efficient than an electrical propulsion system.

An LHA is 844 feet long with a 106-foot beam. It weighs 44,854 tons and takes five years to build. The ships, which resemble an aircraft carrier, are the centerpiece of an Amphibious Ready Group used to transport Marine Expeditionary Units and their equipment. LHA-6 is the first ship in its class built without a well deck. The ships have a crew of 1,000 and can transport up to 1,800 troops and their equipment. An LHA has 984 miles of cable. The future USS America (LHA-6) is nearly three football fields in length and is 20 stories high from its keel to the top of its deckhouse. It has 2 acres of flight deck.

### **EPA Keeps Renewable Fuels Levels in Place after Considering State Requests**

The EPA announced that the agency has not found evidence to support a finding of severe "economic harm" that would warrant granting a waiver of the Renewable Fuels Standard (RFS). The decision is based on economic analyses and modeling done in conjunction with the U.S. Department of Agriculture (USDA) and U.S. Department of Energy (DOE).

"We recognize that this year's drought has created hardship in some sectors of the economy, particularly for livestock producers," said Gina McCarthy, assistant administrator for EPA's Office of Air and Radiation. "But our extensive analysis makes clear that Congressional requirements for a waiver have not been met and that waiving the RFS will have little, if any, impact."

To support the waiver decision, EPA conducted several economic analyses. Economic analyses of impacts in the agricultural sector, conducted with USDA, showed that on average waiving the mandate would only reduce corn prices by approximately one percent. Economic analyses of impacts in the energy sector, conducted with DOE, showed that waiving the mandate would not impact household energy costs.

EPA found that the evidence and information failed to support a determination that implementation of the RFS mandate during the 2012-2013 time period would severely harm the economy of a State, a region, or the United States, the standard established by Congress in the Energy Policy Act of 2005 (EPAct).

EPAct required EPA to implement a renewable fuels standard to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. A waiver of the mandate requires EPA, working with USDA and DOE, to make a finding of “severe economic harm” from the RFS mandate itself.

This is the second time that EPA has considered an RFS waiver request. In both cases, analysis concluded that that the mandate did not impose severe harm. In 2008, the state of Texas was denied a waiver.

For more information, go to: <http://www.epa.gov/otaq/fuels/renewablefuels/notices.htm>.

## **Military Biofuel Programs to Drive Major Economic Growth**

### **By Carin Hall – Energy Digital**

The military’s plans to expand its use of biofuel in planes, ships and other vehicles would generate at least about \$10 billion in economic activity and create more than 14,000 jobs by 2020, according to a report commissioned by Environmental Entrepreneurs (E2).

Just as importantly, if the Department of Defense is able to expand its use of advanced biofuels like it has said it wants to do, it would jump-start the biofuel market, which in turn would speed adoption of biofuel by commercial airlines, vehicle fleets and other users, according to the report.

Led by the Navy and Air Force, the Department of Defense wants to reduce its dependence on oil by getting as much as 50 percent of its fuel from advanced biofuels by 2020. DoD’s top leaders have said reducing the military’s use of oil is essential to national security, troop safety, and avoiding fuel price spikes. But under the National Defense Authorization Act (NDAA) that Congress is expected to take up in the next several weeks, the military – the nation’s biggest user of oil and gasoline - would be prohibited from expanding its use of biofuel. “The military often leads major economic transitions in our country – think about aviation, communications or the Internet,” said Nicole Lederer, co-founder of E2, whose 800-plus members include business executives and investors who advocate for sound environmental policy that can lead to economic prosperity. “Yet right now in Washington, some shortsighted lawmakers are poised to block a potentially major transformation of our national energy supply - and also hold back the significant economic growth and job gains that would come with it,” she said.

Vice Adm. Dennis McGinn (U.S. Navy-RET), president of the American Council on Renewable Energy (ACORE), said “ACORE recognizes the important national security and energy security benefits of the U.S. military’s increased use of biofuel. This report from E2 also highlights the tremendous economic potential of the defense biofuels program. It has already attracted private capital for technological innovation and commercial-scale biorefinery construction, thereby creating geographically-diverse jobs. ”Most importantly, this initiative accelerates America’s move to a more diverse and secure energy portfolio” McGinn said.

Russ Teall, president and founder of biorefinery builder Biodico, which recently signed an agreement to provide advanced biofuels to the U.S. Navy, said “The military is the biggest driver of the biofuel industry right now. If Congress stops the military from doing what the military knows is best, Congress also could threaten the growth of the Made-in-America biofuel industry.”

E2 commissioned High Road Strategies, an industrial, economic and energy consulting firm, to conduct the study, which is based on biofuel goals previously announced by DoD. According to the report:

- Between \$9.6 billion and \$19.8 billion of economic activity could be generated by 2020 if the DoD is allowed to meet its previously announced biofuel goals.
- Between 14,000-17,000 new jobs could be created by 2020. If measured on a job-year basis, the total number of jobs created would be more than double that amount.
- Of these jobs, more than 3,000 will be agricultural jobs from biomass production, and about 1,200 will be in biorefinery operation. An additional 10,000 jobs will be created from biorefinery construction.

- These economic and job impacts will be broadly distributed geographically, with the greatest benefits to states that create the strongest incentives for biorefineries.
- In order to meet the military's cost and volume targets, advanced biofuel companies are leveraging \$3.4 billion of private capital invested since 2007 to build new commercial facilities.
- Military demand is helping to shape the early market and scale the advanced biofuel industry, which could help the commercial aviation industry and other industries to meet their hopes and plans to expand their use of biofuel.

### **New GAO Report on Water Energy Nexus**

On 13 Sep 12, the Government Accountability Office (GAO) released a report titled [Energy Water Nexus Coordinated Federal Approach Needed to Better Manage Energy and Water Tradeoffs](#). This report comes after a series of GAO reports examining the many interdependencies between water and U.S. energy production. The report specifies how water and energy are inextricably linked and mutually dependent, with each affecting the other's availability, from cooling thermoelectric power plants, to the growth of feedstocks for biofuel production, to oil and gas extraction. It also examines how water and energy are inextricably linked in the treatment of drinking water and wastewater. The GAO report noted several factors likely to affect future supply and demand for both energy and water, including climate change, population growth, and demographic shifts. GAO is recommending that DOE take the actions necessary to establish a program to address the energy-water nexus, with involvement from other federal agencies, as described in the Energy Policy Act of 2005. DOE agreed with the recommendation and stated that it will work with other federal agencies and experts to implement it.

### **US Rethinks Security as Mideast Oil Imports Drop**

**By Tom Gjelten – KERA NPR Dallas**

Within the next two decades, the United States may barely need any oil from the Persian Gulf, due in large part to increased domestic production. That dramatic shift could shake the foundation of US interests in the Middle East.

For more than 40 years, the US security presence in the region has been rooted in one reality: It is where our oil comes from. The need to keep the oil flowing has meant US administrations cozy up to Saudi Arabia. It has meant the US military keeps aircraft carriers stationed around the Gulf. And it has meant a US willingness to go to war to keep oil shipping lanes open, a position first enunciated by President Jimmy Carter.

“An attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America,” Carter declared in his 1980 State of the Union address. “Such an assault,” Carter said, “will be repelled by any means necessary, including military force.”

The Carter Doctrine has guided U.S. policy ever since.

The oil picture has changed sharply since then, however. The share of US oil coming from the Gulf is down by about one-third.

The United States is now producing more of its own oil. Plus, it's getting more from Canada, Mexico, and Brazil. [A new report](#) from the International Energy Agency, or IEA, highlights the shift in the Middle East oil trade. The Paris-based organization projects that by 2035 nearly 90 percent of Persian Gulf oil exports will go to Asia, with the United States getting a negligible amount. The sharply reduced dependence on Persian Gulf oil is raising questions about whether the Carter Doctrine should still apply.

“The U.S. has been the guarantor of the sea lanes and the Gulf producers because we felt that was vital to U.S. energy security interests,” says Mikal Herberg of the National Bureau of Asian Research. “As we become quasi energy-independent it's likely that there will be questioning here in the US - 'Do we really need to carry that load?' ”

## **Deputy Assistant Secretary of the Navy for Energy Visits Military's Biodiesel-fueled Steam Plant**

### **By Navy News Service**

Deputy Assistant Secretary of the Navy (Energy) Tom Hicks toured a steam plant at St. Julien's Creek Annex in Portsmouth that is now running on B20 – a blend of 20 percent biodiesel and 80 percent Number Two fuel oil. The plant is the Navy's first one in the Mid-Atlantic area to run on this fuel blend. B20 is also popular for use in vehicles.

The diesel blend, which burns cleaner than traditional diesel will provide steam to heat 16 office buildings and 13 warehouses. It is expected that the fiscal year 2012 (FY13) heating season will require the use of about 235,000 gallons of B20. Previously the plant has used traditional, 100 percent petroleum-based fuel oil. The B20 blend is priced competitively with traditional petroleum-based diesel so it will not increase the Navy's costs to heat the base and it will also aid in meeting the Secretary of the Navy's goals for greater energy security.

“The Navy uses an annual average of 30 million barrels of fuel per year which equates to about four to five billion dollars of fuel cost,” said Hicks. “Because of this, it is important to explore additional and alternative sources like we see here today at St. Julien's Creek. This is a perfect example of what the Navy is trying to do by using B20, a 20 percent biodiesel, 80 percent conventional fuel to run the steam plant from domestic sources that are competitively priced,” said Hicks.

The Secretary of the Navy has outlined five energy goals for greater energy security and to enhance our combat capabilities: Increase Alternative Energy Use DoN-Wide: By 2020, 50 percent of total DoN energy consumption will come from alternative sources; Sail the "Great Green Fleet": DoN demonstrated the Great Green Fleet during the Rim of the Pacific (RIMPAC) in July and will sail it by 2016; reduce non-tactical petroleum use: By 2015, DoN will reduce petroleum use in the commercial vehicle fleet by 50 percent; increase alternative energy ashore: By 2020, DoN will produce at least 50 percent of shore-based energy requirements from alternative sources; 50 percent of DoN installations will be net-zero; and Energy Efficient acquisition: evaluation of energy factors will be mandatory when awarding contracts for systems and buildings.

“The steam plant is using B20 and this fuel blend will help make progress towards the Navy's renewable energy goals,” said John Breckner, renewable energy program manager for Naval Facilities Engineering Command Mid-Atlantic. “This is one of the pilot projects for the heating season and we hope to expand to other areas in the region. The boilers have been running for a few weeks and everything appears to be going well.”

St. Julien's Creek Annex is a U.S. naval support facility that provides administrative offices, light industrial shops, and storage facilities for tenant naval commands. Its primary mission is to provide a radar testing range (35 acres or 141,640 m<sup>2</sup>) and various administrative and warehousing structures.

## **Shoreline Restoration Project Completed at Maryland Naval Supply Facility**

### **By Bay Net**

With a final tree-planting event conducted at the end of October, volunteers and conservation professionals completed the restoration of Potomac River shoreline at Naval Support Facility (NSF) Indian Head and the base's Stump Neck Annex.

The conclusion of the week-long tree-planting project on Oct. 27 marked the successful end of the five-year, \$20 million project that protects both the environmental health of regional waters and \$54 million of Navy infrastructure on the installation.

The story began in the 1990s, when erosion collapsed a road and threatened mission-critical structures at NSF Indian Head. In 2003, the Navy proposed a plan to protect both its assets and the environmental quality of the Potomac River. The solution, a living shoreline of breakwaters, sills and native vegetation, has set the standard in the Chesapeake Bay region for environmental stewardship.

While the Navy provided funding for the construction of the living shoreline, volunteers from several organizations, led by the National Aquarium Conservation Team, played a key role in planting the native vegetation that not only protects threatened land, but also provides habitat for river life.

"This is the largest and longest project the team has taken on," said Charmaine Dahlenberg, project manager for the National Aquarium's Conservation Team. Since construction began in 2007, volunteers from a diverse group of conservation-minded organizations, such as AmeriCorps and the Maryland Conservation Corps, partnered with the Navy and the National Aquarium Conservation Team to turn the vision of a living shoreline into a reality.

Dahlenberg praised the efforts of her organization and the volunteers who supported her. "The Conservation Department at the Aquarium is a team of five women and we do everything when it comes to logistically planning these events," she said. "When it comes to the hard physical work, we would never get it done unless we had our volunteers... and it is extreme physical work!"

Volunteers worked through many challenges, not least of which were planting and tending to native vegetation during the hot summer months. While the gratification is not quite instant, the project's large scale and multiyear timeline allowed the conservation professionals and volunteers to witness the fruits of their labor.

"The grasses have taken off and they look awesome," said Dahlenberg. "To see them grow so significantly in so short of time is amazing. When the tide comes in, we see the amount of wildlife, like fish swimming in the grasses. That is something that was not here before. So we built them they're habitat and now they are able to survive. That's huge.

"Seeing the wildlife utilize [the living shoreline] reassures us that this is needed and that we're doing something really good for the environment and helping the base out as well," emphasizes Dahlenberg.

Some of the volunteers who worked on the last day of planting were new to the project. For others, it was the last of several trips they made to Indian Head and Stump Neck throughout the project. Everyone that offered comment appreciated the opportunity to contribute to the region's environmental health and especially, to simply enjoy being a part of nature.

"It's really cool to come back each year to see how the grasses and trees have progressed," said Laura Cattell Noll, a conservation technician at the National Aquarium. Cattell Noll first came to NSF Indian Head as a volunteer; later, she was hired onto the aquarium's Conservation Team. "There is a sort of succession in forest development and to see the trees growing and new species come to where we've planted is awesome."

The shoreline restoration helped Cattell Noll increase her knowledge about conservation. "It takes a lot to do a project like this and I've learned a lot from Charmaine about what's required, the planning," she said.

"The fertilizer stakes, the tree tubes, ordering the trees, having them delivered to multiple access points along the water and mixing the species. Making sure [native vegetation is] spread out and not clustered ... there's a lot of finesse and planning and I've learned a lot."

While the work at Indian Head and Stump Neck helped Cattell Noll turn her passion into a career, most volunteers simply wanted to give back to their community.

Fire Controlman 1st Class Justin Turner already gives back to the community through his military service, but the Sailor assigned to the Aegis Training and Readiness Center in Dahlgren, Va. says it was his love of the outdoors that drew him to the beach for the last day of planting.

"I like the environment," he said. "I like trees; I like being outside. When I was a little kid I was outside playing in the mud. This was another opportunity to be outside."

Turner hoped to return to Stump Neck in the coming months to check up on his handiwork. "The trees I planted, I put some big rocks beside them so I can come back later and see how they're doing," he said.

John Sweet, a Department of Defense employee and Sierra Club volunteer, volunteered alongside his wife Meredith. As planting concluded, the Sweets enjoyed a picnic lunch on a scenic bluff overlooking the river.

"I love what they're doing here," he said. "I'd love it if we could get more programs like this and include farmers. One of the Bay's biggest problems today is storm water runoff."

Of all the volunteers who gave so many hours protecting Navy property and the environment, Mary Sidlowski may have contributed the most. Respected by the conservation professionals and volunteers alike, she volunteered for the duration of the shoreline restoration.

Sidlowski's perspective reflected sense of the satisfaction volunteers enjoyed while restoring the Indian Head and Stump Neck shoreline. "It's an absolutely wonderful feeling," she said. "You can give money, but you never really see where it goes."

Sidlowski also summarized the can-do attitude of the volunteers who contributed so much. "Wherever the next project is, I'll go."

