



<b>GENERAL INTEREST</b>	<b>2</b>
<b>FEDERAL NEWS</b>	<b>12</b>
AIR	12
WATER	13
CHESAPEAKE BAY	13
HAZARDOUS MATERIALS	14
<b>REGION 1</b>	<b>15</b>
CONNECTICUT	15
MAINE	16
MASSACHUSETTS	17
NEW HAMPSHIRE	18
RHODE ISLAND	19
VERMONT	20
<b>REGION 2</b>	<b>21</b>
NEW JERSEY	21
NEW YORK	23
<b>REGION 3</b>	<b>24</b>
DISTRICT OF COLUMBIA	24
DELAWARE	24
MARYLAND	25
PENNSYLVANIA	27
VIRGINIA	27
WEST VIRGINIA	28
<b>REGION 4</b>	<b>30</b>
NORTH CAROLINA	30
<b>PROFESSIONAL DEVELOPMENT</b>	<b>31</b>
CONFERENCES	31
TRAINING	33
<b>MEET THE REC</b>	<b>36</b>
STAFF	36
<b>LINK HELP</b>	<b>37</b>
<b>SUBSCRIBE!</b>	<b>37</b>

## GENERAL INTEREST

### **EPA Activities to Promote Environmental Justice in the Permit Process**

As part of its ongoing efforts to integrate environmental justice into all of its programs, the Environmental Protection Agency (EPA) is soliciting public comment on ways that permit applicants can meaningfully engage communities in the permitting process. The notice seeks comments on actions that regional offices can take when issuing permits to promote greater participation in the permitting process by communities that have historically been underrepresented in that process. It also announces the availability of draft best practices for permit applicants seeking EPA-issued permits (located in the appendix to this notice). The best practices are designed to encourage and assist permit applicants to reach out to neighboring communities when applying for permits that may affect the community's quality of life, including their health and environment. For more information, go to: <http://www.fedcenter.gov/Articles/index.cfm?id=21622>.

### **US Coast Guard Takes Algae Biofuel for a Spin**

#### **By Tina Casey – Clean Technica**

The Navy's biofuel program has been getting a lot of attention lately, along with biofuel initiatives by the Army and Air Force, and now it's time for the U.S. Coast Guard to take a turn in the spotlight. The Coast Guard cutter Henry Blake has just taken its maiden voyage on a 50-50 blend of biofuel and conventional diesel, and if the results are satisfying, that will pave the way for using the blend on more ships in the future.

The Henry Blake is an important test bed for algae biofuel (yes, the blend contains algae biofuel) because of the herky-jerky nature of its daily routine. It's like a delivery truck, not a long distance hauler, so its engine undergoes a good deal of stress from revving up to get from one buoy to the next, with long periods of idle in between. For more information, go to: <http://cleantechnica.com/2012/06/25/u-s-coast-guard-takes-algae-biofuel-spin/>.

### **EPA Releases Guidance on Fuel Availability Provisions for Ships Operating Off the North American Coastline**

The EPA released interim guidance for ship owners and operators clarifying how the U.S. government will implement fuel availability provisions when ships are unable to obtain fuel that meets standards protecting against sulfur pollution along the coast. Sulfur pollution has been linked to respiratory illnesses, particularly in at-risk populations including children, the elderly, and asthmatics. The International Maritime Organization (IMO) has officially designated waters off of the coast of North America, known as the North American Emission Control Area (North American ECA), as areas where stringent international pollution standards apply for ships, including fuel sulfur limits. The guidance provides background information on the North American ECA fuel sulfur standards, explains how owners and operators of vessels can establish compliance with these requirements, and describes how an owner or operator of a vessel who cannot obtain compliant fuel oil can make a fuel oil non-availability claim. For more information, go to:

<http://yosemite.epa.gov/opa/advpress.nsf/d0cf6618525a9efb85257359003fb69d/bb9df0b9de93dd4e85257a2900619678!OpenDocument>.

### **US Warplanes Can Fly Faster, Carry Additional Weapons Load Using Advanced Fuels and Biofuels**

#### **By Jim Lane – Biofuels Digest**

New tests conducted at Wright-Patterson Air Force Base have revealed that U.S. warplanes are capable of flying faster and carrying a larger payload on missions when flying with synthetic fuels, including biofuels, compared to conventional military jet fuels made from petroleum. The increased performance of biofuels could allow, for

example, a fully loaded F/A-18 SuperHornet supersonic fighter to carry one additional missile during military operations.

According to Air Force special advisor on energy and fuels, Omar Mendoza, the Pentagon has authorized additional testing with General Electric, Rolls-Royce, and Pratt & Whitney to confirm the findings from the Air Force Research Laboratory, based at Wright Patterson AFB, near Dayton, Ohio. Mendoza added that, if the results seen at the extensive Wright-Patterson engine testing labs are confirmed, outcomes could include consideration of next generation engines that can take full operational advantage of the breakthrough in warplane performance.

The revelation of the test results comes after the House Armed Services Committee approved an amendment to the 2013 Defense appropriation bill that would prevent US Armed Forces from purchasing high performance biofuels for military operations unless they cost less than conventional fossil fuels. Passage of the bill, which is now moving towards consideration by the full House, raises the possibility that US military pilots could be forced, during periods of low prices for conventional fossil fuels, to carry one less missile, fly slower, or be restricted in range during operational missions.

Mendoza offered the briefing at a roundtable meeting organized by the Navy, the Department of Agriculture, and the Department of Energy, and attended by high level government officials, congressional staff, and fuel industry executives. Mendoza said that the Wright-Patterson tests had shown that renewable fuels were lowering engine temperatures by 135 degrees, owing to absence of impurities found in conventional fossil fuels.

When those impurities burn, he explained, it causes high temperatures to radiate throughout the engine, causing accelerated metal fatigue. "At the temperatures at which military jet engine perform, an additional 25 degrees in temperature can shorten the life of the engine by half," Mendoza said. He added that the preliminary data showed that engine parts could last up to 10 times longer, if the new high performance fuels were employed in place of conventional fossil fuels.

Mendoza added that the tests showed that drop-in renewable fuels had, for the same volume, 7 percent less mass, which lowered the weight of the plane when fully fueled and made it possible for the jets to fly faster, farther, or carry a larger payload.

### **Alternative for the Motor Vehicle Air Conditioning Sector under the Significant New Alternatives Policy (SNAP) Program**

This action lists carbon dioxide (CO<sub>2</sub>), or R-744, as acceptable substitute, subject to use conditions, in the motor vehicle air conditioning (MVAC) end-use for motor vehicles (i.e., passenger cars, light-duty and heavy-duty vehicles) within the refrigeration and air-conditioning sector. This final rule only concerns the use of CO<sub>2</sub> in MVAC systems designed specifically for the use of CO<sub>2</sub> refrigerant. The substitute is non-ozone-depleting and therefore does not contribute to stratospheric ozone depletion. This final rule is effective on 6 August 2012.

### **US Navy and EPA Cooperate on Greener Cleanups at Superfund Sites**

In June 2012, senior officials of EPA and the Department of the Navy signed an agreement to collaborate and conduct environmental footprints analyses to support greener cleanups on both active and closed Navy installations in the Pacific Southwest Region. The Proclamation commits to a one government approach that leverages expertise, reduces costs, and supports achievement of the President's Executive Order 13514. For more information, go to: <http://www.epa.gov/region9/superfund/greener-cleanup/navy.html?CFID=1199958&CFTOKEN=90472892>.

### **EPA Releases NPDES Green Infrastructure Permitting and Enforcement Fact Sheets**

The EPA has released a series of six fact sheets on incorporating green infrastructure measures into National Pollutant Discharge Elimination System wet weather programs. The series builds upon existing EPA authority, guidance, and agreements to describe how EPA and state permitting and enforcement professionals can work with

permittees to include green infrastructure measures as part of control programs. The six fact sheets and four supplements address stormwater permits, Total Maximum Daily Loads, combined sewer overflow long-term control plans, and enforcement actions. For more information, go to: [http://water.epa.gov/infrastructure/green-Infrastructure/gi\\_regulatory.cfm?CFID=1199987&CFTOKEN=42983992](http://water.epa.gov/infrastructure/green-Infrastructure/gi_regulatory.cfm?CFID=1199987&CFTOKEN=42983992).

### **NAVFAC Mid-Atlantic Employees Help Rescue Injured Pelican at Naval Station Norfolk**

By Tom Kreidel – Naval Facilities Engineering Command Mid-Atlantic Public Affairs

An injured pelican, who was rescued with the help of Naval Facilities Engineering Command (NAVFAC) Mid-Atlantic Oil Recovery employees at Naval Station Norfolk, arrived 3 JUL 12 at his new home at SeaWorld Orlando.

Kermit Tapia, William Taylor, and James Bragg assisted local wildlife rescue volunteers in recovering the pelican on 22 JUN 12. The bird had been spotted on the jetty near Pier 14 several weeks prior. Tapia, a deck hand who has worked for Oil Recovery for 12 years, called the Society for the Prevention of Cruelty to Animals (SPCA) upon noticing the bird had broken off the tip of its wing and could not fly. "I was just glad I could help," he said. "Those volunteers who do this on a regular basis are truly heroes to me."

Tapia added that the SPCA Wildlife program sent a pair of volunteers, Karen Roberts and Noah Myer, who helped capture the pelican and bring him to safety. "He tried really hard to get away but he couldn't maneuver very well with his broken wing so were able to bring him onboard with a net," Tapia said. "Once he figured out we weren't going to hurt him, he calmed right down."

According to Bragg, the boat operator, the most difficult part was maneuvering among the rocks near the jetty, taking care not to damage the boat or injure the pelican further. "I've been operating boats since I was on active duty in the mid-60s. This is one of the more unique things I've ever done," said Bragg.

The approximately seven-pound, mature brown pelican has a severely injured wing and was unable to be returned to the wild. Following treatment at the Sacred Friends Wildlife Rehabilitation in Norfolk, VA., SeaWorld Orlando is now providing the bird with a long-term home inside the park's Pelican Preserve. Upon arrival at SeaWorld Orlando, the pelican was placed in a quarantine area and will be closely monitored to make sure it is healthy before joining other rescued brown pelicans in the park. Since the park's rescue programs began, more than 20,000 animals have been rescued.

