



REC Update



ENVIRONMENTAL NEWS FOR DOD FACILITIES IN FEDERAL REGIONS 1-5

December 2015



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SPOTLIGHT

Volunteers Rebuild Sand Dunes at NAS Oceana Dam Neck Annex



Volunteers planting grasses during the restoration effort. Photos courtesy of National Aquarium

Did you know sand dunes protect land by acting as natural barriers to prevent erosion and absorb wave energy? Navy installations are strategically located along water fronts that can have detrimental impacts due to storm surge. Not only do sand dunes provide protection to prevent soft coastline from rapidly disappearing it also protects our infrastructure from increasingly intense storm surges.

90 total volunteers
 planted 12, 710 dunes plants
 restoring 2.1 acres
 of valuable sand dunes.

Through partnership with the Nation Aquarium, Naval Air Station Oceana Dam Neck Annex held a restoration event to plant native dune grasses. On 23-24 OCT, 90 volunteers from Maryland, West Virginia, Virginia, North Carolina, Navy and Marine Corps active duty and retired, civilian military workforce and community groups came out to Dam Neck Annex to restore vital dunes protecting our shoreline totaling 348 volunteer hours. During this effort over 2 acres were restored with American beachgrass, Eastern baccharis, Wax myrtle, Gray Goldenrod, and Seaside Goldenrod.

NAS Oceana was able to purchase approximately 7,000 more plants than budgeted because the installation applied for and was awarded funds by the [Department of Defense \(DoD\) Legacy Resource Management Program](#) in support of the installation's **National Public Lands Day Event**. Through its Natural Resources Program, the DoD funds the National Environmental Education Foundation (NEEF) for National Public Lands Day (NPLD) projects on military lands

open to the public for recreation.

Completing this restoration will not only protect Naval Air Station Oceana Dam Neck Annex coastline and infrastructure, it will also restore habitat for local wildlife.

Any questions can be directed to Michael Wright, PWD Oceana Natural Resources Manager.

[Learn more about the Department of Defense Legacy Resource Management Program Awards](#)

GENERAL INTEREST

DoD Announces Call for 2016 Secretary of Defense Environmental Awards

Nominations for the [2016 Secretary of Defense Environmental Awards](#) are due by 1 MAR 16. [Guidance](#) was issued by the Office of the Deputy Under Secretary of Defense (Energy, Installations & Environment) on 6 NOV 15. Each Military Service and Defense Agency may submit one nomination for each of the five Installation and four Individual/Team award categories listed below for accomplishments during the period October 1, 2013 through September 30, 2015. Be sure to adhere to Service level guidance provided.

Installation	Individual/Team
Natural Resources Conservation, Small	Natural Resources Conservation
Environmental Quality, Non-Industrial	Environmental Quality
Sustainability, Industrial	Environmental Restoration
Environmental Restoration	Environmental Excellence in Weapon System Acquisition, Large Program
Cultural Resources Management, Large	

Call for Nominations for the Climate Adaptation Leadership Award for Natural Resources

This [award](#) was developed to recognize and incentivize exemplary efforts by federal, state, tribal, local, and non-governmental entities to reduce climate-related threats and promote adaptation of the nation's natural resources and the people that depend on them. The Award will recognize outstanding leadership by organizations and/or individuals to advance the resilience of living natural resources (fish, wildlife and plants) in a changing climate by helping address the goals of the National Fish, Wildlife, and Plants Climate Adaptation Strategy. The Award is sponsored by the National Fish, Wildlife, and Plant Climate Adaptation Strategy's Joint Implementation Working Group in partnership with the Department of the Interior (DOI), US Fish and Wildlife Service (USFWS), National Resource Conservation Service (NRCS), National Oceanic and Atmospheric Administration (NOAA), U.S. Forest Service (USFS), and the Association of Fish and Wildlife Agencies (AFWA). Nominations are due 8 JAN 6.