### **Patent for New Material with Energy Harvesting Capabilities**

#### **By Energy Harvesting Journal**

Galfenol is a magnetostrictive smart material that can be used in sensors, actuators and structural supports. The material was co-discovered in 1999 by NSWC Carderock and the Department of Energy's Ames Laboratory. It has been in development for the past 13 years in partnership with Etrema Products Inc.

"By itself, iron has the characteristics to be considered a magnetostrictive material, which is material that changes shape when a magnetic field or pressure is applied to it," explained NSWC Carderock senior research scientist, Marilyn Wun-Fogle. "In 1999, we discovered that combining iron with gallium amplifies iron's magnetostrictive capability tenfold. Iron-gallium, or Galfenol, is ductile (capable of being drawn out into wire or thread), stable over a wide temperature range, and has energy-harvesting capabilities."

Magnetostrictive materials, such as Galfenol, are of interest to the Navy because they can be used to make actuators and sonar transducers that are used in ships and submarines. Currently, actuators and sonar transducers are made of a material that is more brittle than Galfenol. Galfenol can be used in structural supports for vibrating pieces of machinery such as a generator. As the piece of machinery is running, Galfenol can capture the vibrational energy which can be re-harvested. As a result, less energy is transmitted to the hull of the ship or submarine, which could reduce its acoustic footprint.

"Galfenol can be machined and welded with common metalworking tools which makes it very versatile," continued Wun-Fogle. "Plus, it is magnetostrictively active under tensile stress conditions up to approximately 150 degrees Celsius and to much higher temperatures under compressive stress conditions."

The continued development of Galfenol is being funded by ONR and the Small Business Innovation Research Program. "For more than a decade, we have teamed with our partners to design Galfenol as well as develop processes to produce the material in large solid form, rolled sheets, and more recently, wires," said NSWC Carderock's senior research scientist James Restorff. "The wide variety of forms allows Galfenol-based parts to be used in a variety of new applications, both commercial and military."

Research into metal alloys such as Galfenol is tied to NSWC Carderock's technical capability in supporting surface, undersea, and weapon vehicle materials. Under this technical capability, NSWC Carderock certifies and validates technical fleet material requirements; identifies materials and fabrication processes; develops and validates chemical formulations; and develops materials and processes for survivability and signature reduction.

NSWC Carderock's responsibilities span a broad range including science and technology, research and development, test and evaluation, product delivery and fleet support. NSWC Carderock leads the Navy in hull, mechanical, and electrical engineering expertise and delivers technical solutions in order to build and sustain a dominant, ready, and affordable fleet.

### **Sandy Stirs Up Superfund Sites**

**By Ilya Marritz - NPR**

As Northeast states take measure of the destruction brought by Hurricane Sandy, there's a new concern. New York and New Jersey have dozens of Superfund sites close to the shore. Some of these toxic zones were flooded by Sandy's storm surge. There are worries in Newark that toxic chemicals may have been swept into some people's homes. For more information, go to: <http://www.npr.org/2012/11/19/165454215/sandy-stirs-up-superfund-site-in-new-jersey?ft=1&f=3>.

### **Past and Present Clash at Pearl Harbor**

**By Jim Carlton – Wall Street Journal**

The Navy base on Ford Island, the bull's-eye of Japan's attack on Pearl Harbor seven decades ago, still bears scars from that day of infamy: The tarmac shows pockmarks from shrapnel, hangar windows contain bullet holes and the airstrip where the Japanese bombed U.S. planes remains eerily intact despite encroaching weeds.

Now, the Navy wants to install 60,000 solar panels on the tarmac and surround them with a 7-foot-high fence. The goal is to generate 11 megawatts of power from clean energy—the kind of energy that is supposed to comprise 25% of the Armed Forces' total electricity use by 2025, according to a 2007 target set by Congress.

The installation of the solar panels would make it harder for visitors to see the rare remaining scars of war on the field. Whereas visitors can now walk on the airstrip, the solar panels would cover it entirely and make it inaccessible.

“This is sacred ground,” said Burl Burlingame, curator of the Pacific Aviation Museum on the island, as he stepped out of a car onto the weed-covered tarmac. “We have almost a religious obligation to preserve it.”

The solar project emerged from a 2007 industry forum the Navy hosted in Hawaii to assess how it and other military branches could reduce their dependence on petroleum-based energy, said Capt. Mike Williamson, commanding officer of Hawaii's Naval Facilities Engineering Command.

In 2009, he said, Ford Island was considered part of a potential area to put solar panels, using the airstrip that was decommissioned in 1999. The Navy said it also is considering two other sites at its Joint Base Pearl Harbor-Hickam complex for solar panels, but it has yet to decide if one or all will get solar panels. “Our idea was to preserve the airfield and yet take a step forward in reaching the Navy's energy security goals,” Capt. Williamson said.

Aviation-museum officials said they didn't learn until earlier this year the Navy planned to cover the airfield with panels. In July, the museum's board, which includes many retired military pilots, voted to oppose the project. Since then, the museum has enlisted retired military members and other aviation enthusiasts from around the country to weigh in against it.

The public comments period for the proposed project ended 27 SEP 12. CAPT Williamson said an environmental assessment is under way and the Navy plans to consider the opposing views before making a final decision, which is expected soon. “I think there's a way to get to a solution that satisfies all parties,” he said.

### **Navy Investigating Threat of Old Ammo at Academy and Support Base**

**By Alex Jackson – Capitol Gazette (MD)**

In the 1800s, sailors and crowds of Annapolitans would smile and clap as shells flew across the Severn River into the Chesapeake Bay and on to firing ranges across Navy land. Now the Navy is investigating former ranges around the Naval Academy and Naval Support Activity Annapolis to find out whether gunpowder, clay targets, or ammunition debris remain in the soil and, if so, if it poses a threat to people or the environment. The Navy-funded investigation could last more than 10 years and require testing in the bay and the Severn, near Bancroft Hall at the Academy, and at NSAA, including backyards where children play.

Some of the firing ranges date to the late 1700s. Officials have had to determine what guns were tested and how they were used to figure out where bullets and other munitions may be found. But before contractors go out with shovels, Naval Facilities Engineering Command wants to hear from people who might know where shots were once fired. “You can imagine the records going back that far. Pretty sketchy,” said Ginny Farris, who works for Washington, D.C.-based CH2M HILL, the project’s prime contractor.

The Navy has identified more than 10 sites at NSAA and the academy where ammo, gunpowder, and clay targets could be buried. The guns used range from 9mm pistols to heavy artillery that used everything from 1-pound balls to 15-inch shells. The sites range from thin one-mile stretches for snipers to floating platforms off the Santee Basin. And the times of the activity range from the late 1700s to the 1980s.

The Department of Defense has required each of the thousands of investigated sites be assigned a score to determine which will get cleanup money first. Scores range from one to eight, with one indicating the most serious hazards.

Initially, the Navy rated most sites in Annapolis eight. But the former Naval Proving Ground at NSAA, where heavy artillery was tested from 1872 to 1892, received a two — the highest rating possible at a site that does not have chemical warfare materials. Officials said the proving ground, a mostly wooded area south of where Alder Road comes to an end, received such a high score because shells have been found on the surface in recent surveys.

Several sites at the academy, grouped together, scored a four because of ranges that required sailors to shoot directly into the Severn and the bay, officials said.

Scores will be updated after site investigations and collection of soil samples through next year. At that point, the Navy will have determined if there is any risk to human health or the environment.

The Navy will be working with the state Department of the Environment to determine if additional investigations or cleanups are needed.

Officials said it was highly unlikely there are live bullets or other munitions on Annapolis soil. Any threat discovered will be from chemicals released by munitions over the years, they said.

### **OSHA and EPA Urge Employers, Workers, Homeowners to Protect Themselves during Flood Cleanup**

The Department of Labor’s Occupational Safety and Health Administration (OSHA) and the EPA are urging employers, workers and members of the public engaged in flood clean-up activities in New York and New Jersey to be aware of the hazards they might encounter and the steps they should take to protect themselves.

“As people clean up their homes, they should avoid direct contact with floodwater due to potentially elevated levels of contamination associated with raw sewage and other hazardous substances that may be in floodwater,” said EPA Regional Administrator Judith A. Enck. “People should also separate household hazardous waste such as paints, cleaners, oils, batteries and pesticides from the rest of their garbage so that these potentially hazardous items can be properly disposed of through programs being set up by local authorities, state, and the EPA.”

Employers, workers, homeowners, and the general public entering buildings or structures to remove floodwaters or to clean up as a result of flooding must assess the potential for hazardous conditions and/or exposures before performing these activities. Based on that initial assessment, employers must ensure that workers, at a minimum, are provided with education on the hazards that they are exposed to and how they can protect themselves. Employers need to provide their employees with appropriate personal protective equipment and training to safeguard them against these hazards.

It is important to remember that, in most cases, the cleanup of previously flooded materials in a residential home will not require the same level of protection as the cleanup of a business where hazardous chemicals are present. Businesses should evaluate the chemical hazards in their workplaces, starting with reviewing the inventory of chemicals that is part of a workplace’s hazard communication program. Another step is to utilize the assistance of a safety and health professional.

OSHA's Hazard Exposure and Risk Assessment Matrix – which is available at <http://www.osha.gov/SLTC/etools/hurricane/index.html> – provides information on many of the tasks and operations associated with disaster response and recovery, and the most common and significant hazards that response and recovery workers might encounter. The matrix is designed to help employers make decisions during their risk assessment that will protect their workers doing work in hurricane-impacted areas.

Additional resources include:

- OSHA - Keeping Workers Safe During Hurricane Sandy Cleanup and Recovery: <http://www.osha.gov/sandy>.
- OSHA – Flood Response and Recovery: <http://www.osha.gov/dts/weather/flood/response.html>.
- EPA - Hurricane Sandy Response and Recovery: <http://www.epa.gov/sandy> .
- FEMA – Ready.gov: <http://www.ready.gov/hurricanes>.
- National Institute for Environmental Health Sciences – <http://tools.niehs.nih.gov/wetp/index.cfm?id=2472>.
- National Institute for Occupational Safety and Health – <http://www.cdc.gov/niosh/topics/emres/flood.html>.
- U.S. Department of Labor - Hurricane Recovery Assistance: <http://www.dol.gov/opa/hurricane-recovery.htm>.

### **Navy, DoD, and Developer Announce Wind Farm Agreement to Preserve Training Mission in South Texas**

**By Kenneth Hess – Navy News Service**

Officials from the Department of Defense (DoD), the Department of the Navy (Navy), E.ON Climate & Renewables North America, LLC (ECRNA), and Petronila Wind Farm, LLC, owned by ECRNA (Petronila Wind), announced a memorandum of agreement (MOA) on 27 NOV to allow the developer to build and operate new wind turbines in Nueces County, TX, while working to protect the Navy's ability to continue its training mission at NAS Kingsville and NAS Corpus Christi.

Representatives from each organization participated in a ceremony and base tour to commemorate the agreement. Signatories to the agreement include Acting Deputy Under Secretary of Defense for Installations and Environment, John Conger; Principal Deputy (Acting) Assistant Secretary of the Navy for Energy, Installations and Environment, Joseph Ludovici; Deputy Director, Chief of Naval Operations Energy and Environmental Readiness Division, John Quinn; Commander, Navy Installations Command, Vice Adm. William French; Commander, Navy Region Southeast, Rear Adm. Jack Scorby; Commanding Officer, NAS Corpus Christi, Capt. David Edgecomb; Commanding Officer, NAS Kingsville, Capt. Mark McLaughlin; Vice President of Petronila Wind, Paul Bowman; and Chief Executive Officer, ECRNA, Steve Trenholm.

Under the MOA, ECRNA will install and operate up to 100 wind turbines at the Petronila Wind Farm site. “The Navy is at the forefront of alternative energy use and production, and the Navy supports such projects when they are compatible with our mission,” said Rear Adm. Scorby. “The agreement will enable this wind turbine project to move forward while putting measures in place that work to preserve vital pilot training capability at NAS Kingsville and NAS Corpus Christi.”

Under the agreement, ECRNA will provide \$750,000 in funding to DoD for researching, testing and implementing solutions to mitigate potential impacts. Mitigation efforts could include upgrades that allow the Navy radars to more accurately detect aircraft; optimizing radars to “ignore” signals received from wind turbines, incorporating new systems that fill in radar gaps, and other technical modifications. To reduce the potential of radar interference, the new turbines will be limited to 500 feet in height and will be confined to one 5 by 7 mile site within the existing Petronila Wind Farm project boundary.

The agreement establishes a specific set of procedures the Navy and ECRNA will use to safely curtail wind turbines when and if needed, and to document and address emerging concerns. In addition, Navy, DoD, and

Petronilla Wind will form a joint working group to study the effectiveness of the mitigation measures implemented

“This agreement is a collaborative effort that proves the military and the wind industry can find solutions that protect bases and still allow responsible development,” said Steve Trenholm, CEO, ECRNA.

The Navy and the Department of Defense will continue working closely with renewable energy developers and local communities in South Texas to ensure local wind turbine projects can coexist with the Navy mission.

### **New Government Electronic Records Directive**

On 24 AUG 12, Office of Management and Budget (OMB) Acting Director Zients, issued a [memorandum](#) to Federal agencies titled, “Managing Government Records Directive” which follows up on a 28 NOV 11 Presidential Memorandum, titled, “[Managing Government Records](#).” The OMB Directive requires that to the fullest extent possible, all federal agencies eliminate paper and use electronic recordkeeping. It is applicable to all executive agencies and to all records, without regard to security classification or any other restriction. There are several compliance dates, the first requirements become effective on 15 NOV 12.

### **Plastic Light Bulb: Shatterproof, Silent, and Twice as Efficient**

#### **By iScience Times Staff**

Scientists at Wake Forest University believe they have developed the world's first commercially viable plastic light bulb. The design is based on [field-induced polymer electroluminescent \(FIPEL\) technology](#) which gives off soft, white light similar to sunlight unlike the yellow light of fluorescents or the blue of LEDs. The plastic light bulb looks to eliminate the common complaints surrounding energy-efficient bulbs, say researchers..

"People often complain that fluorescent lights bother their eyes, and the hum from the fluorescent tubes irritates anyone sitting at a desk underneath them," said David Carroll, the lead scientist on the Wake Forest project. "The new lights we have created can cure both of those problems and more."

Plastic light bulbs are at least twice as efficient as compact fluorescent (CFL) bulbs and as efficient as LED lights. But plastic light bulbs won't shatter and release noxious chemicals like CFLs and provide softer light than harsh blue LEDs.

"If you wanted blue lights, discos would still be popular. You want lights that have a spectral content that is appealing to us inside of a building," Carroll said. "You want a light that won't shatter and create a hazmat situation while your children are around."

The plastic light bulb is made of a nano-engineered polymer matrix that converts electricity into light. The plastic light bulb has three layers of the polymer and contains nanoparticles that emit a "bright and perfectly white light similar to the sunlight human eyes prefer." The moldable polymer construction of plastic light bulbs means they can be constructed into just about any shape, size and color.

For Carroll and his team, this flexibility translates to virtually limitless potential. While home and office lighting are the obvious markets for the plastic light bulb, Carroll also sees plastic light bulbs being used on theater marquees, retail signage, and mass transit. Basically, anything that has lights can have plastic light bulbs. And, if Carroll's ten-year old plastic light bulb is any indication, anything with a plastic light bulb will have it for a very long time.

Wake Forest University is working with an unnamed manufacturer to bring the plastic light bulbs to market. Although no dates or prices have been announced, the University said the plastic light bulbs could be available as early as next year.

For more information, go to: <http://www.isciencetimes.com/articles/4136/20121203/plastic-light-bulb-shatterproof-silent-twice-efficient.htm>.