### **Top 5 Most Vulnerable US Cities to Hurricanes**

The 2012 Atlantic Hurricane Season is officially underway and while Hurricane Katrina has tended to fade from memory, New Orleans isn't the only major US city at risk. As Hurricane Irene demonstrated in 2011, weaker hurricanes can also do significant damage in places that are not used to experiencing such storms. Many American coastal cities are essentially sitting ducks to hurricanes, with millions of Americans living at water's edge, exposed to high winds and flooding. The most vulnerable US cities are:

1. Tampa/St. Petersburg, FL
2. Miami, FL
3. New Orleans, LA
4. Norfolk/Virginia Beach, VA
5. Houston/Galveston, TX

Some of these communities, like New Orleans and Houston, have experienced powerful storms during the past decade. Others, like Miami and Tampa, have been spared the brunt of landfalling storms during recent hurricane seasons. For more information, go to: <http://www.climatecentral.org/news/top-5-most-vulnerable-us-cities-to-hurricanes/>.

## **Cherry Point Introduces Residents to DoD Energy Conservation Program**

### **Scott Tomaszycski – Defense Video and Imagery Distribution System**

Base housing residents at MCAS Cherry Point might find a check in their mailbox for conserving energy or a bill for excessive use when a Department of Defense conservation program takes effect in January. The Resident Energy Conservation Program is a secretary of defense initiative and a proven concept after preliminary pilot phases in Hawaii and Beaufort, SC. The program saved up to nine percent of electricity usage during a two-year test period. The Department of the Navy now plans to enroll all of its residential facilities into the program.

Housing authorities educated residents on how the program will impact them at a town hall meeting. The air station's enlisted leader, Sgt. Maj. Angela M. Maness, participated in the trial program in Hawaii and said it was very effective there. She said the incentives may even draw more residents to Cherry Point housing to take advantage of the deal.

A three-month test-run is scheduled to start on 1 OCT 12. Residents will receive notices informing them if they would have earned money, been required to pay, or neither. During this phase, no one will be billed or credited. The full program is scheduled to begin on 1 JAN 13, with the first checks and bills to arrive in mailboxes in February.

The program works by grouping houses into "like housing groups" with similar electricity usages. The average usage for this group acts as the baseline to determine how much money a resident pays or receives. If a resident's power consumption is within 10 percent above or below the baseline, the resident will neither owe money nor receive a refund. Residents only pay for electricity outside of the 10-percent zone. The same applies to refunds. Exemptions may be granted by the Military Housing Office to Wounded Warrior and Exceptional Family Member Program participants if they use massive amounts of electricity due to their EFMP status, said Dixie L. Johnson, a strategic marketing manager for Atlantic Marine Corps Communities.

Any resident can ask Atlantic Marine Corps Communities for an energy audit to help them save energy and earn more money. Officials will track a resident's energy habits and identify appliances drawing excessive power. The maintenance department may replace broken appliances. Atlantic Marine Corps Communities will offer a variety of tips on its website to help residents conserve electrical usage, said Johnson.

AMCC will reinvest the money saved and collected back into the community to improve individual homes and pay for improvements to parks and public areas. "It's a good deal for our Marines, it's a good deal for the Marine Corps, and it's a good deal for our partner, AMCC," said Lt. Col. Paul W. Miller, the military family housing manager for Cherry Point. "It's hard to find any losers in this situation."

## **Navy Plans to Increase Training, Testing**

### **Jalerie Garman – Panama City News Herald**

As required by the National Environmental Policy Act, the U.S. Navy is holding public meetings to inform the public and answer any questions on the Draft Environmental Impact Statement and Overseas Environmental Impact Statement for navy training and testing activities conducted in the Atlantic Fleet Training and Testing Study Area. "We are looking to increase training and testing because realistic training for Navy sailors is nothing less than critical," said Jene Nissen, a project manager for US Navy Atlantic Fleet. "The Navy is starting to focus more on at-sea threats like submarines and mines. The proposed action is to train and test in a realistic manner while following environmental models," Nissen said.

The 1,000-page draft is composed mostly of current Navy practices but will focus on more realistic training and testing to better prepare Navy sailors for at-sea threats. The Navy renews the statement every five years. The current draft, once reauthorized, will span 2014 to 2019.

One of the major issues addressed in the analysis focuses on the impact that Navy testing has on marine animals. "We do test and train with explosives," Nissen said. "There is a lot of concern about sound impacts on marine mammals — that really is the biggest issue."

He said while the Navy is working to minimize the risk, they cannot mitigate all of the behavioral reactions. “We also do some testing events in the surf break and shore line,” Nissen said. “There is also mitigation for the safety of the public.”

### **Navy Unveils New Shore Energy Policy**

#### **David Alexander - Reuters**

The Navy unveiled a major update of its energy policies ashore, calling for improved efficiency, greater conservation, and increased use of renewable power to cut energy consumption in half at bases worldwide by the end of the decade. Vice Admiral Phil Cullom, deputy chief of naval operations, said the first updated energy policy for shore installations in 18 years was aimed primarily at improving energy security for the Navy's 70 bases and other facilities worldwide. “Energy security is a strategic imperative and it applies to both ashore and afloat,” Cullom said in a telephone briefing on the policy. “The instruction that has just been published is ... the latest example of how we're driving a Spartan energy ethos.”

The Navy has established a goal of cutting its power consumption in installations ashore in half by 2020. The Navy also wants half of its energy to come from renewable sources by the end of the decade and it wants half of its installations to be net-zero consumers of energy by then. The goals are part of President Barack Obama's "all-of-the-above" push to boost green energy production and reduce U.S. dependence on foreign oil. The administration set a goal in April for the Pentagon to produce three gigawatts of solar, wind and geothermal power on military bases by 2025.

The green energy drive came under fire in Congress after the Navy paid high prices for test batches of biofuel for use in jets and ships. It paid \$424 a gallon in 2009 for an algae-based oil and nearly \$27 a gallon for biofuels for next week's first test of a Navy strike force powered mostly by alternative fuel. Lawmakers angry over the cost are pushing legislation in Congress that would block the military from spending more on alternative fuels than it would pay for conventional petroleum. Navy Secretary Ray Mabus has said the Navy does not plan to purchase operational quantities of biofuels until they can be bought at competitive prices.

Cullom said the Navy is beginning its push to reduce energy consumption ashore by installing advanced metering systems wherever possible to measure electricity, natural gas, and steam consumption so officials know how much they are using. Beyond that, he said, the Navy hopes to train military personnel about the importance of adopting the same conservative energy practices ashore that they need to use at sea. “I can't overemphasize how important the culture change piece is,” Cullom said. “You're trying to change the attitudes and the views of hundreds of thousands of people ... so that what they do on board ship is what they do at home.”

The new policy calls for integrating “mission compatible and cost-effective renewable energy sources” into the power supplies at shore installations. The Navy already produces alternative power at some facilities -- enough to power about 143,000 homes -- and is working with partners on additional projects.

Cullom said the Navy used an analytical model to ensure that its spending on new energy technologies produced a favorable return on investment. He said the new shore energy policy was radically different from the version published in 1994, with more focus on conservation. Back then, he said, the policy's main point was energy security and the Navy's need for assured access to power. “We've undergone profound changes as a country, we've undergone profound changes as a Navy,” Cullom said. “So this represents a fundamentally different view on it.”

### **LED Lamps Have Lower Environmental Impact**

A new Energy Department report finds that LED lamps have a significantly lower environmental impact than incandescent lighting and a slight environmental edge over compact fluorescent lamps (CFLs). The new report analyzes the energy and environmental impacts of manufacturing, assembly, transport, operation, and disposal of these three lighting types. For more information, go to:

[http://apps1.eere.energy.gov/buildings/publications/pdfs/ssl/2012\\_led\\_lca-pt2.pdf?CFID=1245825&CFTOKEN=62637530](http://apps1.eere.energy.gov/buildings/publications/pdfs/ssl/2012_led_lca-pt2.pdf?CFID=1245825&CFTOKEN=62637530).

### **Navy's Research Platform Celebrates 50 Years**

**Grace Jean – Military.com**

The Department of the Navy's Floating Instrument Platform (R/P FLIP) is celebrating its 50th year of service. What makes the vessel so special is that it can partially submerge like a sinking ship by filling ballast tanks in its stern with water and “flip” to a vertical position in the water. When in its vertical position, FLIP's visible floating platform extends 55 feet above the ocean surface while the rest of the hull reaches 300 feet below the water. Because so much of the vessel is submerged when it sits upright, the platform is impervious to the ocean waves, providing a stable environment for researchers to do their work.

Built in 1962, the steel-hulled platform accommodates 11 researchers and a crew of five for up to 30 days. It does not have its own propulsion and must be towed to research locations in the ocean, where it “flips” into vertical position in approximately 20 minutes. FLIP operates in two modes, either drifting with the currents or moored to the sea floor.

According to Tim Schnoor, the program officer who oversees ONR's research vessel programs, “the ship is in good material condition. We've continued to invest in maintenance and preservation of the platform, including taking hull thickness measurements to ensure hull integrity. There's no reason it can't continue to serve research needs as long as we have users to exploit her unique capabilities.”

### **Utility-Scale Wave Power, Thanks to the US Navy**

**By Tina Casey – Clean Technica**

Ocean waves could soon be powering thousands of homes and businesses in the Reedsport, OR area, and a good part of the credit will be due to the US Navy. The Ocean Power Technologies technology, called PowerBuoy, underwent two years of development at the Navy's wave power test facility in Hawaii, and this is just the beginning. The Navy recently announced that it will be upgrading and expanding the site to provide more opportunities for innovators to test commercial-scale wave power devices.

Ocean Power calls its utility-scale version of the PowerBuoy the PB150. As the buoy bobs up and down on offshore waves, it produces a mechanical stroking motion. That movement is transferred to a “power take-off” unit that drives an on-board generator. The resulting electrical power gets transmitted to shore by cable.

In this latest step along the way to deployment, Ocean Power has completed factory testing off the take-off unit, and it is being installed into the buoy. The take-off unit represents a step up from the company's initial efforts. It is scaled up from earlier versions, and its direct drive system has greater efficiency compared to a hydraulic drive that was used in the first PowerBuoy designs.

When Ocean Power began testing the PowerBuoy a couple of years ago, the device served as the country's first grid-connected wave energy system. It provided electricity to Marine Corps Base Hawaii in Oahu. The Navy's wave power test site, at Kaneohe Bay, actually dates back to the Bush Administration as part of the Navy's long term partnership with the University of Hawaii's National Marine Renewable Energy Center. The new test site upgrade will enable wave power companies to test larger buoys, which can be positioned at greater depths.

It's also worth noting that DARPA, the Pentagon's cutting-edge research agency, has been funding research into wave power, though its main focus is on small-scale devices that would be used to provide power for surveillance buoys and other remote devices.