EPA Recommendations for Labeling Pesticide Secondary and Service Containers

Secondary containers and service containers are often used by pesticide applicators when they are applying a pesticide. EPA does not require secondary containers or service containers to be labeled or to meet particular construction standards. However, for both types of containers, the applicator is responsible for following the requirements on the pesticide product's labeling and complying with other relevant requirements in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and other statutes. Given that both secondary and service containers are widely used, however, EPA has some recommendations for users who choose to label these containers on their [website](#). These recommendations for labeling are intended to help ensure the safe use of pesticides. Any labeling on secondary or service containers should not conflict with the product labeling.

E.O. 13693, Planning for Federal Sustainability in the Next Decade: Training Available

A new FEMP First Thursday seminar on [Executive Order 13693 Recent Developments, Implementation Updates, and Opportunities](#) is scheduled for 3 DEC 15 at 01:30-03:00PM Eastern Time. Learn about technologies, strategies, and best practices that DOE and other agencies are using to implement and fund Executive Order 13693 goals. Topics include clean energy, water, GHG reduction, electronics stewardship, sustainable acquisition, waste reduction, pollution prevention, environmental management, and more. Register for this training to: understand how E. O. 13693 provisions differ from previous executive orders, learn about

performance contracting, and other FEMP assistance available to meet E.O. 13693 goals, and discover interconnected and integrated ways to customize implementation plans for your organization.

9th Symposium on Design and Construction Issues at Hazardous Waste Sites

The Society of American Military Engineers (SAME) and the US EPA are co-sponsoring a symposium on Design and Construction Issues at Hazardous Waste Sites 22-26 APR 16 in Philadelphia, PA. This event focuses on the applications of engineering and science associated with cleaning up hazardous waste sites.

Federal Facilities and RCRA Website

This EPA [website](#) describes key federal facility responsibilities under RCRA, RCRA basics, and federal facilities enforcement of RCRA.

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

NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters – Final Rule

In response to petitions for reconsideration EPA is making minor changes to the final rule for "[National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters](#)" (Boiler MACT). EPA is retaining a minimum carbon monoxide (CO) limit of 130 parts per million (ppm) and the particulate matter (PM) continuous parameter monitoring system (CPMS) requirements, consistent with the January 2013 final rule. Minor changes to the proposed definitions of startup and shutdown and work practices were made along with some non-substantive technical corrections and clarifications.

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines – Proposed Rule

EPA has [proposed amendments](#) to the standards of performance for stationary compression ignition (CI) internal combustion engines to allow manufacturers to design the engines so that operators can temporarily override performance inducements related to the emission control system for stationary CI internal combustion engines operating during emergency situations where the operation of the engine or equipment is needed to protect human life, and to require compliance with Tier 1 emission standards during such emergencies. Many Tier 4 final engines are equipped by the engine manufacturer with selective catalytic reduction (SCR) to reduce emissions of NOX. The consumable reactant in an SCR system is typically supplied as a solution of urea in water known as diesel exhaust fluid (DEF). As an "inducement" for operators to maintain the DEF supply engines have been programmed to shutdown if the DEF supply is expended. Comments are due by 21 DEC 15.

Update to the Refrigerant Management Requirements Under the Clean Air Act – Proposed Rule

EPA has proposed updating ozone-depleting refrigerant emissions and has proposed extending the prohibitions to cover non-ozone depleting substitute refrigerants. The existing regulations require that persons servicing or disposing of air-conditioning and refrigeration equipment observe certain service practices that reduce emissions of ozone-depleting refrigerant. This proposed rule would update those existing requirements as well

as extend them, as appropriate, to non-ozone-depleting substitute refrigerants, such as hydrofluorocarbons. The [proposed updates](#) include strengthening leak repair requirements, establishing recordkeeping requirements for the disposal of appliances containing five to 50 pounds of refrigerant, changes to the technician certification program, and changes for improved readability, compliance, and restructuring of the requirements. A Fact Sheet is available at <http://www2.epa.gov/sites/production/files/2015-10/documents/608factsheet.pdf>. Comments must be received by 8 JAN 16.