## **Agencies Turn to Social Media to Engage the Public in an Emergency**

**By Michael O'Connell – Federal News Radio**

In an emergency, would you call someone or text them? Maybe you would just tweet or post to Facebook to get the word out to a lot of people quickly.

"Social media offers that unique ability in order to engage and listen in real time to the needs of citizens," said Justin Herman, the social media lead for the Office of Citizen Services and Innovative Technologies at the General Services Administration. Herman said this happens across the board in all agencies. "We saw this in Sandy," he said. "The President of the United States went to the American public and said if your power goes out, if you need critical information from the government, look to social media."

During an emergency, the federal government interacts with the public in three ways:

1. It distributes information to the public via social media platforms;
2. It monitors emerging situations as they happen; and
3. It communicates directly with members of the public.

"They're both listening and also putting out information and then engaging directly to dispel rumors and put out correct information when it matters," Herman said.

Since the public accesses social media on a variety of platforms, the government tries to get the information to the public wherever they are. One of the difficulties exposed during Hurricane Sandy was that some people were distributing false information. To make it easier for citizens to verify the source of a social media posting, the government operates the [Federal Social Media Registry](#).

During an emergency, it's important for federal employees to remember that while they may be responsible for the content of their personal social media accounts, official accounts should be used only to distribute official information.

As far as lessons learned from Hurricane Sandy go, Herman said agencies should continue to work on finding ways to get information to citizens without them having to go look for it. One of the best ways to distribute information to the public is "short media service" or texting. "Always, SMS is a great frontline tool to be able to organize people and get people information during crisis situations, even when they don't have the Internet," Herman said.

For more information, go to: <http://www.federalnewsradio.com/242/3152420/Agencies-turn-to-social-media-during-emergencies>.

## **Carrier's Old Mattresses Springing Back to Life**

**By Scott Harper – The Virginian-Pilot**

A forklift rolled to the edge of the aircraft carrier Enterprise and dumped its odd cargo onto the concrete deck below at Norfolk Naval Station: old mattresses, and lots of them. After the stained and worn sleeping pads fell to the ground like a crazy snowstorm, sailors grabbed the mattresses and stacked them in the back of an 18-wheeler.

Greg Jeanguenat smiled and kept count. "Ooooh, big load there," said Jeanguenat, the Solid Waste and Recycling Manager for Naval Facilities Engineering Command. "Maybe 40 in that pile."

It was Jeanguenat who came up with the idea for starting a mattress-recycling program at the world's largest Navy base. And watching it finally happen made all the research and phone calls and meetings with doubting Navy brass worth the effort. "It's one of those programs that could really take off," he said, noting interest already from other military branches, as well as mattress and recycling companies. "I can see this gaining traction."

He expects to collect more than 13,000 shipboard mattresses from the aircraft carriers Enterprise and Abraham Lincoln. They will provide the test run for this new environmental program.

Some of the mattresses from the Lincoln already have been donated to Nauticus, Norfolk's Maritime Museum. The mattresses were needed to make the sleeping quarters aboard the retired battleship Wisconsin look more realistic. But most of the bedding is headed to South Carolina, where Nine Lives Mattress Recycling is paying the Navy for material that, for decades, was simply thrown out. The company finds new uses for "99 percent" of mattress parts, Jeanguenat said, and is especially interested in the metal springs, the foam, and the fire-retardant covers. These materials are separated, cleaned, and sold as raw goods for other products.

The Navy expects to save about \$24,000 in disposal costs, the recycling company makes money and creates jobs, and landfills won't fill up with big, bulky bedding. The program also will help the naval station meet its mandatory goals for diverting waste and reducing disposal costs. Under a Presidential directive, the base is supposed to divert 50 percent of its waste stream by 2015; Jeanguenat says the 140 tons of recyclable mattresses should put the Navy over the top.

Other items that now are recycled include plastic drums and mooring lines which are collected and sold to companies that melt them together to make plastic lumber and backyard decking, Jeanguenat said. With ideas such as these, he said, the Norfolk base has nearly doubled its trash-diversion rate in the past two years.

So what's next for Navy recycling? Jeanguenat said he would like to "regionalize" the mattress program so that other Navy bases in Hampton Roads could assemble their unwanted bedding and sell it. He also is interested in recycling electronics, also known as e-waste - from obsolete computers, outdated cellphones, and shipboard equipment. "Cost and logistics," he said, shaking his head. "We've just got to figure out how to make it work."

### **NOAA Administrator Jane Lubchenco Stepping Down in February**

**By Jason Samenow – Washington Post**

NOAA's leader, Jane Lubchenco, announced she is leaving the agency at the end of February (2013). Her departure adds another critical vacancy within NOAA's hierarchy. In May, Jack Hayes - then head of NOAA's National Weather Service (NWS) – retired after an investigation found senior staff had misdirected millions of dollars in funds. A permanent replacement has not been named. Laura Furgione has served as the acting director.

The NWS has been subject to recent criticism over its handling of warnings during Superstorm Sandy and its post-storm review process. Recently, University of Washington professor Cliff Mass published [a scathing blog post](#) criticizing the NWS for falling behind the Europeans in weather prediction technology.

There's no evidence Lubchenco's departure is related to NWS troubles. In fact, her letter to staff makes clear family matters are driving her decision - in particular her desire to return to the West Coast. Prior to her appointment as NOAA Administrator, Lubchenco was a professor at Oregon State University.

For more information, go to: [http://www.washingtonpost.com/blogs/capital-weather-gang/post/noaa-administrator-jane-lubchenco-stepping-down-in-february/2012/12/12/b9edb47c-4477-11e2-9648-a2c323a991d6\\_blog.html](http://www.washingtonpost.com/blogs/capital-weather-gang/post/noaa-administrator-jane-lubchenco-stepping-down-in-february/2012/12/12/b9edb47c-4477-11e2-9648-a2c323a991d6_blog.html).

### **Virginia Takes EPA to Court Claiming Water Regulation Plan is Illegal Land Takeover**

**By Shannon Bream – Fox News**

A heated legal battle between Virginia officials and the EPA over what EPA critics describe as a land takeover got its day in federal court on 14 DEC 12.

The EPA, citing an abundance of stormwater runoff, has proposed a plan that Virginia officials say would cost them nearly half a billion dollars -- and could cost homeowners and businesses their private property. The EPA contends that water itself can be regulated as a pollutant if there's too much of it. The agency says heavy runoff is having a negative impact on Accotink Creek and that it has the regulatory authority to remedy the situation.

Virginia Attorney General Ken Cuccinelli, a Republican, says what the EPA has proposed is "illegal," and he's not alone in the fight. He's been joined in a lawsuit against the federal agency by the Democratic-controlled

Fairfax County Board of Supervisors. Cuccinelli argues that what the EPA has planned would require state and county officials to "take people's houses, evict them, knock the houses down, and plant grass."

In legal filings, the EPA says that its plan is "in harmony with the broader purposes" of the Clean Water Act, including "reducing the water quality impacts of stormwater."

"There is no possibility of homes being removed in this process," Simon Rosenberg, founder of the New Democrat Network, said. He called the claim by Cuccinelli an "overstatement."

Ultimately, Judge Liam O'Grady will make the determination as to whether Cuccinelli and the Fairfax supervisors get the injunction they're hoping will put an end to the EPA's plans.

For more information, go to: <http://www.foxnews.com/politics/2012/12/13/virginia-sues-epa-to-stop-land-takeover/?test=latestnews#ixzz2F2LeIk84>.

### **Lease Sale Brings America Closer to Offshore Wind Revolution**

The Interior Department has announced the first-ever competitive lease sales for renewable energy development in federal waters offshore. The lease sales, to be held next year, will offer some of the nation's best offshore wind resources in one area identified off the coast of Virginia and another area off of Massachusetts and Rhode Island.

"This wind lease sale will bring America closer to unleashing an offshore wind revolution," said Rep. Ed Markey (D-Mass.), the Ranking Member of the Natural Resources Committee. "The decision to hold a competitive lease sale demonstrates that the private-sector is very interested in making offshore wind a reality. I commend Secretary Salazar on this announcement and urge him to continue working with the states to structure these and future lease sales in a way that incorporates the renewable energy plans and commitments that these states have already made."

The Interior Department determined there was sufficient interest in the two regions to warrant a competitive lease sale based on feedback from wind farm developers earlier in 2012.

The proposed lease sales today would offer 277,550 acres in two "Wind Energy Areas" – one area offshore Virginia and offshore Massachusetts and Rhode Island. The areas proposed in the lease sales are projected to be able to support more than 4,000 megawatts of wind generation, which is enough electricity to power an estimated 1.4 million homes.

### **Recycle your Christmas Trees**

After the holiday season, you pack up the decorations and put away the stockings. What do you do with your cut Christmas tree? Each year, several naval facilities in Hampton Roads accept about 2000 used trees from various community sources. These trees are used to strengthen and build up the sand dunes that protect the Navy installation at Dam Neck. The trees are stacked up to 3 trees high behind sand fencing and at weak spots on the beach to build up the sand in these areas. So when you pack up after the holiday season, consider this environmentally friendly alternative to tree disposal. Trees, free of tinsel, ornaments, and lights may be dropped off at the following designated/marked locations: NASO BLDG 78, the Natural Resources Center across from the stables on Oceana Blvd. or at NASO Dam Neck Annex BLDG 127 off of Regulus Ave., at the southeast corner of the parking lot, until 21 JAN 13. For additional information, contact Roger White at (757) 462-5361, or via e-mail at [roger.l.white@navy.mil](mailto:roger.l.white@navy.mil).

### **EPA Administrator Stepping Down**

**By Kevin Freking – Associate Press**

EPA Administrator Lisa Jackson, is stepping down after a nearly four-year tenure marked by high-profile brawls over global warming pollution, the Keystone XL oil pipeline, new controls on coal-fired plants and several other hot-button issues that affect the nation's economy and people's health.

Jackson constantly found herself caught between administration pledges to solve controversial environmental problems and steady resistance from Republicans and industrial groups who complained that the agency's rules destroyed jobs and made it harder for American companies to compete internationally.

Jackson, 50, a chemical engineer by training, did not point to any particular reason for her departure. Historically, Cabinet members looking to move on will leave at the beginning of a president's second term.

## 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.**

### WATER

#### **Stormwater Pond Cleanup Costs Could Soar**

**By Jim Adams – Star Tribune**

In Minnesota, cities could be on the hook for \$1 billion or more in cleanup costs in coming years as they grapple with contaminated sludge in storm-water ponds that dot the metro area. The main culprit: carcinogenic compounds known as PAHs, which until recently were found in common coal tar-based sealants used on driveways and parking lots. Unsafe levels of the compounds have been found in many of the 20,000 public collection ponds that receive water from streets and parking lots after rainfall.

Testing of a handful of ponds has revealed the tip of the iceberg: of 15 ponds sampled by the Minnesota Pollution Control Agency (MPCA) a few years ago, 9 had unsafe levels of the compounds. When the city of Inver Grove Heights tested 10 ponds this year, it found 2 with unsafe levels. The cost to clean up just one of them, which had 7,000 cubic yards of tainted sediment, was estimated at \$450,000.

Cities won't be able to put it off forever, either. The ponds periodically fill up with sediment and need to be regularly dredged to continue working properly. Usually, sediment from the ponds can be used as fill or spread on open ground. But sludge with unsafe levels of PAHs must be trucked to lined landfills, often tripling the usual cost of disposing of it, officials said.

PAH stands for polycyclic aromatic hydrocarbon. The compounds, which can cause cancer and kill pond aquatic life, are carried in runoff from driveways or parking lots sealed with coal-tar products.

For more information, go to: <http://www.startribune.com/local/south/178256821.html?refer=y>.

### CHESAPEAKE BAY

#### **Hurricane Sandy Puts Spotlight on Stormwater Management**

Chesapeake Bay Foundation senior water quality scientist Dr. Beth McGee issued this statement on the impact of this week's storm on the Chesapeake Bay. "As many in the region are dealing with the damage caused by this week's storm, initial indications are that the impacts on the Chesapeake Bay may not be as severe as some feared. Water flow from the Susquehanna River at the Conowingo dam is far short of what we saw during last year's late summer storms.

Timing is also very important. Pollution from storm events in the late winter and spring tend to drive the summer dead zones. Last year's storms Irene and Lee significantly increased pollution in the Bay, yet this summer's dead zone was the second smallest since record keeping began in 1985. This is a clear indication that the Bay can handle a fall assault.

While we can't control Mother Nature and the timing of storm events, the [clean water blueprints](#) the states have developed all call for improving [stormwater management](#) as well as reducing [agricultural runoff](#). When

implemented, those actions will decrease local flooding, as well as pollution delivered to the Bay from local rivers and streams throughout the 64,000 square mile watershed.”

### **Ditches are Latest Tool to Control Nitrogen Runoff from Farms**

**By Rona Kobell - Chesapeake Bay Journal**

William Collier steers his tractor across MD Route 312 in Henderson, MD, following a well-worn path through acres of high corn and green soybeans. He idles the engine when he reaches his destination: a square cover near a ditch, sitting among deep weeds. It doesn't look like much, but the technology underneath the cover is something worth seeing. It helps to reduce the nitrogen-laden runoff that enters the ditch, which protects streams and rivers. In dry times, it also helps the farmer conserve his water. In wet times, and during storms, it protects the crops from floods.

Called a ditch water-control system, the technology is simple to manage. Several boards block water in the ditch from entering the drain. When the farmer needs to drain some water off the fields so it doesn't accumulate, he removes as many boards as he needs to. When he wants to raise the water table, he puts them back. The aim, though, is to keep it at a stable level.

The ditches reduce nitrogen in two ways. First, less water coming off the farm fields into the ditch means less water to trickle, or rush, into streams that eventually lead to the rivers of the Chesapeake. Second, the technology slows the water down. This gives the nitrogen time to convert from nitrate to a nitrogen gas, which dissipates, harmlessly, into the air. That process is called denitrification. Denitrification is a natural chemical process in the soil, and scientists have long been looking for technology to encourage more of it.

The state of Maryland believes so strongly in the power of these drain systems that it helps farmers finance them. About two years ago, the Maryland Department of Agriculture began picking up 87.5 percent of the tab for the drain systems, which cost between \$5,000 and \$12,000. Since then, the department has financed about 45 drain systems. Like Collier's, many of them are in Caroline County.

The structures work so well, researchers say, because they restore the land to its original hydrological state. Hundreds of years ago, Maryland's Eastern Shore was a marshy, low-lying peninsula with limited acres for farming. Ditching the soils in the 1700s created dependable, dry farmland. More ditches came in the 1930s, when the United States was in the grips of a malaria epidemic.

The ditches protected the land from floods and lowered the water table. But they had downsides. Farmers needed the water, and couldn't retrieve it once it ran off the farm fields and into the ditches. And the Chesapeake Bay could do without the nitrogen, phosphorus and sediment the water carried as it hit the ditch and flowed into nearby streams and creeks. Plus, the ditches drained away wetlands, which function as the Bay's kidneys by filtering pollution.

That runoff contributes to pollution loads from agriculture that delivers far more nitrogen and phosphorus to the Bay than urban and suburban sources, despite major investments in buffers and cover crops. But ditch management systems may be able to improve those numbers.

Tom Fisher, an aquatic and nutrient expert at the University of Maryland Center for Environmental Science, conducted the first studies of the ditches at Collier's farm a few winters ago. He found 10–15 milligrams per liter of nitrate in the groundwater under the fields. As he moved closer to the ditch, the levels dropped to 5 milligrams per liter. When he tested at the ditch, it was almost zero. "It's very clear, what that drainage control process does is encourage denitrification," Fisher said. "It was very effective at that site. I think the data is very convincing."