The PB150 will be ready for deployment late this summer, and then a period of shakeout and testing will follow. If all goes well, Ocean Power anticipates that it will eventually launch a string of PB150's to bob among the waves.

## **New Technology to Keep the Fleet's Food Fresher**

**By Joshua Stewart – Navy Times**

It doesn't slice or dice with the greatest of ease, but a new gizmo headed to aircraft carriers is expected to keep your lettuce crisp and your broccoli green, even after it sits in a refrigerator for weeks. The technology, soon will be installed in refrigerators on two aircraft carriers, is an ethylene control system. It is designed to destroy ethylene, a gas that fruits and vegetables release that causes them to ripen and eventually spoil.

The plan is to start using the technology aboard the carriers Eisenhower in Norfolk, VA., and Carl Vinson in San Diego, CA in 2013. The Navy will evaluate the value of the new hardware and decide whether the equipment should be installed elsewhere, including supply ships. It's possible every link in the supply chain from the farm to the galley could one day store produce in ethylene-controlled refrigerators, extending freshness without changing taste or nutritional content.

It's the vegetable crisper equivalent of anti-aging cream. "It's an item that helps extend the shelf life of fresh fruits and vegetables, up to three weeks in some cases," said Cmdr. Danny King, food service director for Naval Supply Systems Command. "That will go a long way once we get this out to the fleet to make a difference for the better."

The electricity-powered systems will be installed in refrigerators and a fan will circulate air throughout the area, Jamieson said. The devices have a special ultraviolet light bulb that creates a low level of ozone that breaks down the ethylene into carbon dioxide and water vapor. The ultraviolet light reduces the amount of mold and spores and eliminates odors, Jamieson said.

Using the ethylene system, a head of lettuce could last a few extra days, while apples, bananas, pears, melons and avocados could be kept fresh for an extra couple of weeks, said Peter Lavigne, a chemical engineer at Natick's combat feeding office. Some produce could last even longer, Navy officials said.

The Navy has used ethylene-reducing products before throughout the fleet, Jamieson said. But rather than a control system, the service used expensive filters similar to blankets that were placed over produce in refrigerators. These filters cost about \$1,200 and had to be replaced every month. They also required hazardous material disposal. Because of the high cost, Jamieson said, they weren't always used. "Our sailors were not replacing them every 30 days because they didn't have the funds to replace them," Jamieson said. The new system costs about \$3,000 per unit to purchase and another \$300 per year in replacement parts, Jamieson said.

The success of the ethylene control systems on the carriers will help determine whether they're installed in refrigerators on other ships. King said his office had already discussed the idea with Military Sealift Command, which handles the Navy's supply chain. "We're hoping that demand signal goes up and it stays in-step with the system," King said.

There are implications beyond the mess decks, officials said, including fewer supply replenishments and more cost savings. Ships would have to load produce less frequently, Lavigne said, because they will have more time to use what they have. And less food will be lost to spoilage, cutting the Navy's grocery bill. "Along those lines that we are discussing, with the increased projected quality, we believe that they will be able to utilize more fresh produce because there would be less loss," Lavigne said.

The new technology comes as the military pushes service members to eat more vegetables. There are exceptions for ships at sea but official Defense Department menu standards call for two hot vegetables per meal. Every meal must have a vegetable such as dark leafy greens, tomatoes, carrots, or sweet potatoes that provides a large amount of vitamins A or C. There must also be two fresh fruit choices per meal as well as one canned fruit option on either the dessert bar or the salad bar. Bananas and other seasonal fruits are supposed to be served as much as possible when available. Raisins or other dried fruit are supposed to be served if fresh fruit is not available. For more information, go to: <http://www.navytimes.com/news/2012/07/PRIME-navy-new-system-keeping-fleets-food-fresh-070512/>.

### **EPA Releases handbook on Siting for Renewable Energy Projects**

The EPA released a hand-book on [SITING RENEWABLE ENERGY PROJECTS WHILE ADDRESSING ENVIRONMENTAL ISSUES](#). The book is intended for USEPA, other federal, local, and state cleanup project managers, communities, property owners, developers, and others with an interest in reusing potentially contaminated sites for renewable energy production. The handbook provides tools to help determine the overall feasibility of siting renewable energy production and key considerations for integrating renewable energy development during all phases of typical cleanup processes (e.g., during the environmental assessment, cleanup plan, or cleanup implementation) in the USEPA Superfund, Brown-fields, and Resource Conservation and Recovery Act (RCRA) Corrective Action programs.

### **Synchronizing the Expiration Dates of the Pesticide Applicator Certificate with the Underlying State or Tribal Certificate (Final)**

This final rule will reduce burden to restricted use pesticide applicators and simplify federal certification expiration dates. Restricted Use Pesticides (RUPs) may only be applied by or under the direct supervision of an applicator certified as competent by a certifying agency. A State, tribe, or Federal agency becomes a certifying agency by receiving approval from EPA on their certification plan. In areas not covered by a certifying agency, EPA may establish a Federal certification plan and issue Federal certificates directly. One way EPA may issue a Federal certificate is based on an existing valid certificate from a certifying agency, and this final rule will synchronize the expiration dates on the Federal certificate with that of the certifying agency certificate on which the Federal certificate is based. This final rule is effective 4 SEPT 12. For more information, go to: <http://www.gpo.gov/fdsys/pkg/FR-2012-07-05/html/2012-16443.htm?CFID=1248045&CFTOKEN=11048714>.

### **US Navy to Resume Sinking Old Ships in US Waters**

**By Jason Dearen - Associated Press**

The US Navy is resuming its practice of using old warships for target practice and sinking them in U.S. coastal waters after a nearly two-year moratorium spurred by environmental and cost concerns. It will be the first time since 2010 the Navy has used target practice to dispose of an old ship. Previous targets have ranged from small vessels to aircraft carriers such as the USS America, which are more than three football fields long.

The Navy says SINKEX, or Sinking Exercise, offers valuable live-fire training for times of war and provides clean vessels for at-sea, live-fire exercises. The ships can be targeted from the air, ocean's surface or underwater, with the results aiding the acquisition, planning and design of future vessel classes and systems, the Navy said.

For decades, the Navy destroyed the vessels with little or no oversight. In 1999, the EPA ordered the Navy to better document toxic waste left on the doomed ships and to remove as much toxic material as possible. The Navy must also conduct the exercises at least 50 nautical miles from shore and in water at least 6,000 feet deep. In return, the EPA exempted the military from federal pollution laws that prohibit any such dumping in the ocean. The Navy is still in charge of estimating the amount of pollutants onboard after the ships are prepared for sinking. In addition, the Navy must file an annual report with EPA estimating the amount of PCBs, or polychlorinated biphenyls, left on the vessels. High levels of the chemical are believed to increase the risk of certain cancers in humans. It was banned by the U.S. in 1979 in part because it is long-lasting and accumulates throughout the food chain.

### **Landfill Proving Power for Miramar**

**By Nathan Max – San Diego Tribune**

Officials at Miramar Marine Corps Air Station want the capability of being 100 percent independent from the city's power grid in the next five years so they can effectively be prepared for an emergency, such as the blackout that darkened all of San Diego last year.

The base recently flipped the switch on the Miramar Energy Project, a joint venture between the air station, the city, and Fortistar LLC that enables methane from a neighboring landfill to be converted into renewable energy.

The facility will enable Miramar to reduce its use of the city's power grid by 45 percent. Coupled with already existing solar energy projects, this will allow the base to account for about half its overall power needs through green energy.

The methane-to-power conversion will provide Miramar with 3.2 megawatts of energy, said Brian Kelley, Southern California regional manager for the Fortistar Methane Group. That's enough to power about 2,000 homes. "You're taking something completely useless that's an environmental problem, and you're turning it into a resource," said Mick Wasco, Miramar MCAS' energy manager.

The project took about five years to complete, with most of that time being used to hammer out the power purchase agreement. Construction took about a year. Before the landfill project, Miramar received 97 percent of its power from San Diego Gas & Electric and 3 percent from solar power generated at the air station.

The power purchase agreement with Fortistar is for 15 years, during which time Miramar will receive a fixed amount of power from the landfill for a fixed price. Plans are to enter into negotiations to extend the agreement when the 15-year contract period nears its expiration date. The Marine Corps funded a \$5.4 million transmission line that was part of the project, and Fortistar paid for the rest. The air station expects to achieve a 9 percent return on its investment over the life of the contract from power savings. On top of that, the plant will drastically lower the amount of greenhouse gas emissions from the landfill. "This project alone, you're taking millions of pounds of CO2 and eliminating it from being released into the atmosphere," Kelley said.

The Department of the Navy has been public in its desire to transition toward green energy, having targeted 2016 as the year it wants to roll out an alternative-fueled aircraft carrier group. The Navy plans to demonstrate a "great green fleet" concept this month in which it intends to show that an aircraft carrier's fighter jets and its attending warships can operate for two days on alternative fuels.

At Miramar, the ultimate goal is having the entire base capable of energy independence, Wasco said. During last year's blackout, many facilities lost power and mission capabilities were affected, although all critical infrastructures had backup power generation that allowed the airfield to remain operational for scheduled flights, Wasco said. However, if the air station does eventually meet its goal of 100 percent energy capability, the plan is to draw upon all of it only during an emergency. "That would make Miramar and the Marine Corps truly an emergency response force," Wasco said. "This landfill is the first piece of that mission."

### **Navy Engineers Test hybrid Technologies with Heavy Equipment**

**By Darrell Waller – Naval Facilities Engineering Command Public Affairs**

Hybrid hydraulic technologies are being tested by Navy and Army engineers seeking to achieve greater energy efficiencies and reduce costs among the DoD's heavy construction fleet.

The Army's Tank Automotive Research, Development and Engineering Center, is working with engineers from the Naval Facilities Engineering Service Center; the 1st Naval Construction Division; the 31st Seabee Readiness Group and its Naval Construction Battalions; and private industry. The Navy is seeking to determine how emerging technologies might be used to reduce fuel consumption of expeditionary construction equipment used by Seabees during deployment. Such fuel savings will support the Secretary of the Navy's goal for tactical energy fuel reduction by 15 percent for 2020.

Testing will include the installation of a newly developed high efficiency hydraulic system on existing heavy construction equipment and measuring the energy savings compared to an earlier test. The new system, which includes digital valves, enables the backhoe to perform the same amount of work using less hydraulic power. Power requirements will be measured and compared to readings from the Phase I baseline testing to determine overall hydraulic power reduction, fuel consumption reduction and cost savings.