H.R. 4000. Ozone National Ambient Air Quality Standard Deadline Harmonization Act of 2015 – Proposed Rule
House bill, [H.R. 4000](#), was introduced 16 NOV 15 and referred to the Committee on Energy and Commerce. The bill is intended to harmonize requirements of the 2008 and 2015 ozone national ambient air quality standards, and for other purposes.

WASTE

Defense Materiel Disposition - Disposal Guidance and Procedures – Final Rule

This DoD final rule prescribes uniform procedures for the disposition of DoD personal property and establishes the sequence of processes for disposition of personal property of the DoD Components. [This rule](#) provides general guidelines and procedures for property disposition; provides guidance for budgeting for the disposal of excess, surplus, and foreign excess personal property (FEPP) property with updates via program budget decisions; ensures cost-effective disposal of precious metals bearing scrap and end items for the replenishment of valuable resources through the DoD Precious Metals Recovery Program (PMRP); outlines DoD screening methods for disposing of materiel; and describes procedures relating to foreign military sales. The final rule becomes effective 3 DEC 15.

Research, Development and Demonstration Permits Rule for Municipal Solid Waste Landfills – Proposed Rule

EPA is proposing to revise the maximum permit term for Municipal Solid Waste Landfill (MSWLF) units operating under Research, Development and Demonstration (RD&D) permits. The RD&D permit program allows landfills to utilize innovative and new methods that vary from the prescribed run-on control systems, liquids restrictions, and final cover criteria if these meet the criteria in 40 CFR 258.4. The current rule limits permits for these units to 3 years each, renewable 3 times for a total permit term of 12 years. This proposed rule would allow the Director of an approved State to increase the number of permit renewals to 6, for a total permit term of up to 21 years. Comments are due by December 14, 2015.

Comment Extensions Granted on Proposed Rules

EPA has extended the comment period for two proposed rules to 24 DEC 15:

- EPA has received a number of requests to extend the comment period on the [Hazardous Waste Generator Improvements proposed rule](#) and in response is providing a 30-day extension. A notice announcing this extension was published in the Federal Register on November 5, 2015.
- EPA is announcing an extension to the comment period for the proposed rule on the management and disposal of [Management Standards for Hazardous Waste Pharmaceuticals](#) published in the Federal Register on 25 SEP 15. EPA proposed to revise the regulations to improve the management and disposal of hazardous waste pharmaceuticals and tailor them to address the specific issues that hospitals, pharmacies and other healthcare-related facilities face. The revisions are also intended to clarify the regulation of the reverse distribution mechanism used by healthcare facilities for the management of unused and/or expired pharmaceuticals.

WATER

Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category – Final Rule

EPA issued a [final rule](#) establishing the first nationally applicable limits on the amount of toxic metals and other harmful pollutants that steam electric power plants are allowed to discharge in several of their largest sources of wastewater, including leachate from combustion residual (ash) landfills. The final rule strengthens the technology-based effluent limitations guidelines and standards (ELGs) for mercury, arsenic, selenium, and nitrate/nitrite. On an annual basis, the rule reduces the amount of toxic metals, nutrients, and other pollutants that steam electric power plants are allowed to discharge by 1.4 billion pounds and it reduces water withdrawal by 57 billion gallons. Covered facilities are those that use nuclear or fossil fuels, such as coal, oil, or natural gas, to heat water in boilers, which generate steam. The rule applies to discharges associated with both the combustion turbine and steam turbine portions of a combined cycle generating unit. The rule does not apply to plants that use non-fossil fuel or non-nuclear fuel or other energy sources, such as biomass or solar thermal energy. No size or generation capacity regulatory threshold appears to have been specified, however the applicability section (40 CFR 423.10) indicates the rule applies to "operation of a generating unit by an establishment whose generation of electricity is the predominant source of revenue or principal reason for operation." Presumably this would exclude emergency backup power generators of any size. The final rule becomes effective on 4 JAN 16.