Fisher discovered Collier's ditches by accident, while he and his graduate students were conducting other experiments under a contract with the U.S. Department of Agriculture. Collier installed his first ditch structure in 1996, because he thought it would help his crops. Fisher immediately recognized the nitrogen-reduction potential, and added the structures to the scope of his study.

For more information, go to:

[http://www.bayjournal.com/article/ditches\\_latest\\_tool\\_to\\_control\\_nitrogen\\_runoff\\_from\\_farms\\_water\\_control\\_sy](http://www.bayjournal.com/article/ditches_latest_tool_to_control_nitrogen_runoff_from_farms_water_control_sy)  
[s.](#)

### **Court Hears Arguments on Challenges to Chesapeake Bay TMDL**

**By Karl Blankenship - Chesapeake Bay Journal**

While it has been nearly two years since the EPA finalized its plan to put the Chesapeake's 64,000-square-mile watershed on a "pollution diet," the question of whether the agency was acting within its authority remains unsettled.

Within weeks of the EPA finalizing what it called a "historic" Chesapeake Bay Total Maximum Daily Load (TMDL) in December 2010, the Pennsylvania Farm Bureau and American Farm Bureau Federation filed suit challenging its legality. That suit, which was later joined by several other agricultural trade groups as well as the National Home Builders Association, contends that the EPA overstepped its legal authority in developing the cleanup plan, used flawed models to develop the plan and gave inadequate opportunity for public comment. Those charges are disputed by the EPA and a coalition of interest groups that has joined its side of the case, including environmental organizations and others representing wastewater treatment operators.

After months of arguments and rebuttals in court filings, both sides got to make their case 4 OCT 12 before U.S. District Judge Sylvia Ramble of the Middle District of Pennsylvania. And after nearly five hours of presentations by attorneys, it wasn't clear when the complex legal issues would be resolved. "Don't expect a decision soon," Rambo said as the hearing came to an end.

The stakes in the decision are huge. Environmental advocates see the pollution limits established by the TMDL, which are to be achieved by 2025, as their best opportunity to curb the nutrient and sediment pollution that continues to foul the Bay's water nearly three decades after the EPA and states first vowed to clean it up. Critics, especially agricultural groups, fear the Bay TMDL would be a template for other regions and lead to increased regulation of farm runoff.

The TMDL also allocates the pollutant loads to various pollution source categories within the states, such as wastewater treatment plants, stormwater, large animal feeding operations, other types of agriculture, forests, air deposition, and septic systems.

While much of the argument was focused on the scope of the TMDL and allocations, the two sides also debated other issues, including the validity of the models used to help establish nutrient loads in the TMDL, and whether outside groups were given adequate opportunity to comment on the TMDL.

Plaintiffs questioned the capabilities of the computer models used by the EPA, especially the accuracy of their numbers at local levels. They also contended that the models in some cases did not incorporate up-to-date information about the watershed, especially conservation practices implemented by farmers. They also said the 45-day comment period allowed for the TMDL was too short, and that the EPA had failed to make some key information available, especially relating to its computer models, until late into the comment period.

Part of the confusion stems from the history of TMDLs. Although included as section 303(d) in the original 1972 Clean Water Act, the reference is short and remarkably vague, directing that states identify all of the waters that do not meet water quality standards and report them to the EPA. The act doesn't say how often this should occur — its exact phrase is "from time to time."

For those waterways, the law says states should determine the maximum pollution "load" a water body can receive and still achieve its water quality standard. It says that load should then be allocated among contributing sources. The allocations are to include a margin of safety and account for seasonal variation. The EPA has since sought to clarify the law through regulations. For example, "from time to time" now means every two years.

Nonetheless, all of this was largely overlooked until the 1990s when environmental groups filed a spate of suits against the EPA for failing to ensure that states were writing TMDLs. Since then, roughly 40,000 TMDLs have been completed across the United States; the Chesapeake Bay TMDL is by far the largest and most complex one. The Bay case is one of several suits in recent years that have sought to clarify the authority of TMDLs, and the EPA's role in enforcing them.

For more information, go to:

[http://www.bayjournal.com/article/court\\_hears\\_arguments\\_on\\_challenges\\_to\\_bay\\_tmdl](http://www.bayjournal.com/article/court_hears_arguments_on_challenges_to_bay_tmdl).

### **Environmental Groups File Suit to Block Water Pollution Trading By Chesapeake Bay Journal**

Two environmental groups have challenged the legality of fledging trading programs that are being promoted as a cost-effective way to help achieve the nutrient reduction goals established in the Chesapeake Bay "pollution diet." Food & Water Watch and Friends of the Earth say trading programs are more likely to hurt than help pollution reduction efforts. They want to block the EPA from implementing provisions of the Chesapeake Bay Total Maximum Daily Load that would allow entities to meet their nutrient reduction requirements through trading programs being developed by the states. For more information, go to:

[http://www.bayjournal.com/article/environmental\\_groups\\_file\\_suit\\_to\\_block\\_water\\_pollution\\_trading\\_programs\\_cr](http://www.bayjournal.com/article/environmental_groups_file_suit_to_block_water_pollution_trading_programs_cr).

### **2013 Chesapeake Bay Commanders' Conference Approved**

Along with April showers bringing May flowers, April is also the month for the 2013 Chesapeake Bay Commanders' Conference. The DoD Chesapeake Bay Program is excited to finally have approval to host the conference! The approval package was signed by the Department of the Navy Office of the Administrative Assistant (DoN/AA) on 29 NOV 12. With the approval, the DON/AA indicated to ensure that personnel on TAD/TDY are reimbursed for meals and lodging at the authorized per diem rate; rental cars are authorized, but maximize the use of carpooling; and be mindful of the need to be good stewards of tax payer dollars while attending this event.

The conference will be held on 11 APR 13 in Quantico, VA at the United States Marine Corps Base Quantico. REC Bay Staff are commencing detailed planning to execute a successful conference.

The conference will introduce Installation Commanders within the Chesapeake Bay Watershed to the Chesapeake Bay Program and their role within the watershed. Objectives of the conference are to:

- Highlight the Chesapeake Bay as a national treasure and the Chesapeake Bay Program
- Inform commanders on the value and importance of the Bay and the watershed as realistic training environments
- Discuss how the Bay Program interfaces with the military functions, the mission and readiness
- Educate commanders on the DoD's commitments under EO 13508
- Highlight the DoD Chesapeake Bay Program and accomplishments

For more information on the conference and to pre-register, go to the following URL:

[https://www.bakerprojects.com/dod\\_cbpconf/](https://www.bakerprojects.com/dod_cbpconf/). Save the date postcards and invitations will be sent out as the conference draws closer. If you have additional questions, please email [sarah.diebel@navy.mil](mailto:sarah.diebel@navy.mil).

## HAZARDOUS MATERIALS

### **Reauthorization of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (Final)**

Public Law 112-177 to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act was signed on 28 SEP 12 (Congressional Record, 13 NOV 12 [Daily Digest], pages D942-D943. For more information, go to: <http://www.fedcenter.gov/plugins/programs/remotelink/rlink.cfm?dest=http://www.gpo.gov/fdsys/pkg/BILLS-112s710enr/pdf/BILLS-112s710enr.pdf>.

### **Amendment of the Solid Waste Disposal Act (Final)**

The Solid Waste Disposal Act was amended to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system. Signed on 5 OCT 12 (Public Law 112-195) (Congressional Record, 13 NOV 12 [Daily Digest], pages D942-D943. For more information, go to: <http://www.fedcenter.gov/plugins/programs/remotelink/rlink.cfm?dest=http://www.gpo.gov/fdsys/pkg/BILLS-112s710enr/pdf/BILLS-112s710enr.pdf>.

# REGION 1



## CONNECTICUT

**Note: The Connecticut General Assembly convened on 8 FEB 12 and adjourned on 9 MAY 12.**

### Proposed Legislation

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

### Proposed Rules

[\*\*Air Quality Permit-By-Rule for Combined Heat-And-Power Systems\*\*](#) - The Department of Energy and Environmental Protection has proposed an air quality permit-by-rule for combined heat-and-power (CHP) systems as new section 22a-174-3d of the Regulations of Connecticut State Agencies (RCSA). A minor revision to RCSA section 22a-174-3a(a)(2) is also proposed to take into account the proposed adoption of RCSA section 22a-174-3d. The proposed permit-by-rule is available to the owners of CHP projects of less than 10 MW capacity that meet the applicability requirements for an individual permit under DEEP's new source review (NSR) permit program. An owner of such a CHP project may operate under the permit-by-rule as an alternative to obtaining a NSR permit. Operation under the permit-by-rule reduces the time for the owner of a new CHP system to obtain a permit from about seven months to zero days and provides the owner with certainty as to the requirements under which the CHP system will operate. The proposed rule includes all the restrictions necessary to limit emissions of air pollutants from a regulated CHP system to a level that protects air quality and public health.

### [\*\*Notice of Tentative Determination and Public Hearing: Intent to Issue the General Permit to Limit Incompatibility Excess Emissions and Provide an Exemption from Stage II Vapor Recovery Requirements\*\*](#)

- The Department of Energy and Environmental Protection has given notice pursuant to Connecticut General Statutes (CGS) sections 22a-174(k) and 22a-183 of a tentative determination to issue the General Permit to Limit Incompatibility Excess Emissions and Provide an Exemption from Stage II Vapor Recovery Requirements. In making this tentative determination, the Commissioner finds that emission reductions from onboard refueling vapor recovery are essentially equal to and will soon surpass the emissions reduction achieved by Stage II vapor recovery systems alone. Starting in 2015, continued compliance with the Stage II vapor recovery requirements of section 22a-174-30 of the Regulations of Connecticut State Agencies (RCSA) will cause increases in volatile organic compound and toxic air pollutant emissions, thereby negatively impacting public health, and impose unnecessary maintenance costs on owners of gasoline dispensing facilities. The general permit authorizes a person to decommission Stage II vapor recovery systems at a gasoline dispensing facility in Connecticut and grants an exemption from the following requirements of RCSA section 22a-174-30: subsections (b); (c)(1) through (5); (d); (e); and (g). The general permit specifies the elements required in the Stage II vapor recovery system decommissioning process; maintenance requirements for Stage I vapor recovery equipment; annual testing requirements for Stage I vapor recovery equipment; and recordkeeping and reporting requirements.

[\*\*Notice of Intent to Revise the State Implementation Plan for Air Quality\*\*](#) - The Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice of intent to amend the State

Implementation Plan (SIP) to address section 110(a)(1) and (2) of the Clean Air Act (CAA) with respect to the 2008 8-hour ozone and 2010 1-hour nitrogen dioxide (NO<sub>2</sub>) national ambient air quality standards (NAAQS). DEEP is also proposing to incorporate section 1-85 of the Connecticut General Statutes into the SIP to satisfy the conflict of interest provisions of CAA section 110(a)(2)(E). The SIP revisions will be submitted to the U.S. Environmental Protection Agency (EPA) for review and approval. The CAA section 110(a)(1) and (2) requirements, which are referred to as infrastructure requirements, provide that a state must demonstrate its ability to implement, maintain and enforce a revised NAAQS.

**Remediation Standard Regulations and Environmental Land Use Restriction Regulations** - The Department of Energy and Environmental Protection has proposed amendments to Remediation Standard Regulations or "RSRs" and Environmental Land Use Restriction or "ELUR" regulations. The purpose of the proposed amendments to the RSRs is to aid site cleanup and redevelopment without compromising the protection of public health and environmental quality. The proposed amendments seek to remove unintended barriers to remediating sites by providing creative new directions and opportunities, clarifying regulatory language, and addressing concerns expressed by the regulated community.

### **Regulations**

**2008 Control Techniques Guidance: Parts Coating and Pleasure Craft Coating** - The Department of Energy and Environmental Protection has adopted amendments to regulations and revisions to the State Implementation Plan for air quality. Rules are being amended in order to establish new and enhance existing reasonably available control technology (RACT) requirements for miscellaneous metal and plastic parts coating activities. EPA established a new RACT level of control for miscellaneous metal and plastic parts coating in control techniques guidelines (CTG) issued in 2008 [73 FR 58481]. This rulemaking amends RCSA section 22a-174-20(s) to update existing requirements for metal parts coating operations with lower volatile organic compound (VOC) content requirements for coatings and work practices designed to reduce VOC emissions. The rulemaking also adds new requirements, including VOC content limits and work practices, applicable to plastic parts coating operations. The volatile organic compound (VOC) reductions associated with the RACT update portion of this rulemaking will assist Connecticut to attain and maintain the federal ozone national ambient air quality standards (NAAQS) and serve as directionally correct measures with respect to Connecticut's attainment and maintenance of the fine particulate matter NAAQS. This regulation passed and became effective on 31 OCT 12.

### **PURA Approves Reduction in Generation Rates for Electricity**

The Public Utilities Regulatory Authority (PURA) recently approved reduced generation rates for residential and business customers taking Standard Service generation from Connecticut Light & Power (CL&P) or United Illuminating (UI).

As a result of PURA's action to approve requests submitted by the two companies, effective January 1, 2013:

- CL&P's residential generation rate will decrease about .7 cents per kilowatt-hour (kWh), from the current rate of 8.279 cents/kWh to 7.615 cents/kWh. The generation cost for a CL&P residential customer using 750 k/h would decrease by about \$5 a month.
- UI's residential generation rate will decrease by just over 1 cent/kWh from the current rate of 8.727 cents/kWh to 7.6974cents/kWh. The generation cost for a UI residential customer using 750 kWh would decrease by about \$7.50 a month.

Similar reductions will be applied to generation rates for business customers taking standard service from the state's two largest electric utility companies. CL&P business customers will see a reduction of just under 1 cent/kWh while UI's business customers will see a reduction of about just over 1 cent/kWh.

The generation rate – which recovers the cost to generate electricity at power plants – makes up more than 50% of the monthly electric bill for most residential users.



## MAINE

**Note: The Maine General Assembly convened on 4 JAN 12 and adjourned on 18 APR 12.**

### **Proposed Legislation**

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

### **Regulations**

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

### **Berths at Portsmouth Naval Shipyard to Receive Repairs**

**By Tom Kreidel – NAVFAC Midlant Public Affairs**

Naval Facilities Engineering Command Mid-Atlantic has awarded a \$13.2 million contract to Reed and Reed Inc. for structural stabilization and repairs to berths 1, 2A and 2B at Portsmouth Naval Shipyard in Maine.

According to Nathan Libby, the project's manager at Public Works Department Portsmouth, the berths were originally built in phases between 1845 and 1907 and consist of a 1,300 foot long granite quay wall. Over the years, the granite blocks that make up the berths have settled or been displaced, necessitating the repairs. “This project will repair the pier facility to meet current structural code requirements, and provide a functional facility for berthing barges and service vessels and for temporary berthing of submarines during dry docking evolutions,” said Libby.

“Berthing space is a critical element for any shipyard and these repairs will allow additional flexibility during the overhaul, repair, and modernization of nuclear-powered submarines,” added Capt. David Hunt, Portsmouth Naval Shipyard Operations Officer.

The repairs will feature steel pilings and reinforced concrete and the replacement of existing infrastructure including steam, potable water, storm water lines, electrical utilities, and lighting.

Libby said the project is scheduled to be completed in October 2014.



## MASSACHUSETTS

**Note: The Massachusetts General Court meets throughout the year.**

### **Proposed Legislation**

On 24 JAN 11, Representative Williams Gifford introduced [MA HB 1487](#) which would create a commission to study the health effects of wind turbines.