In addition, two hydraulic excavators will be tested to establish fuel consumption performance. A hybrid energy recovery system that is expected to significantly reduce hydraulic losses will subsequently be installed on the excavators. The system will recover and store energy from both the boom and swing drive. Future testing will be conducted to determine improved engine efficiency, fuel consumption reduction, and predicted cost savings.

For more information, go to: [http://www.navy.mil/submit/display.asp?story\\_id=68334](http://www.navy.mil/submit/display.asp?story_id=68334).

### **US Ready to Lease Offshore Wind Areas**

The United States Government is on the edge of auctioning a total of 2,434 square miles area off the East Coast for development of offshore wind farms. The exact date of the auction has not yet been determined, however, it is expected by the end of this year. The biggest area to be leased is the one off the Massachusetts coast, covering 1,161 square miles. The area off the Maryland coast encompasses 125 square miles, the one off Delaware covers 161 square miles and 176 square miles are to be leased off the Virginia's coast. Also, leases will be auctioned off the coasts of New Jersey and Rhode Island.

The Washington Post says that the projects will be built 10 miles off the shores, which will positively effect on the landscape issues that Cape Wind had, since its proposed distance from the shore was 5 miles. In line with that, the U.S. Government is trying to address every potential objection before they are even shaped, as well as learning from experience with the Cape Wind. It has been estimated that Atlantic offshore wind could produce over 1,000 GW of electricity, which is an equivalent to the current capacity of the country's energy production.

This move could reflect a great dedication to the rapidly growing offshore wind industry. The fact that the U.S. is still behind Europe in the offshore wind development, without any sea based wind farm, could be providing some impetus to move forward.

Jim Lanard, president of the Offshore Wind Development Coalition, an organization that represents eight major developers, said: "We're not a new technology – the offshore wind industry has been operating in Europe since 1991." He added: "The U.S. is two decades behind. To catch up, we have to make big investments, just like nuclear, oil, gas and coal had to make big investments at the start."

For more information, go to: [http://www.offshorewind.biz/2012/07/26/u-s-ready-to-lease-offshore-wind-areas/?utm\\_source=Offshore+Wind.biz&utm\\_medium=email&utm\\_campaign=3c0a22db44-RSS\\_EMAIL\\_CAMPAIGN](http://www.offshorewind.biz/2012/07/26/u-s-ready-to-lease-offshore-wind-areas/?utm_source=Offshore+Wind.biz&utm_medium=email&utm_campaign=3c0a22db44-RSS_EMAIL_CAMPAIGN).

## FEDERAL NEWS

**Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.**

### AIR

#### Court backs EPA over Emissions Limits Intended to Reduce Global Warming

**By Matthew Wald – New York Times**

A federal appeals court upheld a finding by the EPA that heat-trapping gases from industry and vehicles endanger public health, dealing a decisive blow to companies and states that had sued to block agency rules.

A three-judge panel of the United States Court of Appeals for the District of Columbia declared that the agency was “unambiguously correct” that the Clean Air Act requires the federal government to impose limits once it has determined that emissions are causing harm. The judges unanimously dismissed arguments from industry that the science of global warming was not well supported and that the agency had based its judgment on unreliable studies. “This is how science works,” they wrote. “The EPA is not required to reprove the existence of the atom every time it approaches a scientific question.”

In addition to upholding the EPA’s so-called endangerment finding, the court let stand related rules setting limits on greenhouse gas emissions from cars and limiting emissions from stationary sources. Opponents had also challenged the agency’s timetable for enforcement and its rules singling out big polluters, but the court said the plaintiffs lacked the standing to do so. For more information, go to:

[http://www.nytimes.com/2012/06/27/science/earth/epa-emissions-rules-backed-by-court.html?\\_r=3&hp](http://www.nytimes.com/2012/06/27/science/earth/epa-emissions-rules-backed-by-court.html?_r=3&hp).

#### National Ambient Air Quality Standards (NAAQS) for Particulate Matter (Draft)

The EPA proposes to make revisions to the primary and secondary NAAQS for PM to provide requisite protection of public health and welfare, respectively and to make corresponding revisions to the data handling conventions for PM and ambient air monitoring, reporting, and network design requirements. The EPA also proposes revisions to the prevention of significant deterioration (PSD) permitting program with respect to the proposed NAAQS revisions. Comments should be directed to your REC Coordinator and must be received on or before 31 AUG 12. For more information, go to: <http://www.gpo.gov/fdsys/pkg/FR-2012-06-29/html/2012-15017.htm?CFID=1245822&CFTOKEN=41669890>.

#### EPA Greenhouse gas Permitting Requirements Maintain Focus on Largest Emitters

The EPA announced that it will not revise greenhouse gas (GHG) permitting thresholds under the Clean Air Act. This final rule is part of EPA’s common-sense, phased-in approach to GHG permitting under the Clean Air Act, announced in 2010 and recently upheld by the U.S. Court of Appeals for the D.C. Circuit. The final rule maintains a focus on the nation’s largest emitters that account for nearly 70 percent of the total GHG pollution from stationary sources, while shielding smaller emitters from permitting requirements. EPA is also finalizing a provision that allows companies to set plant-wide emissions limits for GHGs, streamlining the permitting process, increasing flexibilities, and reducing permitting burdens on state and local authorities and large industrial emitters.

The final rule affirms that new facilities with GHG emissions of at least 100,000 tons per year (tpy) carbon dioxide equivalent (CO<sub>2</sub>e) will continue to be required to obtain Prevention of Significant Deterioration (PSD) permits. Existing facilities that emit 100,000 tpy of CO<sub>2</sub>e and make changes increasing the GHG emissions by at least 75,000 tpy of CO<sub>2</sub>e, must also obtain PSD permits. Facilities that must obtain a PSD permit, to include other regulated pollutants, must also address GHG emission increases of 75,000 tpy or more of CO<sub>2</sub>e. New and existing sources with GHG emissions above 100,000 tpy CO<sub>2</sub>e must also obtain operating permits.

The GHG Tailoring Rule will continue to address a group of six greenhouse gases: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). The PSD permitting program protects air quality and allows economic growth by requiring facilities that trigger PSD to limit GHG emissions in a cost effective way. An operating permit lists all of a facility's Clean Air Act emissions control requirements and ensures adequate monitoring, recordkeeping and reporting. The operating permit program allows an opportunity for public involvement and to improve compliance. For more information, go to: <http://www.epa.gov/nsr/>.

## **WATER**

### **EPA Announces Framework to Help Local Governments Manage Stormwater Runoff and Wastewater**

The EPA issued a new framework to help local governments meet their Clean Water Act obligations. The Integrated Municipal Stormwater and Wastewater Planning Approach Framework assists EPA regional offices, states, and local governments to develop voluntary storm and wastewater management plans and implement effective integrated approaches that will protect public health by reducing overflows from wastewater systems and pollution from stormwater. In developing the framework, the EPA worked in close coordination with a variety of stakeholders, including publicly owned treatment works, state water permitting authorities, local governments, and nonprofit environmental groups.

EPA's framework outlines new flexibility to pursue innovative, cost-saving solutions, like green infrastructure, and will help communities as they develop plans that prioritize their investments in storm and wastewater infrastructure. The framework also highlights the importance of controlling and managing releases of storm and wastewater into the nation's waters. When wastewater systems overflow, they can release untreated sewage and other pollutants into local waterways. These overflows can carry a variety of harmful pollutants that can threaten communities' water quality, including bacteria, metals, and nutrients, and can contribute to disease outbreaks, beach and shellfish bed closings, and fishing or swimming advisories. Stormwater discharges can also contain many of these pollutants, and municipalities are often faced with difficult choices about how to direct their funds to solve the most critical problems first.

The framework document is available on EPA's website, where the agency will also provide practical examples of how municipalities are implementing this approach, as they become available. For more information, go to: <http://cfpub.epa.gov/npdes/integratedplans.cfm>.

## **CHESAPEAKE BAY**

### **Conowingo Dam Releasing Pollutants at More Frequent Rate**

Since the early 1990s, scientists have warned that the Conowingo Dam loomed as an ominous threat to the Chesapeake Bay. When the reservoir behind the massive 100-foot dam filled, more sediment and nutrients would begin pouring down the Susquehanna River. For nearly as long, dealing with the issue has been largely put off; the reservoir issue has always been considered a problem for the future. But the future may be here, according to

new research. “It’s not a decade out,” said Bob Hirsch, a research hydrologist with the U.S. Geological Survey. “It’s now.”

To be sure, the giant dam, located near the Maryland-Pennsylvania border 10 miles upstream from the river’s mouth, is still trapping much of what washes down the Bay’s largest tributary. But it appears to be trapping less than it used to, particularly during high flows, according to Hirsch.

Hirsch’s analyses, presented at a recent Chesapeake Bay Program scientific meeting, suggests that more sediment and phosphorus have been reaching the Chesapeake over the last decade as the reservoir behind the dam has neared its storage capacity. If correct, that may mean that portions of Pennsylvania, New York, and Maryland upstream from the dam may need to take additional steps to control sediment and phosphorus runoff to achieve the Chesapeake Bay Total Maximum Daily Load, or “pollution diet.” The TMDL established the maximum amount of nutrients and sediment that can enter the Bay from each major tributary.

For more information, go to:

[http://www.bayjournal.com/article/conowingo\\_damreleasing\\_pollutants\\_at\\_more\\_frequent\\_rate](http://www.bayjournal.com/article/conowingo_damreleasing_pollutants_at_more_frequent_rate).

## HAZARDOUS MATERIALS

### Revisions to the Emergency and Hazardous Chemical Inventory Forms

On 13 JUL 12, EPA issued a final rule that modifies the Emergency and Hazardous Chemical Inventory Forms (EPCRA Section 312, Tier II form) by adding some new data elements and revising some existing data elements. The rule, published in the Federal Register, includes new data elements that must be reported on the Tier II form. EPA is also making changes to the Tier I Inventory Form since EPCRA Section 312 requires EPA to publish both Tier I and Tier II inventory forms. None of the states currently accept the Tier I inventory form.

The new data elements that must be reported include:

- facility latitude and longitude,
- the identification numbers assigned under TRI and the risk management program,
- whether the location where the hazardous chemicals are stored is manned or unmanned,
- the maximum number of occupants that may be present at the facility,
- whether the facility is subject to EPCRA section 302 and whether subject to Clean Air Act (CAA) section 112(r), Risk Management Program.

Optional data elements added include:

- the facility phone number,
- parent company contact information.

EPA has also included other changes:

- adding separate data fields for reporting pure chemicals and mixtures,
- requiring facilities to provide a description for the storage types and conditions rather than reporting codes.