Ballast Water Management Reporting and Recordkeeping – Final Rule

This [final rule](#) amends the Coast Guard's ballast water management reporting and recordkeeping requirements. Upon 22 Feb 2016 the Coast Guard will require vessels with ballast tanks operating exclusively on voyages between ports or places within a single Captain of the Port Zone to submit an annual report of their ballast water management practices. This rule will allow most vessels to submit ballast water reports after arrival at a port or place of destination, instead of requiring submission of such reports prior to arrival and will reduce the administrative burden on the regulated population, while still providing the Coast Guard with the information necessary to analyze and understand ballast water management practices. This final rule becomes effective 22 FEB 16, except for the amendments to 33 CFR 151.2060(b) through (f) and 151.2070, which contain collection of information requirements that have not yet been approved by the Office of Management and Budget (OMB). The Coast Guard will publish a document in the Federal Register announcing the effective date of those sections.

NATURAL RESOURCES

S. 2240. Federal Land Invasive Species Control, Prevention, and Management Act – Proposed Rule

Senate bill, [S. 2240](#), was introduced to improve the control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes. It was referred to the Committee on Energy and Natural Resources. The purpose of this Act is to ensure the effective management of Federal land, including National Monuments and National Heritage Areas, to protect from invasive species important natural resources, including 1) soil; 2) vegetation; 3) archeological sites; 4) water resources; and 5) rare or unique habitats.

National Wetland Condition - Draft Report

EPA released a [National Wetland Condition Assessment 2011](#) (NWCA 2011) Draft Report, which is the first national assessment of the ecological condition of the nation's wetlands. The NWCA 2011 draft report describes

the results of a nationwide probabilistic survey of wetlands conducted in the spring and summer of 2011 by EPA and its state and tribal partners. The key goals of the NWCA are to (1) describe the ecological condition of the nation's wetlands and stressors commonly associated with poor condition; (2) collaborate with states and tribes in developing complementary monitoring tools, analytical approaches, and data management technology to aid wetland protection and restoration programs; and (3) advance the science of wetland monitoring and assessment to support wetland management needs. Comments are due by 7 DEC 15.

Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment

The President released a [Memorandum](#) to certain federal agencies, including DoD, that seeks to increase opportunities for private investment in natural resource restoration. The memorandum tasks agencies to adopt a clear and consistent approach for avoidance and minimization of, and compensatory mitigation for, the impacts of their activities and the projects they approve. The provisions of this memorandum **shall not apply to military testing, training, and readiness activities.**

Delmarva Peninsula Fox Squirrel - Delisting

The Fish and Wildlife Service has determined that the [Delmarva Peninsula fox squirrel has recovered](#) and may be removed from the list of endangered and threatened wildlife. The Delmarva fox squirrel (*Sciurus niger cinereus*), a subspecies of the eastern fox squirrel (*Sciurus niger*) found only on the Delmarva Peninsula, is located between the Chesapeake Bay and the Atlantic Ocean in portions of Maryland, Delaware, and Virginia.

OTHER

EPCRA: Toxic Chemical Release Reporting - Addition of 1-Bromopropane – Final Rule

EPA is adding 1-bromopropane to the list of toxic chemicals subject to reporting under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA). This requirement will apply for the reporting year beginning 1 JAN 16 (reports due July 1, 2017). 1-Bromopropane has been classified by the National Toxicology Program in their 13th Report on Carcinogens as "reasonably anticipated to be a human carcinogen." Industrial applications of 1-Bromopropane increased dramatically in the 21st century and include solvent use for aircraft maintenance, for degreasing, and removal of soldering residues from electronic circuit boards.

Pesticides; Agricultural Worker Protection Standard Revisions – Final Rule

EPA is finalizing updates and revisions to the existing worker protection regulation for pesticides. This [final rule](#) will enhance the protections provided to agricultural workers, pesticide handlers, and other persons under the Worker Protection Standard (WPS) by strengthening elements of the existing regulation, such as training, notification, pesticide safety and hazard communication information, use of personal protective equipment, and the providing of supplies for routine washing and emergency decontamination. Final rule becomes effective 1 JAN 16.

Hazardous Materials: Editorial Corrections and Clarifications – Final Rule

This [final rule](#) corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations. The intended effect of this rule is to enhance the accuracy and reduce misunderstandings of the regulations. The amendments contained in this rule are non-substantive changes and do not impose new requirements. This regulation is effective 23 DEC 15.