On 24 JAN 11, Representative Peterson introduced [MA HB 1511](#) which would create a special commission to investigate the health impacts of wind turbines.

### **Proposed Rules**

[Revised Draft Solid Waste Master Plan](#) - The Department of Environmental Protection has invited public comment on one substantive change to its draft Solid Waste Master Plan. The agency is proposing to modify the moratorium on municipal solid waste combustion to encourage innovative and alternative technologies, such as gasification or pyrolysis, for converting municipal solid waste to energy or fuel on a limited basis. The moratorium on new capacity for traditional combustion would remain in place.

### **Regulations**

[Operation, Maintenance & Pretreatment Standards \(Wastewater\)](#) - The Department of Environmental Protection has adopted revisions that will allow the use of source separated vegetative and food material in anaerobic digesters with the approval of the Department. These amendments are effective on 23 NOV 12 to the Site Assignment Regulation (310 CMR 16.00), Solid Waste Management and Operation Regulation (310 CMR 19.00), and the Maintenance & Pretreatment Standards Regulation (314 CMR 12.00). This is consistent with EOEEA's initiative to promote the production of biogas for renewable energy generation, support the goals of the solid waste master plan and create sustainable revenue streams from tipping fees or other contractual arrangements for obtaining vegetative and food materials for publicly owned treatment works.

The laws and regulations governing the siting, oversight and operation of publicly owned treatment works do not address the potential to add materials to the process for purposes other than traditional treatment (like energy creation or reformulation of byproducts into new products). Although no POTW in Massachusetts currently adds organics to an anaerobic digester, doing so could have multiple economic and environmental benefits for the public owner, and create broader environmental benefits through clean energy generation. This regulation passed and became effective on 23 NOV 12.

### **Governor Signs Bill to Limit Phosphorus in Fertilizers**

A bill signed into law recently by Governor Patrick will help to reduce the amount of phosphorus in fertilizers, and ultimately result in healthier rivers, ponds, and coastal embayments. The new law requires the Department of Agricultural Resources, with MassDEP's assistance, to promulgate regulations by 1 JAN 14 that will limit the amount of nutrient pollution, mainly phosphorus from fertilizers.

The problem occurs when fertilizers are placed on lawns and other parcels. When it rains or when the snow melts, the runoff picks up pollutants as it travels across the land. Eventually, this stormwater runoff is carried into the nearest body of water. There, nutrients help to produce algae, contributing to problematic algae blooms and the declining health of lakes, rivers and bays.

The EPA has ordered municipalities, treatment plants, businesses, and other wastewater producers to cut the amount of phosphorus being discharged in stormwater. The EPA is expected to issue more stringent permits that will require communities to cut their phosphorus discharges by up to 55 percent. This could result in cities and towns being required to build stormwater treatment facilities that could cost millions of dollars. The reduction of phosphorus in fertilizers sold in Massachusetts will help to address the problem, reducing the pollution in runoff waters, and lessening the need for expensive treatment works.

For more information, go to: <http://www.mass.gov/dep/public/publications/1112briefs.htm#4>.

### **MassDEP and MassCEC to Conduct Study on Wind Turbine Acoustics**

The Massachusetts Clean Energy Center (MassCEC) and MassDEP have recently concluded a solicitation for proposals from qualified acoustic consultants to assist in conducting a research study on wind turbine acoustics.

MassCEC and MassDEP are undertaking this research study to measure the level and quality of sound emissions from a variety of operating wind turbine projects in Massachusetts. The purpose of the study is to gather more data and information about the levels and characteristics of turbine sound under real-world conditions. It will also help explain the wind turbine siting and approvals process. It is intended to inform state agencies, local decision-makers, project developers, researchers, and the public. The knowledge gained from this study will help to address questions related to the sound impacts from wind turbines and potentially assist in the development of siting standards and municipal wind energy bylaws. MassCEC will direct the study, while MassDEP will provide technical input on the scope of work and the Request for Proposals (RFP) and review the study results.

Some of the goals of this study follow recommendations by the Independent Expert Science Panel (<http://www.mass.gov/dep/energy/wind/panelmembers.htm>) formed by MassDEP and the Massachusetts Department of Public Health as part of its report "Wind Turbine Health Impact Assessment, January 2012" ([http://www.mass.gov/dep/energy/wind/turbine\\_impact\\_study.pdf](http://www.mass.gov/dep/energy/wind/turbine_impact_study.pdf)). It will be conducted over a one-year period from the time the work is initiated and upon completion will be available to the public.

For more information about this research study, a copy of the RFP and an FAQ, please visit the MassCEC web site at: <http://masscec.com/index.cfm/cd/NAA/cdid/13966/pid/11161>. For more information about all of MassDEP's clean energy initiatives, please visit the Clean Energy Results Program website at: <http://www.mass.gov/dep/cleanenergy.htm>.

### **US Bureau of Ocean Energy Management to Decide on Offshore Winds Areas Next Year**

Representatives of the Bureau of Ocean Energy Management (BOEM) held a public meeting in November where they discussed preferred options for offshore wind configurations for the area off the coast of the Vineyard.

After BOEM released an environmental assessment and identified five different configurations for the area, its representatives said that the area about 12 nautical miles south of the Vineyard, which covers 877 square nautical miles, is the most convenient for the development, reports the Vineyard Gazette.

BOEM will probably make a decision on the offshore wind area early next year, after it considers public comments. The comment period for the environmental assessment ended on 3 DEC 12. For more information, go to: [http://www.offshorewind.biz/2012/11/22/usa-boem-to-decide-on-offshore-wind-area-next-year/?utm\\_source=Offshore+Wind.biz&utm\\_medium=email&utm\\_campaign=4f756acb82-RSS\\_EMAIL\\_CAMPAIGN](http://www.offshorewind.biz/2012/11/22/usa-boem-to-decide-on-offshore-wind-area-next-year/?utm_source=Offshore+Wind.biz&utm_medium=email&utm_campaign=4f756acb82-RSS_EMAIL_CAMPAIGN).

### **Newly Promulgated Waste Management Regulations**

Name & Citation of Regulation(s):

- 310 CMR 16.00: Regulations for Solid Waste Management Facility Site Assignment and Recycling, Composting, and Conversion Permits
- 310 CMR 19.000: Solid Waste Management (Definitions)

- 314 CMR 12.00: Operation, Maintenance, and Pretreatment Standards for Waste Water Treatment Works and Indirect Dischargers

These amendments are designed to facilitate the development of certain types of recycling, composting, and other clean/green cutting edge technologies in the Commonwealth, such as anaerobic digestion (AD), a technology that turns organics waste into natural gas for energy, while maintaining high environmental standards for these operations. The amendments:

- Exempt from the site assignment process certain operations that 1) handle organic or recyclable materials that have been separated from solid waste; and 2) recycle, compost or convert these materials into new products or energy.
- Establish clear and streamlined permitting pathways for these non-solid waste operations;
- Establish levels of MassDEP review and oversight for these operations that are commensurate with the environmental and public health issues they present; and
- Clarify that composting and other organics management activities on Massachusetts farms that are regulated by the MA Department of Agricultural Resources will not be regulated by MassDEP.

For more information, go to: <http://www.mass.gov/dep/recycle/laws/regulati.htm#organics>. This version shows changes from the public comment draft, and a document that responds to all of the comments received during the public comment period.



## NEW HAMPSHIRE

**Note: The NH General Court convened on 4 JAN 12 and adjourned on 27 JUN 12.**

### **Legislation**

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

### **Proposed Rules**

**Acid Deposition Control Program** - The Department of Environmental Services has proposed rulemaking concerning the Acid Deposition Control Program. The existing rules, Env-A 400, Acid Deposition Control Program, implement RSA 125-D, the Acid Rain Control Act, to address the adverse effects of acid deposition on ecosystems and public health by requiring the reduction of sulfur dioxide (SO<sub>2</sub>) emissions from large sulfur-emitting sources within New Hampshire. The rules are proposed to be readopted because they are scheduled to expire on December 22, 2012; pursuant to RSA 541-A:14-a, I, the existing rules will continue in effect for the duration of this readoption proceeding. Revisions are proposed to increase the clarity of the rules and add a new section, Definitions, to reference three terms currently contained in state statutes (RSA 125-D:2 and 125-D:3).

**Particulate Matter and Visible Emissions Standards** - The Department of Environmental Services has proposed rulemaking to readopt existing rules, Env-A 2100, which establish standards for particulate matter and visible emissions for those stationary sources or devices that are not specifically regulated pursuant to any other

chapter, part, or section of this subtitle. The rules are proposed to be readopted because they are scheduled to expire on November 24, 2012; pursuant to RSA 541-A:14-a, I, the existing rules will continue in effect for the duration of this re adoption proceeding. Revisions are proposed to increase the clarity of the rules and to add elements required by New Hampshire rule drafting requirements.



## RHODE ISLAND

**Note: The RI General Assembly convened on 3 JAN 12 and adjourned on 13 JUN 12.**

### Legislation

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

### Proposed Rules

[Rhode Island State Implementation Plans for NO<sub>2</sub> and Ozone](#) - The Department of Environmental Management has invited public comment on the proposed Rhode Island Infrastructure SIP revisions for the revised 8-hour average NAAQS for ozone, which was promulgated in 2008, and the 1-hour average NAAQS for nitrogen dioxide (NO<sub>2</sub>), which was promulgated in 2010.

### Regulations

[Rules and Regulations for Radon Control](#) - The Department of Health has adopted amendments to the Rules and Regulations for Radon Control to remove the specific dollar value of all fees for licensing, laboratory and administrative services provided by the Department of Health and reference all such fees to a new consolidated fee regulation (to be promulgated separately). This regulation passed and became effective on 10 DEC 12.

[Rules and Regulations for the Control of Radiation](#) - The Department of Health has adopted amendments to the Rules and Regulations for the Control of Radiation to remove the specific dollar value of all fees for licensing, laboratory and administrative services provided by the Department of Health and reference all such fees to a new consolidated fee regulation (to be promulgated separately). This regulation passed and became effective on 10 DEC 12.

[Rules and Regulations Pertaining to Public Drinking Water](#) - The Department of Health has adopted amendments to the Rules and Regulations Pertaining to Public Drinking Water to remove the specific dollar value of all fees for licensing, laboratory and administrative services provided by the Department of Health and reference all such fees to a new consolidated fee regulation (to be promulgated separately). This regulation passed and became effective on 10 DEC 12.

[Rules and Regulations Pertaining to the Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators](#) - The Department of Health has adopted amendments to the Rules and Regulations Pertaining to the Certification of Public Drinking Water Supply Treatment and Public Water Supply Transmission and Distribution Operators to remove the specific dollar value of all fees for licensing, laboratory and administrative services provided by the Department of Health and

reference all such fees to a new consolidated fee regulation (to be promulgated separately). This regulation passed and became effective on 10 DEC 12.

**[Rules and Regulations Pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health \[R23-1-17-Fee\]](#)** - The Department of Health has adopted the repeal of Rules and Regulations Pertaining to the Fee Structure for Clinical Laboratory Services Provided by the Department of Health Laboratory because the fees contained in these rules and regulations have been incorporated into the consolidated fee schedule. This regulation passed and became effective on 10 DEC 12.

### **CRMC Opens Public Comment Period for Block Island Wind Farm**

The Coastal Resources Management Council (CRMC) has opened a 60-day public comment period for the Deepwater Wind's wind energy project offshore Block Island.

The Block Island Wind Farm (BIWF) will consist of "five 6 MW wind turbine generators (WTGs), a submarine cable interconnecting the five WTGs, and a 34.5 kilovolt (kV) submarine transmission cable from the northernmost WTG to an interconnection point on east-central Block Island. From there, the cable will go ashore to a new substation built at the existing Block Island Power Company (BIPCO) property. In connection with the BIWF, Deepwater Wind Block Island Transmission, LLC proposes to construct the Block" says the permit application notice.

The public comment period started on 15 NOV 12 and will be closed on 15 JAN 12, after which a public hearing will be scheduled.

For more information, go to: [http://www.offshorewind.biz/2012/11/21/usa-crmc-opens-public-comment-period-for-block-island-wind-farm/?utm\\_source=Offshore+Wind.biz&utm\\_medium=email&utm\\_campaign=873b559ee4-RSS\\_EMAIL\\_CAMPAIGN](http://www.offshorewind.biz/2012/11/21/usa-crmc-opens-public-comment-period-for-block-island-wind-farm/?utm_source=Offshore+Wind.biz&utm_medium=email&utm_campaign=873b559ee4-RSS_EMAIL_CAMPAIGN).



## **VERMONT**

**Note: The Vermont General Assembly convened on 3 JAN 12 and adjourned on 5 MAY 12.**

### **Proposed Legislation**

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

### **Regulations**

**[Governor's Energy Generation Siting Policy Commission](#)** - The Office of the Governor has issued an executive order to create the Governor's Energy Generation Siting Policy Commission. The Commission shall provide the Governor and the chairs of the legislative committees House Natural Resources and Energy, Senate Natural Resources, House Commerce, and Senate Finance a written report by April 30, 2013 regarding best practices for the siting approval of electric generation projects and for public participation and representation in the siting process. The term "electric generation project" shall mean all electric generation facilities other than net metered and group net metered facilities. This Executive Order was issued on 1 NOV 12.



## REGION 2



### NEW JERSEY

**The New Jersey Legislature meets throughout the year.**

#### **Proposed Legislation**

On 11 OCT 12, Assemblywoman Spencer introduced [NJ AB 3367](#) which would require owners or operators of industrial establishments applying for de minimis exemption from "Industrial Site Recovery Act" to certify as to no actual knowledge of contamination exceeding remediation standards.

On 19 NOV 12, Assemblyman Kean introduced [NJ AB 3452](#) which directs DEP and Monmouth County to form study commission to examine nonpoint source pollution and stormwater management issues in Wreck Pond Watershed.

On 1 OCT 12, Senator Gordon introduced [NJ SB 2208](#) which would amend the "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and floodways.

#### **Legislation**

On 10 JAN 12, Assemblyman Eustace introduced [NJ AB 733](#) which would prohibit health care facilities from discharging prescription medications into sewer or septic systems in certain circumstances. This bill passed and was signed by the Governor on 19 NOV 12.

On 15 MAR 12, Senator Norcross introduced [NJ SB 1816](#) which would afford DRPA police officers authority to inspect hazardous materials carriers and cargoes; clarifies authority of State Police to conduct inspections. This bill passed and was signed by the Governor on 3 DEC 12.

#### **Proposed Rules**

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

#### **Governor Pledges Continued Support to Safely Reduce Massive Volumes of Debris Left by Storm**

The Governor of New Jersey is making the safe removal of debris a top priority, working to remove these materials to landfills, incinerators, and recycling facilities as quickly as possible so that residents can begin to rebuild, Department of Environmental Protection (DEP) Commissioner Bob Martin said.

The storm has left millions of cubic yards of materials that need to be hauled away. So far, the DEP has approved 100 temporary debris management areas to help ensure a steady flow of debris from communities that were impacted by Hurricane Sandy. These temporary debris management areas have been established in a variety of locations, including parking lots, municipal public works yards, former landfills, and empty fields, to name some. Local staging areas allow municipalities to get debris off the streets quickly, reducing health and safety concerns

and improving access to these communities. They are located from Bergen County to Atlantic County. The majority are in Monmouth and Ocean counties.

Even before the storm hit, the DEP set in motion the framework for a system of temporary debris management areas for the staging and source separation of materials for proper disposal and recycling.