This rule becomes effective on 1 JAN 14. The full text document of the document can be found at the following location:

<http://www.gpo.gov/fdsys/pkg/FR-2012-07-13/html/2012-16951.htm>.

# REGION 1



## CONNECTICUT

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

### Legislation

On 5 MAR 12, the Planning and Development Committee introduced [CT 345](#) concerning the time in which a regulated activity must be conducted under a permit issued by an inland wetlands commission. The bill was signed by the Governor on 15 JUN 12.

### Regulations

[Underground Storage Tanks](#) - The Department of Energy and Environmental Protection has adopted amendments to the Regulations Concerning Underground Storage Tanks (USTs) in response to the federal Energy Policy Act. The federal Energy Policy Act of 2005 puts in place certain requirements that states must meet in order to be eligible for certain federal funding. As part of those conditions, states must institute requirements for Secondary Containment for UST systems and Operator Training for those who own and operate those systems. The UST regulations are intended to be preventative in nature. The goal is to avoid releases from UST systems to the greatest extent possible. This is the aim of the amendments concerning Secondary Containment: 1) to address the Federal Energy Policy Act and 2) to further protect state resources, including drinking water supplies, from contamination by leaking USTs. The adopted regulations include, but are not limited to, provisions regarding:

- requirements for containment sumps at the tank top and under the dispensers;
- when sumps would need to be installed;
- monitoring and testing requirements for secondary containment systems;
- procedures and requirements for approving Operator Training programs;
- certification of three levels of UST Operators and their respective roles;
- a system by which all UST Operators may obtain certification by August 2012;
- methods of correction for any deficiencies which may be identified in Operator Training programs; and
- the applicability of the UST regulations.

This regulation became effective on 31 MAY 12.

### **CT DEEP Taking Prompt Action to Address EAB Infestation**

The Connecticut Department of Environmental Protection (DEEP) announced a series of strong, proactive steps aimed at preventing the spread of the invasive Emerald Ash Borer (EAB), a destructive beetle which has now been detected in Connecticut.

DEEP said it was moving forward to quickly put in place:

- A quarantine zone that would prohibit the movement of certain wood products out of New Haven County, the area in which EAB has now been detected

- A ban on the importation of firewood into Connecticut through New York or Massachusetts – unless it is properly certified or has not come from an area of infestation
- Additional detection traps – known as “Barney” traps because of their purple color – in the Prospect area to monitor the presence of EAB and help assess their presence
- A “delimiting” survey to help determine the area in which EAB is present and the extent of the infestation
- Suspension of all timber contracts and firewood permits for state forest lands in New Haven County
- A survey with federal agencies to determine how long the EAB infestation has been present in our state, information which will help determine best strategies for addressing it

DEEP will also maintain a ban that has been in place against bringing any firewood into state parks and forests. Wood is made available at these facilities for campers.

The EAB is a small and destructive beetle, metallic green in color, and approximately 1/2 inch long and 1/8 inch wide. Adults emerge from the bark of infested trees leaving a small “D”-shaped exit hole roughly 1/8 inch in diameter. This insect is native to Asia and was first discovered in the Detroit, MI and Windsor, Ontario regions of North America in 2002. It has since spread through the movement of firewood, solid-wood packing materials, infested ash trees, and by natural flight dispersal.



**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.

### **Proposed Rules**

[Incorporation of PM2.5 Updates](#) (See Chapters 100, 155, and 140) - The Department of Environmental Protection has proposed amendments to Ch. 115 and Ch. 140 to incorporate fine particulate matter (PM2.5) updates that were finalized by the Environmental Protection Agency to implement the New Source Review (NSR) program for PM2.5. Amendments to the ambient air quality analysis and modeling/data collection protocol sections to include PM2.5 are also proposed. Plantwide applicability limits (PAL) requirements are included in Ch. 115. Ch. 100 is being amended to include or amend definitions to support the Ch. 115 and 140 rule-making and to correct incorporated federal requirements for licensed sources of greenhouse gases. All or portions of these rules may be submitted to the United States Environmental Protection Agency for approval and incorporation into the Maine State Implementation Plan as part of Maine’s major and minor source air emission licensing program.

[Maine Statewide Impervious Cover TMDL](#) - In accordance with Section 303(d) of the Clean Water Act, and regulations in 40 CFR Part 130, the Maine Department of Environmental Protection (DEP) has prepared a Total Maximum Daily Load (TMDL) report for waters in the State of Maine with impairments associated with developed area stormwater runoff. The TMDL report establishes the target % impervious cover for watersheds with impaired surface waters, provides documentation of impairment, and outlines the measures which may be needed to meet water quality standards. The report also outlines measures for reducing the impacts from impervious cover and stormwater.

### **Regulations**

**Bylaws, Administration and the Energy Infrastructure Proposal and Review Process for the Interagency Review Panel** - The Interagency Review Panel has adopted a rule which establishes the bylaws, administration and the energy infrastructure proposal and review process for the Interagency Review Panel, which was established by P.L. 2009, Ch. 655 to oversee the use of statutory corridors for energy infrastructure projects. This regulation became effective on 24 JUN 12.

### **Maine DEP Proclaims 2012 “The Year of the Boater Self-Inspection”**

The Maine Department of Environmental Protection has a message for boaters this summer: if you love your lake, check your boat. To bolster its ongoing efforts to proactively protect Maine’s lakes from infestations of the invasive aquatic plants like milfoil and hydrilla that are now present in 23 of the state’s lake systems, DEP has proclaimed 2012 “The Year of the Boater Self-Inspection” and is urging the owners of both motorized and people-powered boats to inspect their vessels and related equipment both before and after they float.

DEP estimates that less than 20 percent of boaters take the three minutes needed to conduct a self-inspection, which should include reviewing and removing any plants from the anchor, lines, live well, bilge, motor prop, all fishing gear, and the trailer and its parts where plants could be caught including the hitch, trailer axle, and license plate. This quick but crucial check can save countless hours and hundreds of thousands of dollars in plant management alone and has a huge payoff in the preservation of Maine’s waters and the native species, recreational opportunities, property values, businesses and communities that rely on their health.

For more information on the Maine Department of Environmental Protection’s Invasive Aquatic Species Program and steps you can take to prevent plant invasion, go to: <http://www.maine.gov/dep/water/invasives>.



## **MASSACHUSETTS**

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

### **Proposed Legislation**

On 21 JAN 11, Representative Coakley-Rivera introduced [MA HB 2749](#) which seeks to reduce particulate emissions from diesel engines.

On 24 JAN 11, Representative Fernandes introduced [MA HB 3270](#) which seeks to reduce phosphorus runoff from fertilizer application.

On 27 JUN 12, the Joint Committee on the Environment introduced [MA HB 4204](#) which would prohibit the sale, installation and disposal of mercury thermostats.

### **Proposed Rules**

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

### **MassDEP and Environmental Agencies Advance Sustainable Water Management Efforts**

For many years, there has been an absence of clear, predictable, science-based standards to answer the question: How much water can be taken out of the ground before causing significant harm to our streams and rivers? MassDEP has been working closely with the Executive Office of Energy and Environmental Affairs (EEA), the Department of Conservation and Recreation (DCR), the Division of Fish and Game (DFG), and other important stakeholders on the Sustainable Water Management Initiative (SWMI). This major undertaking is intended to balance the sometimes competing needs in the Commonwealth - water supply for human use and protection of fish habitat. To do this, the agencies have been working on developing predictable, science-based, and protective standards for high-quantity water withdrawals. For more information, go to: <http://www.mass.gov/dep/public/publications/0612swmi.htm>.

### **New Guide Available for Developing Solar on Closed Landfills**

Generating solar power on closed municipal landfills makes both environmental and economic sense. There has never been a more opportune time for municipalities to develop solar PV systems on landfills. Although not every closed landfill is suitable to host a solar PV system, municipal landfills with advantageous site characteristics may provide an opportunity for cities and towns to generate revenue from otherwise undevelopable land.

The Clean Energy Results Program (CERP), a joint initiative of MassDEP and the Massachusetts Department of Energy Resources (DOER), harnesses the expertise of both agencies to advance the development of renewable energy and energy efficiency projects. One goal of CERP is to achieve 50 megawatts of new solar photovoltaic energy generation by 2020 on environmentally challenged land (closed and capped landfills and Brownfields). Achieving this goal will help reduce air pollution associated with electricity production from fossil fuels, while also cutting energy costs, creating green jobs, and generating tax revenue for Massachusetts communities.

MassDEP and DOER have been working hard to provide cities and towns with the tools they need to explore whether their closed landfills are well-suited for solar arrays and wind turbines. DOER has just released the "Guide to Developing Solar Photovoltaics at Massachusetts Landfills." This guidebook will help municipal officials identify, evaluate, and pursue opportunities to harness the sun's power to generate electricity and revenue from undeveloped space over closed, capped landfills. Topics covered include: physical requirements of photovoltaic (PV) systems; PV system economics; landfill considerations; public procurement; and PV system development, design, and installation. The complete guide can be found on DOER's web site at: <http://www.mass.gov/eea/docs/doer/green-communities/pubs-reports/pvlandfillguide.pdf>.



## **NEW HAMPSHIRE**

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

### **Legislation**

On 22 NOV 11, Representative Warden introduced [NH HB 1415](#) which would create a permit for the repair or replacement of certain sewage or waste disposal systems. This bill was signed by the Governor on 11 JUN 12.

On 4 JAN 11, Senator Odell introduced [NH SB 19](#) which would modify the definition of "Prime wetlands" and modify the process for designating prime wetlands. The bill was signed by the Governor on 18 JUN 12.

On 1 JAN 12, Senator Bradley introduced [NH SB 218](#) which would modify the electric renewable portfolio standards. The bill was signed by the Governor on 19 JUN 12.

On 1 JAN 12, Senator Bradley introduced [NH SB 231](#) which would require a written contract between a property owner and a municipally owned electric, gas, water, or wastewater utility for the performance of work beyond the utility's final shutoff point located on customer property, in order for a lien to be placed on the property by the municipality. This bill was signed by the Governor on 11 Jun 12.

On 1 JAN 12, Senator Forrester introduced [NH SB 361](#) which would establish a commission to study the feasibility of establishing energy infrastructure corridors within existing transportation rights of way and repealing a commission. This bill establishes a commission to study the feasibility of establishing energy infrastructure corridors within existing transportation rights of way. This bill also repeals the commission established in HB 648 of the 2012 regular session. The bill was signed by the Governor on 13 JUN 12.

### **Proposed Rules**

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

### **NH DES Warns of Expanding Infestations of Exotic Aquatic Plants**

The New Hampshire Department of Environmental Services (DES) has documented two new infestations of variable milfoil, an exotic aquatic plant, within a week of each other. Both infestations were well-established when found and appear to have been present for at least two to three years before being reported. Infestations were newly documented at Otter Lake in Greenfield and Naticook Lake in Merrimack.

Freshwater exotic aquatic plants are those that are not naturally found in New Hampshire's lakes, ponds, and rivers. Because they are not naturally found here, they have no predators or diseases that keep them in check, allowing them to grow quickly. These exotic plants dominate the shallows of freshwater systems, to the detriment of native plants, fish, aquatic insects and other aquatic life. Exotic aquatic plants lead to water quality impairments, can reduce shorefront property values, and can be problematic to the aesthetic and recreational values of waterbodies. For more information, go to: <http://des.nh.gov/media/pr/2012/20120711-exotic-aquatic-plts.htm>.



## **RHODE ISLAND**

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

### **Proposed Legislation**

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

### **Regulations**

[Rhode Island Coastal Resources Management Program - Redbook Section 300.7](#) - The Coastal Resources Management Council has adopted changes to the management plans, policies, procedures, and regulations of the agency regarding planning and management of the coastal resources of the State relative to Chapter 46-23 of the State of Rhode Island. The purpose of these adopted changes are to define certain structures within CRMC defined setbacks as structural shoreline protection facilities, and provide specific requirements for federal consistency activities involving structural shoreline protection. This regulation passed. It became effective on 22 JUL 12.



## **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.

### **Proposed Rules**

[Investigation and Remediation of Contaminated Properties Procedure](#) - The Agency of Natural Resources has issued a guidance document entitled "Investigation and Remediation of Contaminated Properties Procedure." This procedure replaces the former Site Investigation Procedures, Corrective Action Guidance, Agency Guidelines for Petroleum Contaminated Soil and Debris, and the Site Management Activity Completed (SMAC) Procedures. This procedure has been developed to provide guidance for the investigation and remediation of releases of hazardous materials. This procedure provides a process that can be utilized for all properties on the State's Active Hazardous Sites List in a manner that is protective of public health and the environment. This procedure provides information to be used by responsible parties and their consultants to determine what actions are needed to clean up hazardous materials releases and describes considerations for the different human health and environmental receptors which can be affected by a hazardous material release. New in the IROCP Procedure are Soil Screening Values (SSVs), vapor intrusion (VI) investigation guidance, as well as guidance on sediments, investigation derived waste, and heating oil UST site investigation requirements. Understanding this procedure will enable a responsible party to know what is required to obtain either a Site Management Activity Completed (SMAC) designation or, for sites enrolled in the Brownfields Re-use and Environmental Liability Limitation Act (BRELLA), a Certificate of Completion (COC).

## REGION 2



### NEW JERSEY

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

#### **Proposed Legislation**

On 10 JAN 12, Assemblyman Wilam introduced [NJ AB 1888](#) which would allow license suspension or revocation of certain health care professionals and medical waste facilities, generators, and transporters for willful illegal or improper medical waste disposal.

On 10 JAN 12, Assemblyman Rumana introduced [NJ AB 1912](#) which would require the State to use pervious concrete whenever appropriate. This bill would require any State agency to use, whenever appropriate, pervious concrete as a surface material for the construction or development of any project which shall include, but need not be limited to, an access road, pathway, roadway or parking lot, or any combination thereof. The bill would require the Department of Environmental Protection (DEP) to adopt criteria for pervious concrete which would include, but not be limited to, soil infiltration rates and design specifications. The bill defines "Pervious concrete" to mean a type of concrete that decreases the total amount of runoff leaving a site, promotes infiltration of runoff into the ground, reduces the amount of pollutants carried to a storm drain or waterway, provides for storm water management, and aids with reducing peak runoff velocity and volume, in accordance with criteria to be established by the DEP.

On 10 JAN 12, Assemblyman McKeon introduced [NJ AB 1978](#) which would establish a stormwater management system demonstration project in Ocean County. This bill would permit Ocean County, or the Ocean County Utilities Authority, to establish, provide and maintain a stormwater utility for the purpose of creating a stormwater management system to manage the stormwater runoff of the county. The bill would authorize Ocean County, or the Ocean County Utilities Authority, to finance the creation, operation, and maintenance of the stormwater utility system through the imposition of user fees and the issuance of bonds. The bill would also require the Department of Environmental Protection (DEP) to create a stormwater utility guidance manual to provide guidance to counties and authorities seeking to establish stormwater management systems. The rate structure guidance provided in the stormwater utility guidance manual would define the unit by which stormwater runoff contributions are calculated and would be directly related to the specific costs of the stormwater management system. The stormwater utility guidance manual, or any revisions thereto, would be adopted after appropriate notice and opportunity for public comment but would not be subject to the notice and publication requirements of the "Administrative Procedure Act." The bill would limit the use of the revenue from the portion of the fees or other charges transferred to the Department of Environmental Protection to fund only those activities related to stormwater utilities and stormwater management systems authorized pursuant to section 4 of the bill.

On 10 JAN 12, Assemblyman McKeon introduced [NJ AB 1980](#) and Senator Smith introduced [NJ SB 820](#) which would authorize the Ocean County Planning Board and municipal planning boards in Ocean County to take certain measures to control stormwater runoff and nonpoint source pollution in Barnegat Bay watershed. This bill would authorize the Ocean County Planning Board, in conjunction with each municipality within the Barnegat Bay watershed, to develop a stormwater and nonpoint source pollution management plan for the watershed. The

stormwater management and nonpoint source pollution plan would be designed to reduce siltation and prevent pollution caused by stormwater runoff or nonpoint sources that could degrade the water quality of the Barnegat Bay and its tributaries, interfere with water-Based recreation, or adversely affect aquatic, estuarine, and marine life. The goals and purposes of the plan would be to improve the quality of stormwater runoff entering the Barnegat Bay, identify cost effective measures to control stormwater runoff and nonpoint source pollution, and identify funding mechanisms for implementation of such measures. The bill would require that the plan identify existing stormwater control facilities and any other drainage structure, pipe, culvert or other facility used to control or carry stormwater runoff or nonpoint source pollution, assess the efficacy of existing such facilities, identify the need for additional such facilities, and estimate the costs for any improvements, repairs or new facilities. The plan would include a formula for the assessment of a fee for any new development within the Barnegat Bay watershed to be paid to the Ocean County Planning Board for the improvement, maintenance, repair, or construction of stormwater control facilities and any other drainage structure, pipe, culvert or other facility used to control stormwater runoff or nonpoint source pollution to assure that new development results in a net positive impact on the water quality of the bay and to create a program to provide incentives to property owners with existing development within the watershed to reduce stormwater runoff from their property.

On 21 FEB 12, Assemblyman Casagrande introduced [NJ AB 2545](#) which would authorize DEP to require soil blending or burial of historic pesticide residue at sites undergoing remediation. This bill would authorize the Department of Environmental Protection to require, at a site that is undergoing a remediation, soil blending to reduce concentrations of historic pesticides, or consolidation and burial of the soil that contains historic pesticide residue no less than five feet above the seasonal high water table.

### **Regulations**

[Coastal Zone Management - Energy Facility Use Rule](#) - The DEP has readopted without change the specially adopted amendment to the energy facility use rule, N.J.A.C. 7:7E-7.4, that implements P.L. 2011, c. 20, which amended the Coastal Area Facility Review Act (CAFRA) at N.J.S.A. 13:19-10.1. In accordance with N.J.S.A. 13:19-10.1 as amended, the readopted provision allows for the construction of wind energy facilities on piers in certain circumstances. This regulation was adopted and became effective on 19 JUL 12.

### **DEP and NJ Dept of Agriculture Partner in Battle against Mosquitoes**

With conditions ripe for mosquito breeding in standing water around the state, the New Jersey Department of Agriculture (NJDA) and the New Jersey Department of Environmental Protection (NJDEP) are once again teaming up to release a tiny, shrimp-like crustacean with a hearty appetite for mosquito larvae. *Macrocyclus albidus*, commonly known as copepods, is being bred in large numbers at the Department of Agriculture's Philip Alampi Beneficial Insect Rearing Laboratory in West Trenton, and is one tool used by the DEP's Mosquito Control Program to fight disease-spreading mosquitoes. New Jersey Secretary of Agriculture Douglas Fisher and Bob Kent, administrator of DEP's Office of Mosquito Control Coordination, visited Cape May County for the latest release of the copepods.

"This is the second season the copepod program is in full swing, demonstrating the successful partnership between NJDA, DEP, and the counties against a common enemy - the mosquito," said Secretary Fisher. "This effort is important to agriculture because mosquito-borne diseases such as Eastern Equine Encephalitis and West Nile Virus can be deadly to horses."

The copepods thrive in fresh water and are a valuable tool in battling mosquitoes in artificial containers, roadside ditches, small water pools, clogged downspouts and other, smaller wet areas that can breed plenty of mosquitoes. They are especially helpful tools in fighting mosquitoes near schools, where use of certain pesticides are restricted.

Copepods have been released so far this spring and summer at locations in Bergen, Cape May, Morris, and Passaic counties, with a release expected soon in Ocean County. Other expected participants include Atlantic, Cumberland, Hunterdon, Middlesex, Monmouth and Warren counties.

DEP's pesticide-free mosquito fighting program also employs the use of several small fish with an appetite for mosquito larvae. *Gambusia affinis*, or mosquitofish, and fathead minnows, freshwater killfish and bluegill sunfish have been stocked in many lakes and ponds statewide. "The use of these biological control agents is but one small part of our statewide integrated approach to mosquito control, and not a replacement for long-established procedures," said Kent. "The state's assistance to county mosquito control programs helps to reduce their dependence on insecticides, providing them a variety of natural tools to help deal with mosquito issues."

For more information on the State's mosquito programs, visit: <http://www.nj.gov/dep/mosquito/programs.htm>.

### **NJ Governor Disappointed in Federal Ruling on Delaware River Deepening Project**

The Christie Administration expressed disappointment in a federal appeals court ruling upholding the U.S. Army Corps of Engineers' project to deepen the Delaware River's shipping channel from the mouth of the bay to Camden. The U.S. Court of Appeals for the Third Circuit in Philadelphia released its ruling rejecting New Jersey's demand for new studies necessary to protect the environment.