The DEP is also working with the Treasury Department to ensure that there are sufficient numbers of contractors available to work with local governments to haul away debris and has issued hundreds of temporary vehicle registrations to vehicles to increase waste-hauling capacity. In addition, the state has hired contractors to monitor the waste flow and ensure that it is managed properly.

Some of the steps taken by the DEP to manage storm debris include:

- Expediting the review of applications for local debris staging areas;
- Engaging with municipalities and counties, as well as representatives of New Jersey's solid waste and recycling industries, to evaluate ongoing and anticipated solid waste and recycling demands to ensure there is sufficient capacity in the system to handle storm debris;
- Authorizing state, county and municipal entities and permitted solid waste facilities in the state to obtain temporary DEP registrations for commercial vehicles and equipment to be used in hauling storm waste;
- Issuing a statewide enforcement alert noting that illegal dumping will be subject to mandatory fines and possible vehicle forfeiture. Illegal dumping may be reported to local police or the DEP's emergency hotline at 877-WARNDEP (877-927-6337). For questions during business hours, call the DEP at 609-292-6305;
- Working to ensure resumption of normal trash and recycling collection services to communities throughout the state. Residents should contact local public works or municipal recycling coordinators or visit their websites for details.

In addition, the DEP has assigned staff to work with storm-affected municipalities one-on-one, serving as liaisons to help them work through any concerns, advise them on the availability of resources, and ensure the cleanup proceeds smoothly. These experts are helping to prioritize which towns need the most assistance in moving debris. They are also helping municipalities work through the FEMA reimbursement process.

DEP inspectors and local authorities are closely monitoring storm debris removal to ensure protection of the environment and public health. Activities such as illegal dumping, hauling without proper approval, and price-gouging will not be tolerated. Violators will be prosecuted.

A list of solid waste facilities and operating hours as well as various DEP actions and guidance documents related to debris management may be found at: [www.nj.gov/dep/special/hurricane-sandy/debris.htm](http://www.nj.gov/dep/special/hurricane-sandy/debris.htm).

### **PWD Earle Helps with Weapons Station Recovery Following Sandy**

**By Tom Kreidel – NAVFAC Midlant Public Affairs**

USNS Sacagewea (T-AKE-20) departed Naval Weapons Station Earle 15 NOV 12 after conducting a scheduled weapons offload, making it the first ship to conduct operations at Earle since Superstorm Sandy struck the base. Sandy caused extensive damage to the pier and knocked out power to the entire base.

According to Deputy Public Works Officer John Mahoney, NAVFAC Mid-Atlantic Public Works Department Earle, the storm caused millions of dollars in damage, primarily to the waterfront and pier complex. "The storm

caused wave damage to all utility lines that carry power from the shore side of the base down the three mile long pier,” he said. “The waves toppled the trestle and tore the utilities including potable water, sewer, and high voltage electric cables from their cradles.” He said the main side of the base suffered damage as well, with falling trees blocking roads and knocking down power lines.

Mahoney said PWD's initial actions were to restore mission capability and re-establish power to the base. At one point, more than 40 generators were providing power until commercial power could be restored. The team also went to work cutting up and removing downed trees, repairing power distribution lines, and making repairs to the perimeter fence. This initial cleanup was an enormous effort, conducted with the support of NAVFAC Mid-Atlantic personnel from across the region, including public works personnel from other bases.

“We are now back in business but much work remains,” said Mahoney. Temporary water and sewer lines are being constructed to support ships pulling into the pier and electric cables are still being repaired as well. In the coming months, permanent repairs for utilities and buildings will need to be designed and constructed to bring the base back to full capability.



## NEW YORK

**The New York State Legislature meets throughout the year.**

### **Proposed Legislation**

On 13 DEC 12, Senator Gianaris prefiled [NY SB 585](#) which relates to the general civil penalty of the environmental conservation law; provides that in addition to the fines, such person may be enjoined from continuing such violation and any permit or certificate issued to such person may be revoked or suspended, or a pending renewal application may be denied.

On 13 DEC 12, Senator Stavisky prefiled [NY SB 635](#) which would establish the toxic mold safety and protection act and the toxic mold hazard insurance program and appropriate \$250,000 therefor.

### **Proposed Rules**

[Water Withdrawal Permit, Reporting and Registration Program](#) - The Department of Environmental Conservation has adopted the repeal, addition and amendment of rules concerning water withdrawal permits and the reporting and registration program. The purpose of this rulemaking is to implement amendments to Environmental Conservation Law (ECL) article 15, title 15, key provisions of ECL article 15 title 16, 6 NYCRR 675 and ECL article 15 title 33.

### **Regulations**

[LEV, ZEV, GHG, Environmental Performance Label, New Aftermarket Catalytic Converter, and Emissions Warranty/Recall Standards](#) - The Department of Environmental Conservation has adopted rule making to incorporate California's LEV, ZEV, GHG, environmental performance label, catalytic converter, and warranty standards. This regulation passed and became effective on 9 DEC 12.

### **EPA, State, and City Launch Household hazardous Waste Pickup in New York City**

The EPA and the New York City Department of Sanitation are collecting and properly disposing of potentially hazardous common household products from flood-damaged homes and residences in New York City. The public is encouraged to put waste products on their curbs for pickup, including: solvents, paints, cleaners, oil, propane tanks, batteries, petroleum products, weed/bug killers, car batteries, bleach and ammonia. The EPA and its contractors will drive the streets of impacted areas to pick up the household hazardous waste on the curb at each residence. Curbside pickup of household hazardous waste will take place in neighborhoods impacted by the storm surge from Hurricane Sandy.

Oil-contaminated debris or material contaminated by other petroleum or chemical products should be separated and stored in a well-ventilated area. If stored outdoors, the piles should be covered to keep rain from contaminating nearby soil and water. Any chemical or oil spills, such as from home heating oil tanks, must be reported to DEC at 1-800-457-7362.

It is also important to clean and disinfect everything touched by flood waters as quickly as possible, since they may contain bacteria or toxic chemicals from sources as varied as pesticides, heating oil and sewage.

Porous items need to be dried right away to prevent mold. If possible, household furnishings should be cleaned or disinfected. If they cannot be cleaned, they should be discarded. Hard, non-porous surfaces should also be cleaned. For detailed advice, see the State Department of Health's website <http://www.health.ny.gov/environmental/emergency/weather/hurricane/> and <http://www.epa.gov/sandy/factsheets.html>.

The New York City Department of Sanitation will be picking up white goods, such as refrigerators and other appliances, and will remove the refrigerants from refrigerators, freezers, and air conditioners. Refrigerants include chlorofluorocarbons and hydrochlorofluorocarbons, which are greenhouse gases. These refrigerants will be removed from appliances by the city using EPA certified recovery systems before the items are crushed or taken apart for recycling.

The New York City's Department of Sanitation offers updates at: <http://www.nyc.gov/html/dsny/html/home/home.shtml>.

For a map of Hurricane Sandy hazardous waste pickup sites in New York City, visit: <http://epa.gov/sandy/hazardouswastepickup.html>.

More information can be found at <http://www.epa.gov/sandy>.

## REGION 3



### DISTRICT OF COLUMBIA

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

#### Proposed Legislation

On 22 JUN 12, Councilmember Mendelson introduced [DC PR 795](#) – the New Source Review Approval Resolution of 2012 - which would amend the District’s New Source Review (NSR) requirements which apply to new and modified major emissions sources that have the ability to significantly impact air quality or interfere with other programs created to achieve and maintain the National Ambient Air Quality Standards (NAAQS).

#### Legislation

On 4 JAN 12, Councilmember Cheh introduced [DC B 643](#) which is an Act to further restrict the application of pesticides near waterways, at schools, day care centers, and on District property, to establish publicly available courses on pesticides at the University of the District of Columbia, to require an annual report on pesticide usage, to require pesticide applicators to submit usage data, and to increase the pesticide product registration fee; to amend the Pesticides Operations Act of 1977 to increase penalties; and to amend the Human and Environmental Health Protection Act of 2010 to allow the Mayor to issue rules permitting limited exemptions. This regulation passed and became effective on 10/23/12.

#### Proposed Rules

[Revisions to the District’s State Implementation Plan](#) - The District Department of the Environment (the Department) intends to submit recent amendments to 20 DCMR § 606 to the United States Environmental Protection Agency as a SIP revision. The proposed rulemaking to amend § 606 was published in the D.C. Register on 11 MAY 12, at 59 DCR 004789. The Final Rulemaking was published in the D.C. Register on 9 NOV 12. The final rulemaking amends 20 DCMR § 606 to provide an exception to the opacity standard of up to ten percent (10%) through a permitting process pursuant to 20 DCMR chapter 2 or 3, in situations where the regulated entity can document that it is unable to reasonably attain compliance with the current zero percent (0%) opacity standard. In addition to such documentation, in order to obtain an alternative to the zero percent standard, the entity would be required to document compliance with all other particulate matter standards and show that the emissions from the subject source would not cause a violation of any National Ambient Air Quality Standard and that operation at the higher visible emissions level is not a sign of improper operation of the equipment.

#### Regulations

[New Source Review and Revision of the District’s State Implementation Plan](#) - The District Department of the Environment has adopted rulemaking concerning New Source Review (NSR) and State Implementation Plan (SIP) revisions. The comment period officially closed on March 19, 2012, with the Department having received comments from four (4) members of the regulated community, JBG Companies (JBG), the U.S. Department of

Defense (DOD), the U.S. General Services Administration (GSA), and the D.C. Water and Sewer Authority (DC Water). The Department considered these comments and posted responses on its website on November 16, 2012; however the Department has elected not to incorporate the commenters' suggested changes and is therefore proceeding with this final rulemaking. The Department has made five (5) clarification amendments, which the Office of the Attorney General determined are non-substantive in nature and therefore do not necessitate reproposal. This regulation passed and became effective on 16 NOV 12.

### **New Source Review Program – District Department of the Environment Final Rulemaking**

Proposed regulations were published in the *D.C. Register* on 17 FEB 12, at 59 DCR 001217. The comment period officially closed on 9 MAR 12, with the District Department of the Environment (DDOE) having received comments from four (4) members of the regulated community which included comments from the U.S. Department of Defense (DoD). The DDOE considered the comments and elected not to incorporate the commenters' suggested changes and is therefore proceeding with this final rulemaking.

Below list a couple of the significant changes that will impact DOD facilities in the District of Columbia.

- The Department has adopted an “actual-to-potential” test for major NSR applicability, whereas the federal rule applies an “actual-to-projected-actual” test. The actual-to-potential test will subject a large number of projects to NSR requirements even if they only resulted in a minor increase in actual emissions. The District has retained the actual-to-potential test. They explain that the rule is intended to encourage industries to use state-of-art technologies to limit their potential to emit below the NSR threshold when undergoing modifications, and in the event that this is not possible, to use the opportunity when they are already making changes to install the most effective pollution control technology and reduce overall emissions in the District through offsets.
- The Department has adopted a more stringent calculation method for determining Plantwide Applicability Limit (PAL) baseline emissions than the federal nonattainment NSR requirements. The proposed rule uses the immediately preceding two (2) calendar years for the PAL baseline period unless the Department determines that a different twenty-four (24) month period within the previous five (5) years is more representative of normal source operations. The federal rule permits a source to use any consecutive twenty-four (24) month period within the previous ten (10) years. The District proposed a five (5) year look back period instead of a ten (10) year look back to limit a source's potential to find a higher baseline. The Department has determined that this method is more protective of air quality in the District, because a lower baseline will also result in a lower PAL for the source and therefore likely lower actual emissions. Therefore, the District retained the definition of “PAL baseline period” as proposed.

The rule became effective on 17 NOV 12. Additional information can be found at:

<http://ddoe.dc.gov/release/final-rulemaking-amend-new-source-review-program>.



## **DELAWARE**

**Note: The Delaware General Assembly convened on 10 JAN 12 and adjourned on 30 JUN 12.**

### **Legislation**

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

### **Proposed Rules**

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



## **MARYLAND**

**Note: The Maryland General Assembly convened on 11 JAN 12 and adjourned on 9 APR 12.**

### **Legislation**

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

### **Proposed Rules**

**Bill 34-12, Stormwater Management - Water Quality Protection Charge** - The Montgomery County Council has introduced Bill 34-12, Stormwater Management - Water Quality Protection Charge. The bill would:

- subject all properties not otherwise exempt under state law to the Water Quality Protection Charge;
- allow certain property owners to obtain a credit equal to a certain percentage of the Charge;
- exempt certain property owners that are able to demonstrate substantial financial hardship;
- provide for a phase-in of certain increases to the Charge; and
- generally amend County law regarding the Water Quality Protection Charge.

**Low Emissions Vehicle Program** - The Department of the Environment has proposed amendments to update COMAR 26.11.34.02 Incorporation by Reference to reflect the changes made to the California regulations since their original adoption in Maryland in November 2007 and subsequent update in 2009 and 2011. These amendments only affect one regulation, COMAR 26.11.34.02 Incorporation by Reference. All other implementing regulations remain as originally adopted in 2007. In order to retain the Clean Car Program, Maryland's implementing regulations must remain consistent with California's regulations, hence, when California updates its regulations, Maryland must reflect these changes by updating the applicable Maryland regulations. These amendments will be submitted to the EPA as a revision to Maryland's State Implementation Plan (SIP).

**Notice of Public Hearing on Implementation, Maintenance, and Enforcement Measures for the 8-Hour Ozone National Ambient Air Quality Standard State Implementation Plan** - The Department of the Environment has announced a public hearing on a State Implementation Plan (SIP) addressing implementation, maintenance, and enforcement measures for the 2008 75 ppb 8-hour ozone national ambient air quality standard. The hearing was held and comments were due by 21 DEC 12.

**Permits, Approvals, and Registration** - The Department of the Environment has proposed amendments to Regulations .17 and .19 under COMAR 26.11.02 Permits, Approvals, and Registration. (1) The purpose of the amendments to COMAR 26.11.02.17 is to clarify how fees are applied to Air Quality Permit to Construct source categories; to establish a new fee for an additional source category that requires an Air Quality Permit to

Construct; and to raise the existing minimum fee for securing a standard Air Quality Permit to Construct from \$200 to \$500, for most sources. The proposed fee increases apply to sources requiring an individual Air Quality Permit to Construct. The fees will remain the same for small sources requiring an Air Quality General Permit to Construct. (2) The purpose of the amendments to COMAR 26.11.02.19 is to raise the annual base fee for large air pollution sources in Maryland that are required to obtain a federal Title V Permit or State Permit to Operate. The proposed amendments raise the annual base fee from \$200 to \$5,000 for sources requiring a federal Title V Permit and from \$200 to \$500-\$1,000 for sources requiring a State Permit to Operate.

### **Regulations**

**Control of Incinerators** - The Department of the Environment has adopted an amendment to COMAR 26.11.08.08-2 and the 111(d) Plan pertaining to the compliance schedule for hospital, medical, infectious and medical waste (HMIWI) incinerators and the HMIWI requirement 111(d) Plan. Based on testing and analysis conducted by affected sources, flexibility in meeting the interim compliance dates is needed to better accomplish and optimize the required level of control and achieve compliance by 6 OCT 14. The proposed amendment allows a source to propose and follow an alternate plan and schedule for meeting the 6 OCT 14 compliance date. This regulation passed and became effective on 26 NOV 12.