The project proposed by the U.S. Army Corps of Engineers will result in millions of tons of sediments being dumped in confined disposal facilities along ecological sensitive creeks and wetlands in Gloucester and Salem counties. NJ DEP contends that river sediments contain elevated levels of PCBs, metals, polycyclic aromatic hydrocarbons, and other contaminants. It says the Army Corps relied on limited and outdated data, largely of sediment samples taken from routine maintenance dredging, and did not adequately sample sediments from channel bends and side banks, areas that are likely to be the most contaminated.

For a copy of the ruling, please go to: <http://www.nj.gov/dep/docs/opinion20120703.pdf>.



## **NEW YORK**

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

### **Legislation**

On 29 FEB 12, Assemblyman Sweeney introduced [NY AB 9422](#) which would require the department of environmental conservation, in cooperation with the department of agriculture and markets, to take action with respect to nonnative animal and plant species. The bill was signed by the Governor on 24 JUL 12.

### **Regulations**

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

## REGION 3



### DISTRICT OF COLUMBIA

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

#### Legislation

On 1 NOV 11, Councilmember Cheh introduced [DC B 569](#) which would amend the Green Building Act of 2006 to provide for a fine alternative as a financial security option and to make certain technical corrections and clarifications; and to amend the Construction Codes Approval and Amendments Act of 1986 to require the Mayor to submit revisions to the Construction Codes incorporating green building practices to the Council for approval. The bill was passed and became effective on 5 Jun 12.

#### Proposed Rules

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



### DELAWARE

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

#### Legislation

On 13 JUN 12, Senator McBride introduced [DE SB 255](#) relating to regulations and prohibitions concerning game and fish. Invasive finfish species such as snakehead fish pose current and future risks to Delaware's native aquatic species and their habitats. This legislation would authorize the department of natural resources and environmental control to designate and manage such invasive finfish species in tidal waters through regulation. The bill was signed by the governor on 11 JUL 12.

#### Proposed Rules

[Regulations Governing Discharges from the Application of Pesticides to Waters of the State](#) - The proposed regulatory revision of Section 9.0, General Permit Program, to add Subsection 9.8, Regulations Governing the Discharges from the Application of Pesticides to Waters of the State, is being promulgated as a result of the 2009 decision by the U.S. Sixth Circuit Court, whereby the Court determined that the application of biological pesticides and chemical pesticides with residuals to waters regulated under the provisions of the federal Clean Water Act must be regulated by a National Pollutant Discharge Elimination Program (NPDES) permit. Being an NPDES-delegated state (except for federal facilities) the State of Delaware through the Department of Natural

Resources and Environmental Conservation (DNREC) is required to issue its own NPDES permits and develop regulations that align with the federal Pesticide General Permit (PGP) issued on 31 OCT 11. In order to allow aquatic pesticide application through the summer months of 2012, the DNREC Division of Water issued emergency regulations, the Emergency Regulations Governing the Discharges from the Application of Pesticides to Waters of the State, which were effective 1 MAR 12 – 31 AUG 12. The DNREC is authorized, pursuant to 29 Del.C. §10119, to adopt emergency regulations if an agency determines that an imminent peril to human health, safety, or welfare requires adoption, amendment, or repeal of a regulation with less than the notice required by 29 Del.C. §10115. Much of the aquatic pesticide spraying during that timeframe was concentrated on eliminating mosquito populations, which are a significant risk to human health and welfare due to their ability to transmit diseases and other blood-borne vectors. The final Regulations Governing the Discharges from the Application of Pesticides to Waters of the State will allow pesticide applicators to obtain the required permits coverage for applying aquatic pesticides, as required, from this point forward.

[State Implementation Plan \(SIP\) Revision to address the Clean Air Act Section 110 Infrastructure Elements for the 2008 Ozone National Ambient Air Quality Standard \(NAAQS\)](#) - The DNREC Division of Air Quality is proposing to revise the SIP to address the implementation, maintenance, and enforcement of the 2008 8-hour Ozone NAAQS. On 27 MAR 08, the EPA promulgated a new NAAQS for the pollutant ozone. The level of the NAAQS was lowered from 0.08 parts per million (ppm) to 0.075 ppm, based on 8-hour average concentrations. Pursuant to sections 110(a)(1) and 110(a)(2) of the Clean Air Act, each State is required to submit to EPA a SIP to provide for the implementation, maintenance, and enforcement of a newly promulgated or revised NAAQS. This SIP fulfills this requirement relative to the 2008 ozone NAAQS. The SIP document consists of a determination and certification that Delaware has reviewed its SIP and determined that all elements required in CAA § 110(a)(2) for the 0.075 ppm ozone NAAQS have been met through earlier SIP submissions in connection with previous ozone standards, dated 13 DEC 07 and 16 SEP 09. In addition, a more detailed demonstration detailing how Delaware complies with the requirements of 110(a)(2)(D)(i)(I) of the CAA is included.

### **Regulations**

[Public Drinking Water Systems](#) - Health Systems Protection Section, Office of Drinking Water, under the Division of Public Health, Department of Health and Social Services, approved the proposed State of Delaware Regulations Governing Public Drinking Water Systems. Amendments include the adoption of four new EPA regulations: the Long Term 2 Enhanced Surface Water Treatment Rule, the Stage 2 Disinfectant/Disinfection Byproducts Rule, the Ground Water Rule, and the Lead/Copper Rule Short Term Revisions as well as makes technical corrections to previously adopted federal regulations. In addition, there are several proposed changes to Delaware-specific requirements. Due to the extensive number of amendments the Department has concluded that the current regulations should be repealed and replaced in their entirety with the proposed regulations being published. The regulation passed and became effective on 11 JUL 12.



**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**

[Nitrogen-Removal Technology for On-Site Sewage Disposal Systems](#) - The Department of the Environment has proposed a rulemaking action to require nitrogen-removal technology for on-site sewage disposal systems (OSDS) serving new construction in the Chesapeake Bay watershed and the Atlantic Coastal Bays watershed and to require nitrogen-removal technology for OSDS serving new construction in the watershed of any nitrogen-impaired water body. This action also provides for operation and maintenance of nitrogen-removal OSDS. In addition, this action requires nitrogen removal for any replacement system on property located in either the Chesapeake Bay critical area or the Atlantic Coastal Bays critical area pursuant to the requirements in Environment Article, §9-1108, Annotated Code of Maryland. Nitrogen has been identified as a contaminant to both groundwater and surface water. Reducing the nitrogen discharged by OSDS has been identified as an action necessary as part of Maryland's Watershed Implementation Plan in order to meet water quality standards. The Department has determined that requiring nitrogen-removal technology for OSDS is necessary to protect the waters of the State from contamination.

### **Regulations**

[Criteria for Local Critical Area Program Development](#) - The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays has adopted regulations for mapping the 1,000 foot Critical Area boundary line. The regulations will list the appropriate source documents to use in the mapping process, the mapping methodology for accessing the physical features of the shoreline, the mapping methodology for determining the Critical Area classification of new lands in the Critical Area, the process for approval of an updated Critical Area map, and the periodic review of the maps. Updating the maps periodically will ensure the most accurate boundary line. In addition, these maps will be maintained by the Commission and accessible to all on the internet. The regulation passed and became effective on 9 JUL 12. Personnel should be aware of the provisions of the Critical Area Act and should remain engaged with respective installation counsel for substantive expertise on its underlying conservation goals.

### **Governor Announces Maryland Meets Goals to Protect and Restore the Chesapeake Bay**

Governor Martin O'Malley announced that Maryland met its 2009-2011 milestones to protect and restore the Chesapeake Bay. By sticking to its Watershed Implementation Plan (WIP), the State is on track to achieve the next two-year milestone goals and Maryland's 2017 interim target. In 2008, in order to accelerate restoration and improve public accountability, the Executive Council began tracking the state's progress through short, two-year targets starting with the years 2009-2011. Maryland has been able to meet these goals even while accounting for expected growth during the milestone period.

Maryland reached its goals by:

- Planting a record number of cover crops. Maryland planted 429,818 acres of cover crops, thereby preventing an estimated 2.58 million pounds of nitrogen and 86,000 pounds of phosphorus from potentially impacting the Bay and its tributaries. In its 2009-2011 milestones, Maryland met 123 percent of its cover crop goal.
- Working with partners at the county and municipal level. Maryland has worked to prevent more than 1.5 million pounds of nitrogen from entering the Bay and local waterways each year and to upgrade 25 of the State's largest wastewater treatment plants. Another 16 upgrades are scheduled to be completed by the end of next year. In its 2009-2011 milestones, Maryland met 165 percent of the wastewater nitrogen reduction goals.
- Addressing stormwater pollution. The State is using state-of-the-art environmental site design on new developments and retrofitting old developments that did not have stormwater controls. This is

preventing more than 106,000 pounds of nitrogen from entering the Chesapeake Bay. In the 2009-2011 milestones, Maryland met 88 percent of its goals.

- By implementing the Healthy Air Act. This is the toughest power plant emission law on the East Coast and it is preventing more than 331,000 pounds of nitrogen from entering the Bay each year. In the 2009-2011 milestones, Maryland met 100 percent of its goals.
- Naturally removing the nutrients from the land and stabilizing wildlife habitats. To achieve this, Maryland planted 895 acres of forest buffers. In the 2009-2011 milestones, Maryland met 166 percent of its goals.

For more information, go to: <http://www.mde.state.md.us/programs/PressRoom/Pages/070912executivecouncil-bayrestorationmilestones.aspx>.



## PENNSYLVANIA

Note: The Pennsylvania General Assembly meets throughout the year.

### **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.

### **DEP Declares Drought Watch for Western Pennsylvania Counties**

The Department of Environmental Protection (DEP) issued a drought watch for 15 Western Pennsylvania counties. “A hot, dry summer made it necessary to take this first step of declaring a drought watch in the affected counties,” DEP Secretary Mike Krancer said. “This measure will alert the public and water suppliers that there are voluntary, common-sense ways to conserve.”

A drought watch declaration is the first and least severe level of the state’s three drought classifications. It calls for a voluntary five percent reduction in nonessential water use and puts large water consumers on notice to begin planning for the possibility of reduced water supplies.

The 15 counties under the drought watch issued today are Allegheny, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Lawrence, Mercer, Somerset, Venango, Warren and Washington. For more information, go to: [http://www.portal.state.pa.us/portal/server.pt/community/news\\_releases/14288](http://www.portal.state.pa.us/portal/server.pt/community/news_releases/14288).



## VIRGINIA

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

### **Legislation**

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

### **Proposed Rules**

[Open Burning](#) - The Department of Environmental Quality has proposed the Regulation for Open Burning which is intended to meet three goals: 1) to protect public health and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth; 2) to reduce VOC emissions in Virginia's ozone nonattainment areas to facilitate the attainment and maintenance of the air quality standards; and 3) to require that open burning be conducted in a manner as to prevent the release of air pollutants. The purpose of the planned action is to revise the regulation as needed to efficiently and effectively meet its goals while avoiding unreasonable hardships on the regulated community, the department, and the general public.

### **UST Operator Training**

An operator training program requires UST operators (Class A, B, & C) to be trained by 8 AUG 12. As UST operator training is required nationally, many vendors provide testing and training that will properly educate UST operators about how to maintain compliant tank systems and how to recognize and respond to problems associated with leaking USTs. **DEQ UST inspectors will ask for proof of completion of operator training after the 8 AUG 12 deadline as a part of their routine UST inspections.**

The UST owner should document their Class A, B, and C operators and ensure all operators obtain a training certificate from an approved training program to document successful training completion.

All Class A or Class B training programs should obtain approval through the Virginia Department of Environmental Quality. A training approval form is currently under development and will be placed on the website as soon as it is finalized.

Virginia DEQ will recognize successful completion of Class A and Class B operator training that is consistent with the Federal EPA requirements (40 CFR Part 280) which is recognized by another state and approved by EPA as meeting operator training grant guidelines.

Class C training programs will be verified by the compliance inspector at the time of the inspection, and thus, do not need to submit information for approval.

### **Additional Information:**

[Virginia's Operator Training Overview](#)

[Operator Training EPA Grant Guidelines](#)

[Underground Storage Tank \(UST\) Operator Training Guidance - LPR-SRR-2011-11 PDF](#)

[List of Approved Underground Storage Tank Operator Training Providers.](#)



**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.

**Regulations**

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

**Hearings Scheduled for Proposed Legislative Rules**

The West Virginia Department of Environmental Protection has scheduled public hearings for its 2013 proposed legislative rules. All hearings will take place at the DEP's Charleston headquarters, located at 601 57th St., S.E., Charleston, WV, 25304. Oral and written comments will be limited to the proposed revisions and will be made a part of the rulemaking record. You may obtain hard copies of the information by calling the phone numbers listed on the rules page (See link). For more information on the rules, hearing dates, and locations, go to:

<http://www.dep.wv.gov/pio/Pages/Rules.aspx>.

## 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**

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

# PROFESSIONAL DEVELOPMENT

## Conferences

### **Utility Energy Service Contracts (UESC) Workshop (Classroom) (Multiple Offerings)**

This FEMP workshop is provided for Federal procurement teams, providing an overview of the contracting options and services available from serving utility companies to engineer, finance, and install cost-effective energy and water savings projects. Participants will be walked through the typical project process spanning the audit phase to commissioning the equipment. For more information, go to:

[http://www.fedcenter.gov/kd/go.cfm?destination=ShowItem&item\\_id=19437](http://www.fedcenter.gov/kd/go.cfm?destination=ShowItem&item_id=19437).

### **Climate Resilience Evaluation and Awareness Tool (CREAT) 101 (Web-based, On Demand)**

This training provides an overview of climate change impacts and the methodology and functionality of CREAT. The CREAT software provides drinking water, wastewater, and storm water utilities with practical tools, training, and technical assistance to confront climate change through climate related risk assessment. For more information, go to: <http://water.epa.gov/infrastructure/watersecurity/climate/creat.cfm>. For the on-line training classes, go to: <http://water.epa.gov/infrastructure/watersecurity/climate/>.

### **An Overview of CERCLA – Cleaning Up America’s Hazardous Waste Sites, 31 JUL 12 (Web-based)**

This is an introduction to EPA’s major site-cleanup statute. For more information, go to:

<http://www.fedcenter.gov/Events/index.cfm?id=21095>.

### **GovEnergy Workshop and Tradeshow, 19 – 21 AUG 12, St. Louis, MO**

This annual training workshop and trade show is designed to address the challenges of federal energy management; helping to foster ideas into action. By bringing together the nation’s leading experts in policy, technology, and facility operations, GovEnergy provides responsible, professional-grade education through a variety of learning experiences. For more information, go to:

<http://www.govenergy.com/Index.aspx?CFID=333819&CFTOKEN=10729502#&panel1-3>.

### **StormCon 2012 Conference, 19 – 23 AUG 12, Denver, CO**

The StormCon offers the opportunity to learn from case studies presented by municipal professionals, engineering consultants, contractors, researchers, and others on the front lines of implementing stormwater programs, BMPs, sediment and erosion control techniques, low-impact development approaches, research and testing of BMPs, and water-quality monitoring programs. For more information, go to: <http://www.stormcon.com/conference.html>.

### **AWEA Regional Wind Energy Summit – New England, 5-6 SEP 12, Portland, ME**

Get a comprehensive view of wind energy specific to the Northeast U.S., and delve into the most important present and forecasted issues facing this region's wind energy development. For more information, go to:

<http://www.awea.org/events/AWEA-Regional-Wind-Energy-Summit-New-England.cfm?CFID=1001764&CFTOKEN=67299649>.

### **Energy and Sustainability Materials Management, 20 SEPT 12 (Web-based)**

Learn about the link between energy and sustainable materials management. This webinar is sponsored by EPA's Sustainable Materials Management (SMM) Web Academy. For more information, go to:

<http://www.fedcenter.gov/Events/index.cfm?id=21860>.

**GreenGov Symposium 2012, 24-26 SEP 12, Washington, DC**

The Symposium aims to bring together leaders from government, the private sector, non-profits and academia to identify opportunities to create jobs, grow clean energy industries, and curb pollution by incorporating sustainable practices into the Federal Government's operations. For more information, go to: <http://www.greengov2012.org/>.

**2012 Kansas Energy Conference, 25-26 SEP 12, Manhattan, KS**

Planned topics include wind, solar, energy efficiency, and biofuels. For more information, go to: <http://www.kansascommerce.com/index.aspx?NID=334&CFID=1001803&CFTOKEN=38722823>.

**EcoSummit 2012, 30 SEP-5 OCT 12, Columbus, OH**

The theme of the conference is "Restoring the Planet's Ecosystem Services." Topics include, but are not limited to: climate change, sustainability, coastal problems from upland pollution sources, and biological invasions. For more information, go to: <http://www.ecosummit2012.org/index.htm?CFID=117618&CFTOKEN=41868105>.

**EPA's Plug-In to eCycling SMM Challenge, 18 OCT 12 (Web-based)**

Learn about EPA's Plug-In to eCycling SMM Challenge, hear success stories from partners, and get more information on opportunities for businesses, and state and local governments to get involved. This webinar is sponsored by EPA's Sustainable Materials Management (SMM) Web Academy. For more information, go to: <http://www.fedcenter.gov/Events/index.cfm?id=21861>.

**Dredging 2012, 22-25 OCT 12, San Diego, CA**

The fourth specialty conference on dredging and dredged material disposal, Dredging 2012, will be taking place in San Diego, CA on 22-25 OCT 12. Due to the length of time it has been since the last conference in 2002, many new issues have emerged and will be discussed and debated. More than 200 presenters will speak on best practices and innovation from around the world. For more information, go to: <http://dredging12.pianc.us/?CFID=785596&CFTOKEN=76532006>.

**Advanced Energy 2012, 30-31 OCT 12, New York, NY**

The conference program for Advanced Energy 2012 will feature several plenary events, an open-access exhibit hall, and a poster session. The educational program will comprise a comprehensive offering of tracks and sessions that extend across all the partner conferences, and feature topic experts and thought leaders from every area of the energy industry. For more information, go to: <http://www.aertc.org/conference2012/?CFID=1001803&CFTOKEN=38722823>.

**NWCC Wind Wildlife Research meeting, 27-30 NOV 12, Denver, CO**

The National Wind Coordinating Collaborative's (NWCC) biennial Wind Wildlife Research Meeting provides an internationally recognized forum for researchers and wind-wildlife stakeholders to hear contributed papers, view research posters, and listen to panels that synthesize the most recent wind power-related wildlife research. Academics, researchers, conservation scientists, consultants, federal and state officials, NGO representatives, and industry professionals come together for this unique opportunity. For more information, go to: <http://www.nationalwind.org/issues/wildlife/researchmeetingix.aspx?CFID=1001891&CFTOKEN=95920556>.

**AWEA Regional Wind Energy Summit – Southwest, 5-6 DEC 12, Houston, TX**

Obtain a comprehensive view of all critical aspects of wind energy in the Southwest Power Pool (SPP) and Electric Reliability Council of Texas (ERCOT) regions of the United States, and delve deep into the most important present and forecasted issues facing wind energy development in these regions. For more information, go to: <http://www.awea.org/events/AWEA-Regional-Wind-Energy-Summit-South-Central.cfm?CFID=1001918&CFTOKEN=30073911>.

## 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>
30 JUL 12	2 AUG 12	Facilities Planner	MIDLANT Region
31 JUL 12	2 AUG 12	Health & Environmental Risk Communication Workshop	Norfolk, VA
27 AUG 12	31 AUG 12	United States Marine Corps Facilities Management	Washington, DC
27 AUG 12	31 AUG 12	Adv Pub Works Dept & Fac. Eng. Command Operations	Washington, DC
11 SEP 12	13 SEP 12	Health & Environmental Risk Communication Workshop	MCB Camp Lejeune, NC
17 SEP 12	21 SEP 12	Environmental Quality Sampling	Norfolk, VA
29 OCT 12	2 NOV 12	Seabee Joint Engineer Operations Course	MCB Quantico, VA
10 DEC 12	14 DEC 12	CEC Captain's Leadership Seminar	Washington, DC

**CECOS Online Courses/Web Conferences**

<b>Beginning Date</b>	<b>End Date</b>	<b>Course</b>	<b>Location</b>
18 SEP 12	19 SEP 12	Pollution Prevention Awareness Web Conference	Web Conference
20 SEP 12	20 SEP 12	Sustainability in the Navy: LEED	Web Conference
1 OCT 10	30 SEP 12	Adv Pub Works Dept & Fac. Eng. Command Operations	Web Conference
22 OCT 12	25 OCT 12	Advancing an Effective EMS	Web Conference
10 DEC 12	13 DEC 12	Advancing an Effective EMS	Web Conference
5 NOV 12	8 NOV 12	EPCRA and Toxic Release Inventory (TRI) Reporting	Web Conference
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 [dodrecreg3@navy.mil](mailto:dodrecreg3@navy.mil) and we will find the link for you.

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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:  
[dodrecreg3@navy.mil](mailto:dodrecreg3@navy.mil). Thanks.