### **Maryland Register Publishes Final Notice to Adopt Nutrient Management Regulations**

The Maryland Department of Agriculture's Revised Nutrient Management Regulations were published in the Maryland Register on 5 OCT 12 and went into effect on 15 OCT 12. They are designed to achieve consistency in the way all sources of nutrients are managed and help Maryland meet nitrogen and phosphorus reduction goals spelled out in its Watershed Implementation Plan (WIP) to protect and restore the Chesapeake Bay. The final regulations include one technical, non-substantive change in the provision that refers to nutrient application setbacks and the Department's consideration of new practices developed by the USDA's National Resources Conservation Service and the University of Maryland. The MD Department of Agriculture revised the provision to add "and other land grant universities".

To [read the Final Notice to Adopt](#), visit the Maryland Register.

A [copy of the final regulations](#) is available on MDA's website.

A [Frequently Asked Questions](#) document is available online.

### **Governor O'Malley Gathering Support for Offshore Wind Bill**

In his attempt to reintroduce the energy bill, Maryland Gov. Martin O'Malley, asked a higher authority, i.e. President Obama, for support, according to MD Coast Dispatch reports.

The legislation aimed to spur wind power development offshore Maryland failed twice to come before the Senate. Governor O'Malley said that he will introduce a similar legislation as he attempts to gather support.

In a letter to President Obama, O'Malley wrote:

"As an example of how smart policy can incent economic development and reduce our carbon footprint, Maryland has chosen to aggressively develop our vast offshore wind resources. My administration has introduced legislation to make offshore wind power a reality off Maryland's coast."

"This has the potential to foster a \$10 billion industry in our state, providing a significant benefit to the region's economy. And offshore wind will confront climate change head-on, generating up to 1 GW of renewable electricity from a designated lease area off Maryland's coast, enough to power nearly 400,000 homes."

### **Maryland Permits to Construct Requirement**

Currently COMAR 26.11.02.09A(4) requires all NESHAP sources as defined in COMAR 26.11.01.01 to obtain a permit to construct. With the recent change to the definition (effective on March 5, 2012), now all MACT sources (a subset of NESHAP sources), including all of the numerous Maximum Achievable Control Technology (MACT) area sources will be required to obtain a permit to construct.

Prior to the revision of the NESHAP definition under 26.11.01.01, some MACT area sources were exempt from the permit to construct requirement because they met the criteria for COMAR 26.11.02.10 Sources Exempt from Permits to Construct and Approvals. The Department desires to keep these exemptions. The exempted sources have minimal emissions of air pollutants and negligible environmental impact which is the reason that they qualified for the exemption under COMAR 26.11.02.10. All sources (including NESHAP sources) not otherwise exempt under COMAR 26.11.02.10 will be required to obtain a permit to construct.

This amendment restores the permit to construct exemptions under COMAR 26.11.02.10 for applicable MACT area sources that existed prior to the revision of the definition of —NESHAP source under COMAR 26.11.01.01 that became effective on 5 MAR 12.



## **PENNSYLVANIA**

**Note: The Pennsylvania General Assembly meets throughout the year.**

### **Legislation**

On 16 FEB 11, Representative Barrar introduced [PA HB 728](#) which would

### **Proposed Rules**

[Extension of NPDES General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems \(PAG-05\)](#) - The Department of Environmental Protection has announced the extension for 12 months the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Petroleum Product Groundwater Remediation Facilities (PAG-05). The existing PAG-05 in effect at this time will expire on 28 DEC 12. By this notice, the Department is administratively extending the PAG-05 General Permit to 28 DEC 13. Persons that are operating under the PAG-05 General Permit may continue to operate until 28 DEC 13, or the expiration date of coverage identified on the permit coverage approval page, whichever is later. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-05 General Permit.

### **State Parks, Forests Dodge Brunt of Hurricane Sandy**

Power outages, downed trees and limbs, and other wind damage were commonplace in the wake of Hurricane Sandy, but state parks and state forests were spared the severe damage associated with the historic coastal storm that struck 29-30 OCT 12.

Most damage addressed by DCNR was confined to state parks in the eastern section of the state, Region 4. Two state parks—Jacobsburg Environmental Education Center in Northampton County and Delaware Canal State Park in Bucks and Northampton counties—lost power for several weeks as a result of the storm.

Park visitation and camping reservation were temporarily affected as outages crimped telephone, Internet, and other operations at nine other parks. Affected were: Fort Washington, Montgomery County; Hickory Run, Carbon County; Lackawanna, Lackawanna County; Memorial Lake, Lebanon County; Nockamixon, Bucks County; Promised Land, Pike County; Tuscarora, Schuylkill County; Tyler, Bucks County; White Clay Creek, Delaware County.

In addition, wind and falling tree/limb damage was reported at Beltzville State Park, Carbon County; Hickory Run; Lehigh Gorge, Carbon County; Lackawanna. In Nockamixon, a tree toppled on a cabin and the occupant's car. In Nockamixon's marina, high winds and heavy rain left 12 boats submerged.

### **EQB Considers Air Quality Emission Fee Increases**

The [Environmental Quality Board](#) met on 20 NOV 12 to consider a proposed Title V Air Quality Emission Fee increase from \$56 per ton to \$85 per ton. However, due to the decline in actual emissions, the revenue generated in 2014 will actually be less than in 2013. The emission fees imposed by DEP must, by federal law, be at a level needed to support the Title V Air Quality permit administration program. The board also considered a Final Omitted Rule- Emergency Response Planning at Marcellus Shale wells and a Rulemaking Petition- Little Sewickley Creek.

[Click Here](#) for details and copies of handouts.

### **Election, Retiring Legislators Means Change of Key Environmental Committee Leadership**

With the retirement of two Chairs of the Senate and House Environmental Resources and Energy Committee and a switch from the House to the Senate for a third Chair, the new session of the General Assembly will mean an almost complete turnover of environmental leadership in the Senate and House.

Sen. Mary Jo White (R-Venango), Majority Chair of the Senate Environmental Resources and Energy Committee, announced her retirement at the end of 2011. She served as Chair of the Committee for 12 years.

Rep. Camille George (D-Clearfield), Minority Chair of the House Environmental Resources and Energy Committee, announced his retirement at the beginning of 2012. He served as both Majority and Minority Chair of the Committee for 29 years.

Rep. Scott Hutchinson (R-Venango), Majority Chair of the House Environmental Resources and Energy Committee, was elected to the Senate this month to replace Sen. Mary Jo White. He served as Majority and Minority Chair of the Committee over six years. He also served as Chair of the Joint Legislative Air and Water Pollution Control and Conservation Committee for 11 years.

The only member likely to stay in a position of environmental leadership is Sen. John Yudiack (D-Luzerne), Minority Chair of the Senate Environmental Resources and Energy Committee. He has served as Chair since the retirement of Sen. Ray Musto (D-Luzerne) in 2010.

Committee appointments should be announced at the latest in January when the new session convenes.

### **DEP Sets 20 Webinars on New Permitting Tools Permit Decision Guarantee**

The Department of Environmental Protection (DEP) has scheduled 20 webinars between November and next June to discuss how the agency will use electronic permitting tools to implement the [Permit Review and Decision Guarantee Process](#). For the full schedule and links to sign up for the webinars, go to: [http://www.portal.state.pa.us/portal/server.pt/community/public\\_participation\\_center/14004/dep\\_webinars/1306080](http://www.portal.state.pa.us/portal/server.pt/community/public_participation_center/14004/dep_webinars/1306080).

### **DEP Offers Tips for Removing, Processing Storm Debris, Waives State Landfill Fees**

The DEP is reminding homeowners how to properly dispose of and process debris left behind from Hurricane Sandy. “If homeowners encounter debris from the hurricane in or near creeks and streams, it can be removed without obtaining one of our Water Obstruction and Encroachment permits,” DEP Secretary Mike Krancer said. “The hurricane affected us all in some way, and DEP is helping homeowners and businesses assure a safe and effective cleanup by offering guidance.”

Even though small debris can be removed without a permit, large woody debris that requires operating machinery in the stream to remove it, or removal of a gravel bar, will require written authorization from DEP.

Property owners can remove trees and tree limbs wherever possible to protect their own property as well as public roads and bridges that could be damaged. Owners can cut up trees in place and remove them from the creek, or pull the tree trunks and branches out of the water before cutting them up.

To dispose of limbs and woody debris, property owners are encouraged to utilize local composting services.

To assist communities that have been affected by the recent storm events, DEP is temporarily waiving certain disposal fees and waste vehicle registration requirements and providing flexibility in other aspects of waste management to facilitate the collection and disposal of storm debris.

The requirement for a waste hauler to display an authorized Act 90 sticker on the hauling vehicle has been temporarily waived statewide to allow facility operators to accept storm debris waste from vehicles without Act 90 authorizations.

DEP is also waiving the state portion of the tipping fees for the disposal of storm debris; authorizing extended operational hours at landfills; allowing the use of temporary waste staging areas for collecting waste prior to transportation to disposal facilities; and authorizing increased daily volumes of waste that facilities can receive and dispose.

These provisions will be effective until January 31, 2013, unless no longer necessary or extended by DEP.

Items that may have been affected by flooding, such as propane tanks, refrigerators, heating oil tanks, electronic equipment, tires, gasoline or paints should be separated and stored in a safe, dry location for separate collection in the future. This will allow haulers to focus on removing the most problematic debris and waste.

Homeowners, business owners and municipal officials who have questions about cleaning up storm debris should contact the [DEP regional office](#) that serves their area.

### **Pennsylvania Environmental Partnership Meeting Held**

DoD Regional Environmental Coordination (REC) Staff facilitated the routine meeting of the PA Partnership on 6 DEC 12 in Harrisburg, PA. Service leads and installations participated in person and via conference call. The PA Department of Environmental Protection (DEP) provided updates on policy and legislative/regulatory actions including evaluating and streamlining their permit application process. Installations also received information on PA's 2012 Integrated Water Quality Monitoring and assessment Report. PA indicated the report is currently in draft form and their department is working through comments received. The report will be finalized early next year. EPA provided installations routine findings from their multi-media inspections and enforcement actions. EPA also indicated their FY13 multi-media inspections will include 6 DoD installations in Region 3 for 2013; no multi-media inspections in PA; and installations should be prepared for single media inspections. DEP and REC staff also presented a joint presentation on coordinating Phase II WIP data collection. Additional internal DoD discussions will be conducted in order to determine the appropriate path forward. Installations provided updates on their compliance programs and Tobyhanna will be presenting next meeting in July. The group requested the next meeting's focus be on air compliance. If you would like to be added to the partnership's distribution list send an email to [sarah.diebel@navy.mil](mailto:sarah.diebel@navy.mil).



## VIRGINIA

**The Virginia Legislature convened on 12 JAN 12 and adjourned on 10 MAR 12.**

### **Proposed Legislation**

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

### **Proposed Rules**

Proposed Revision to the Commonwealth of Virginia State Implementation Plan - The Department of Environmental Quality has announced an opportunity for public comment on a proposed revision to the Commonwealth of Virginia State Implementation Plan (SIP). The SIP is a plan developed by the Commonwealth in order to fulfill its responsibilities under the federal Clean Air Act to attain and maintain the ambient air quality standards promulgated by the U.S. Environmental Protection Agency (EPA) under the Act. The Commonwealth intends to submit the regulation amendments to EPA as a revision to the SIP in accordance with the requirements of § 110(a) of the federal Clean Air Act.

**Review of the Board For Asbestos, Lead, and Home Inspectors Regulations Currently in Place** - Pursuant to Governor McDonnell's regulatory reform initiative, the Department of Professional and Occupational Regulation is conducting a review of the Board for Asbestos, Lead, and Home Inspectors regulations currently in place to (i) repeal regulations that are unnecessary or no longer in use and (ii) reduce unnecessary regulatory burdens on individuals, businesses, and other regulated groups. The Department invites public comment on these issues specific to the following regulations:

- 18VAC15-20, Virginia Asbestos Licensing Regulations
- 18VAC15-30, Virginia Lead-Based Paint Activities Regulations
- 18VAC15-40, Virginia Certified Home Inspectors Regulations

**Review of the Board for Waste Management Facility Operators Regulations Currently in Place** - Pursuant to Governor McDonnell's regulatory reform initiative, the Department of Professional and Occupational Regulation is conducting a review of the Board for Waste Management Facility Operators regulations currently in place to (i) repeal regulations that are unnecessary or no longer in use and (ii) reduce unnecessary regulatory burdens on individuals, businesses, and other regulated groups.

**Review of the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Currently in Place** - Pursuant to Governor McDonnell's regulatory reform initiative, the Department of Professional and Occupational Regulation is conducting a review of the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals regulations currently in place to (i) repeal regulations that are unnecessary or no longer in use and (ii) reduce unnecessary regulatory burdens on individuals, businesses, and other regulated groups.

### **Regulations**

**2012 CFR Regulatory Update for VPDES Regulation** - The Department of Environmental Quality has adopted an amendment to the Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation, 9VAC25-31.

9VAC25-31 includes citations and requirements in the form of incorporated federal regulatory text at Title 40 of the Code of Federal Regulations (CFR). This regulatory amendment will bring up to date the citations and incorporation of Title 40 of the CFR to the CFR as published on July 1, 2012. This regulation passed and becomes effective on 30 JAN 13.

**Federal Documents Incorporated by Reference** - The Department of Environmental Quality has adopted regulation amendments which update state regulations that incorporate by reference certain federal regulations to reflect the Code of Federal Regulations as published on 1 JUL 12. Below is a list of the new standards in the federal regulations that are being incorporated into the regulations by reference:

1. Two NSPSs are being modified: Subpart D, Fossil Fuel-Fired Steam Generators (40 CFR 60.40 through 40 CFR 60.46), and Subpart Da, Electric Utility Steam Generating Units (40 CFR 60.40Da through 40 CFR 60.52Da). The date of the Code of Federal Regulations book being incorporated by reference is also being updated to the latest version.
2. No new NESHAPs are being incorporated. The date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version.
3. One MACT is being modified: Subpart X, Secondary Lead Smelting (40 CFR 63.541 through 40 CFR 63.552). Two new MACTs are being incorporated: Subpart UUUUU, Coal- and Oil-fired Electric Utility Steam Generating Units (40 CFR 63.9980 through 40 CFR 63.10042); and Subpart HHHHHHH, Polyvinyl Chloride and Copolymers Production (40 CFR 63.11860 through 40 CFR 63.12000). The date of the Code of Federal Regulations book being incorporated by reference is being updated to the latest version.

This regulation passed and becomes effective on 13 FEB 13.

**Regulation for the Control of Motor Vehicle Emissions in Northern Virginia** - The Department of Environmental Quality has adopted regulation amendments which are being made to conform to state law for the testing of emissions, including remote sensing, from motor vehicles located or primarily operated in Northern Virginia. Section 46.2-1176-1187.3 of the Virginia Air Pollution Control Law (Title 46.2, Chapter 10 of the Code of Virginia) authorizes the State Air Pollution Control Board to promulgate regulations for the control of motor vehicle emissions and for emissions testing including remote sensing. Specifically, the 2012 amendments to § 46.2-1178 C require the establishment by regulation of the following on-road testing requirements:

1. On and after July 1, 2012, and before July 1, 2013, an on-road clean screen program shall be limited to no more than 10 percent of the motor vehicles which are eligible for emissions inspection during the applicable 12-month period.
2. On and after July 1, 2013, and before July 1, 2014, an on-road clean screen program shall be limited to no more than 20 percent of the motor vehicles which are eligible for emissions inspection during the applicable 12-month period.
3. On and after July 1, 2014, an on-road clean screen program shall be limited to no more than 30 percent of the motor vehicles described in this subsection which are eligible for emissions inspection during the applicable 12-month period.

This regulation passed and became effective on 15 DEC 12.

**Virginia Occupational Health and Safety Program** - The Department of Labor and Employment has adopted amendments which establish procedures for the commissioner or his appointed representatives under § 40.1-6 of the Code of Virginia to take and preserve testimony, examine witnesses, and administer oaths and, pursuant to § 40.1-11 of the Code of Virginia, allow individuals the right to request a copy of their own interview comments when involved in an investigation. This regulation passed and became effective on 5 DEC 12.

**Rules and Regulations for Enforcement of the Virginia Pesticide Law** - The Department of Agriculture and Consumer Services has adopted Rules and Regulations for Enforcement of the Virginia Pesticide Law. Chapters 803 and 835 of the 2012 Acts of Assembly abolished the Pesticide Control Board and transferred its duties and responsibilities to the Board of Agriculture and Consumer Services. The legislation was a result of a recommendation of Governor McDonnell's Commission on Government Reform and Restructuring. This regulatory action amends the Pesticide Control Board regulations by renumbering the regulations and placing them under the Virginia Department of Agriculture and Consumer Services in the Virginia Administrative Code. This regulation passed and became effective on 10 OCT 12.

**Sewage Handling and Disposal Regulations** - The Department of Health has adopted amendments which conform to recent changes in statutory law enacted by Chapter 184 of the 2012 Acts of Assembly. The amendments exempt onsite sewage system installations that are pursuant to designs certified by licensed private sector professional engineers and onsite soil evaluators from the department's inspection and coverage requirements and set out inspection and reporting requirements for such systems. This regulation passed and became effective on 22 NOV 12.

**Permit Fees for Stormwater Discharges from Construction Activities Increase**

During the 2012 General Assembly, the legislators increased the fees for coverage under the VSMP General Permit for Stormwater Discharges from Construction Activities. The regulations implementing this change became effective on 21 NOV 12. The fee for to obtain coverage for small construction activities increased from \$300 to \$450. The fee for large construction activities increased from \$500 to \$750. For more information, go to: <http://register.dls.virginia.gov/vol29/iss04/v29i04.pdf>.



## WEST VIRGINIA

**The West Virginia Legislature convened on 11 JAN 12 and adjourned on 13 MAR 12.**

**Legislation**

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

**Proposed Rules**

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

# REGION 4



## NORTH CAROLINA

**Note: The NC General Assembly convened on 4 JAN 12 and adjourned on 3 JUL 12.**

### Legislation

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

### Proposed Rules

**Activities Exempted From Permit Requirements** - The Department of Environment and Natural Resources, Division of Air Quality has proposed amendments to Rule 15A NCAC 02Q .0102, Exemptions, to clarify the interaction of the air toxics rule specific exemptions in Rule 15A NCAC 02Q .0702 with the more broadly applicable rules regarding sources that are exempt from the general requirement to obtain a permit in Rule 15A NCAC 02Q .0102.

**Revision of Volatile Organic Compound (VOC) Reasonably Available Control Technology (RACT) Rules Applicability and Clarifications** - The Department of Environment and Natural Resources, Division of Air Quality has proposed amendments to the Volatile Organic Compound Reasonably Available Control Technology (RACT) rules in 15A NCAC 02D Section .0900 to revise applicability requirements to comply with Section 182(b)(2) of the Clean Air Act; to revise associated compliance schedules; to provide flexibility to comply via category specific rules or site specific alternatives; and to amend printing related and industrial solvent cleaning RACT rules in response to requests for language clarifications and flexibilities consistent with underlying USEPA Control Technique Guidelines.

**Revisions to New Source Review and Prevention of Significant Deterioration (PSD) Nitrogen Oxides (NOx) Significance Level for PM2.5 (512) and PM2.5 Increment** - The Department of Environment and Natural Resources, Division of Air Quality has proposed amendments to Rules 15A NCAC 02D .0530, Prevention of Significant Deterioration and 15A NCAC 02D .0531, Sources in Nonattainment Areas, to revise North Carolina's nitrogen oxides significance level from 140 tons per year to 40 tons per year. Rule 15A NCAC 02D .0530 is also proposed for amendment to update the federal cross-reference in the PSD rule to reflect the current federal increments for fine particulate matter promulgated on October 20, 2010 (75 FR 64864).

# PROFESSIONAL DEVELOPMENT

## Conferences

### **Waters of the United States' Under the Clean Water act (Web Based, On Demand)**

These slides were presented in December 2011 as a part of EPA's Watershed Academy. To access the presentation, go to: [http://water.epa.gov/learn/training/standardsacademy/upload/module\\_waters.pdf](http://water.epa.gov/learn/training/standardsacademy/upload/module_waters.pdf).

### **Emergency Environmental Spill Response Training (Web Based, On Demand)**

Produced by NOAA's Office of Response and Restoration, this is an online training module for individuals looking to strengthen their knowledge of spills and their effect on the environment. The scenario describes an oil spill and directs you to the references and data that you can use to determine what natural resources are at risk. For more information, go to: <http://ohshub.com/free-online-training-emergency-environmental-spill-response/>.

### **Overview of the National Pollutant Discharge Elimination System (NPDES) Program (Web Based, On Demand)**

These slides were presented in December 2011 as a part of EPA's Watershed Academy. To access the presentation, go to: [http://water.epa.gov/learn/training/standardsacademy/upload/module\\_npdes.pdf](http://water.epa.gov/learn/training/standardsacademy/upload/module_npdes.pdf).

### **30-Meter Height High-Resolution Wind map for Small and Distributed Projects (Web Based, On Demand)**

This webinar, originally presented 18 July 2012, provided an introduction to the new 30-meter high-resolution wind maps developed for the small and distributed wind markets. Included in the discussion was the methodology behind the wind maps, how these maps leverage the learning that occurred in the development of the utility-scale wind maps, and the appropriate use of the maps. For more information, go to: [http://www.windpoweringamerica.gov/filter\\_detail.asp?itemid=3550](http://www.windpoweringamerica.gov/filter_detail.asp?itemid=3550).

### **Renewable Energy on Contaminated Land: Tools for Local Governments (Web Based, On Demand)**

This webinar provides an overview of tools available to local governments to help them get renewable energy projects built on contaminated land in their community. Included in the webinar are discussions about some of the recent tools developed by EPA, including two decision trees that were created to screen potentially contaminated and underutilized sites for solar and wind potential and a draft best practice guide for siting solar on landfills. Also presenting will be representatives from DOE, the National Association of Local Government Environmental Professionals (NALGEP), and the Clean Coalitions describing available best practices guidance and other tools. For more information, go to: [http://www.fedcenter.gov/kd/go.cfm?destination=ShowItem&item\\_id=22123](http://www.fedcenter.gov/kd/go.cfm?destination=ShowItem&item_id=22123).

### **AWEA Wind Project Siting Seminar, 20 FEB 13, Portland, OR**

This seminar, sponsored by the American Wind Energy Association (AWEA), provides a deep examination of the development of wind energy facilities, the potential for impacts to both the natural and human environments resulting from these activities, and ways to avoid and minimize any adverse effects. Attend this essential event and explore issues related to wildlife interactions, sound and visual impacts, radar, cultural resources, and stakeholder engagement. The seminar program will also investigate the legal implications of wind projects, discuss alternative strategies to reduce environmental effects, and explain how to successfully navigate the wind project siting process. For more information, go to: <http://www.awea.org/events/AWEA-Wind-Project-Siting-Seminar.cfm?CFID=2492063&CFTOKEN=39629609>.

**Globalcon 2013, 6-7 MAR 13, Philadelphia, PA**

Globalcon is designed for professionals seeking to expand their knowledge of fast-moving developments in the energy field, explore promising new technologies, compare energy supply options, and learn about innovative and cost-conscious project implementation strategies. For more information, go to:

<http://www.globalconevent.com/?CFID=1440188&CFTOKEN=15724012>.

**Coastal GeoTools Conference 2013, 25-28 MAR 13, Myrtle Beach, SC**

This conference series focuses on the technical information needs of the nation's coastal programs. The 2013 conference will focus on building the Digital Coast, a Web platform that provides access to geospatial data, tools, and technical training. For more information, go to:

<http://geotools.csc.noaa.gov/default.aspx?CFID=2491170&CFTOKEN=35968595>.

**National Association of Environmental Professionals Annual Meeting 2013, 1-5 APR 13, Los Angeles, CA**

The National Association of Environmental Professionals (NAEP) and the California Association of Environmental Professionals (CAEP) will jointly host their annual meetings at the JW Marriott LA Live Hotel in Los Angeles, CA on 1-5 APR 13. The theme of the conference is "Walk-the-Talk," highlighting the best efforts by private and public sector environmental professionals in the areas of regulations, analyses, project construction, and project operations. The focus of the conference will be on highlighting the work of environmental professionals that achieves the spirit of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), while balancing the needs of economic development, quality of life, and conservation and protection of the environment. For more information, go to:

<http://www.n-aep2013.org/>.

**American Water Works Association (AWWA) Annual Conference and Exhibition 2013, 9-13 JUN 13, Denver, CO**

ACE13 provides an environment where water professionals can be leaders and learn from leaders in the water industry. Nowhere else can you find a similar gathering of water professionals from around the world intent on providing leadership and guidance for the future of safe water. For more information, go to:

<http://www.awwa.org/ACE13/index.cfm?ItemNumber=59012&navItemNumber=58997&showLogin=N>.

**StormCon Conference 2013, 18-22 AUG 13, Myrtle Beach, SC**

StormCon is the only North American event dedicated exclusively to stormwater and surface-water professionals across the continent: municipal stormwater and public works managers, industrial stormwater managers, engineering consultants, regulatory personnel, watershed management professionals, and others concerned with stormwater and surface-water quality. For more information, go to:

[http://www.stormcon.com/call\\_papers\\_2013.html?CFID=2208750&CFTOKEN=71207034](http://www.stormcon.com/call_papers_2013.html?CFID=2208750&CFTOKEN=71207034).

## 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, course offerings in other regions, and/or to register, visit the CECOS training website at:

<https://www.netc.navy.mil/centers/csfe/cecos/Default.aspx>.

### CECOS Classroom Courses

<b>Beginning Date</b>	<b>End Date</b>	<b>Course</b>	<b>Location</b>
14 JAN 13	18 JAN 13	US Marine Corps Facilities Management	Washington, DC
22 JAN 13	24 JAN 13	Advanced Munitions Response Site Management	Norfolk, VA
11 FEB 13	15 FEB 13	Energy Management Course	Washington, DC
12 FEB 13	14 FEB 13	Introduction to Cultural Resource Management Laws & Regulations	Scholfield Barracks, HI
25 FEB 13	28 FEB 13	Integrated EMS and Compliance Auditing	Norfolk, VA
26 FEB 13	1 MAR 13	DoD Pesticide Applicator Recertification	Virginia Beach, VA
4 MAR 13	4 MAR 13	HAZWOPER for Uncontrolled Haz Waste Site Workers - Refresher	Washington, DC
5 MAR 13	5 MAR 13	HAZWOPER for Uncontrolled Haz Waste Site Workers - Refresher	Washington, DC
6 MAR 13	6 MAR 13	HAZWOPER for Uncontrolled Haz Waste Site Workers - Refresher	Norfolk, VA
7 MAR 13	7 MAR 13	HAZWOPER for Uncontrolled Haz Waste Site Workers - Refresher	Norfolk, VA
11 MAR 13	14 MAR 13	Integrated EMS and Compliance Auditing	Washington, DC
9 APR 13	12 APR 13	Environmental Protection	Washington, DC
10 APR 13	11 APR 13	Buying Green: A Multifunctional Approach to Pollution Prevention	Washington, DC

**CECOS Classroom Courses**

<b>Beginning Date</b>	<b>End Date</b>	<b>Course</b>	<b>Location</b>
22 APR 13	26 APR 13	Intro to Public Works Dept & FEC Operations	MIDLANT Region
23 APR 13	25 APR 13	Intro to Hazardous Waste Generation & Handling	Quantico, VA
26 APR 13	26 APR 13	RCRA Hazardous Waste Review	Quantico, VA
29 APR 13	3 MAY 13	Intro to FEAD/ ROICC	MIDLANT Region
29 APR 13	3 MAY 13	Intro to FMD & Production Div Operations	MIDLANT Region
30 APR 13	2 MAY 13	Intro to Hazardous Waste Generation & Handling	Cherry Point, NC
3 MAY 13	3 MAY 13	RCRA Hazardous Waste Review	Cherry Point, NC
6 MAY 13	10 MAY 13	DoD Initial Pest Mgmt PAR/QAE and IPM Coordinator	Virginia Beach, VA
7 MAY 13	9 MAY 13	Advanced Historic Preservation Law & Section 106 Compliance	Ft. Belvoir, VA
21 MAY 13	24 MAY 13	Natural Resource Compliance	MCB Quantico, VA
4 JUN 13	7 JUN 13	Adv. Environmental Law (Compliance Offering)	Norfolk, VA
13 JUN 13	13 JUN 13	RCRA Hazardous Waste Review	Norfolk, VA
18 JUN 13	20 JUN 13	Intro to Hazardous Waste Generation & Handling	Camp Lejeune, NC
18 JUN 13	20 JUN 13	Environmental Negotiation Workshop	Norfolk, VA
19 JUN 13	19 JUN 13	HAZWOPER for Uncontrolled Haz Waste Site Workers - Refresher	Camp Lejeune, NC

**CECOS Classroom Courses**

<b>Beginning Date</b>	<b>End Date</b>	<b>Course</b>	<b>Location</b>
20 JUN 13	20 JUN 13	HAZWOPER for Uncontrolled Haz Waste Site Workers - Refresher	Camp Lejeune, NC
21 JUN 13	21 JUN 13	RCRA Hazardous Waste Review	Camp Lejeune, NC
16 JUL 13	19 JUL 13	Adv. Environmental Law (Strategic Env. Planning)	Norfolk, VA
22 JUL 13	26 JUL 13	Advanced Environmental Management	MIDLANT Region
19 AUG 13	23 AUG 13	US Marine Corps Facilities Management	Washington, DC
26 AUG 13	30 AUG 13	Adv Public Works Dept & Fac Eng Command Operations	Washington, DC
27 AUG 13	29 AUG 13	MCON Programming and Budgeting	Washington, DC
9 SEP 13	9 SEP 13	National Env Policy Act (NEPA) Navy Executive Overview	Norfolk, VA
10 SEP 13	12 SEP 13	National Env Policy Act (NEPA) Application	Norfolk, VA
10 SEP 13	12 SEP 13	Basic Environmental Law	Norfolk, VA
17 SEP 13	19 SEP 13	Environmental Negotiation Workshop (Compliance Offering)	Norfolk, VA

**CECOS Online Courses/Web Conferences**

<b>Beginning Date</b>	<b>End Date</b>	<b>Course</b>	<b>Location</b>
Various		HAZWOPER for Uncontrolled Hazardous Waste Site Workers - Refresher	On-Line
Various		Construction Technology for Non-Engineers	On-Line

**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](http://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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## LINK HELP

SECURE SITES – Links beginning with https:// may give a security error. To get around this problem copy the link and paste it in your browser.

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 [dodcreg3@navy.mil](mailto:dodcreg3@navy.mil) and we will find the link for you.

## SUBSCRIBE!

If you would like to receive notice when the REC Update is posted, please send an email to:  
[dodcreg3@navy.mil](mailto:dodcreg3@navy.mil) with your name, command, mailing address, phone number, fax number, and email address.

If your email address or phone number changes, please send an email with the updated information.  
If you or your organization would like to submit an article, story, or picture for future newsletters, send it to:  
[dodcreg3@navy.mil](mailto:dodcreg3@navy.mil). Thanks.