REGION 1



CONNECTICUT

Note: The Connecticut General Assembly convened on 7 JAN 15 and adjourned on 3 MAY 15.

Legislation

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

Rules

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



MAINE

Note: The Maine General Assembly convened on 3 DEC 14 and adjourns on 16 JUN 16 (In Recess until 15 JUL 15).

Legislation

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

Proposed Rules/Other Regulatory Activity

[Administrative Rules](#) – The Board of Underground Storage Tank Installers has proposed revisions to Ch. 1 which reflect a change to the name of the fund that fees are paid into and changes the statutory citation to the fund; both changes are a result of LD 1303 (PL 2015, ch. 319). Comment deadline is 11 DEC 15.



MASSACHUSETTS

Note: The Massachusetts General Court convened 7 JAN 15 and adjourns 4 JAN 17.

Legislation

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

Rules

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



NEW HAMPSHIRE

Note: The NH General Court convened on 7 JAN 15 and adjourns on 13 SEP 15.

Legislation

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

Rules

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



RHODE ISLAND

Note: The RI General Assembly convened on 6 JAN 15 and adjourned on 25 JUN 15.

Legislation

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

Rules

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



VERMONT

Note: The Vermont General Assembly convened on 7 JAN 15 and adjourns on 9 MAY 16.

Legislation

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

Rules

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

REGION 2



NEW JERSEY

The New Jersey Legislature convened 14 JAN 15 and adjourns 12 JAN 16.

Proposed Legislation

On 16 NOV 15, Assemblywoman Eliana Pintor Marin introduced [NJ AB 4691](#) (SB 3180), which requires registration, inspection, testing, cleaning, and disinfection of cooling towers to control outbreaks of Legionnaire's Disease.

On 16 NOV 15, Assemblyman Wayne P. DeAngelo introduced [NJ AB 4727](#) (SB 3266), which facilitates coordination of land use planning between civilian and military interests to preserve viability of federal military installations within State.

On 16 NOV 15, Assemblyman Carmelo Garcia introduced [NJ AB 4757](#), which imposes transportation infrastructure development fee and dedicates portion to municipality, county, and Transportation Trust Fund.

Rules

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



NEW YORK

The New York State Legislature convened 7 JAN 15 and adjourns 4 JAN 17 (In Recess until 6 JAN 16).

Legislation

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

Rules

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 convened 3 JAN 15 and adjourns 31 DEC 16.

Legislation

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

Final Rules

[Non Road Diesel Equipment Anti-Idling](#) - The Department of the Environment has adopted amendments to Chapter 9 (Air Quality – Motor Vehicular Pollutants, Lead, Odors, and Nuisance Pollutants) of Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR). This rulemaking action reduces diesel engine emissions that result from unnecessary idling and conserve fuel used by nonroad diesel engines. A nonroad diesel engine subject to this regulation is operated for purposes including, but not limited to, the following: construction, landscaping, recycling, landfilling, manufacturing, warehousing, composting, moving ground support equipment at airports or heliports, industrial activities, and other operations. Bill passed and became effective 6 NOV 15.



DELAWARE

Note: The Delaware General Assembly convened on 13 JAN 15 and adjourns on 30 JUN 16 (In Recess until 11 JAN 16).

Legislation

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

Rules

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



MARYLAND

Note: The Maryland General Assembly convened on 14 JAN 15 and adjourned on 13 APR 15.

Legislation

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

Final Rules

[Vapor Recovery at Gasoline Dispensing Facilities](#) – The Department of the Environment has adopted rulemaking to amend Regulation .01, .01-1, .02, .03, .04, and .07 and adopt new regulations .03-1 under COMAR 26.11.24 Vapor Recovery at Gasoline Dispensing Facilities. The purpose of this action is to allow new gasoline dispensing facilities (GDFs) and GDFs undergoing major modifications the option to choose not to install or decommission existing Stage II vapor recovery equipment. Existing GDFs may decommission Stage II vapor recovery equipment after October 1, 2016. Owners and operators of GDFs that elect to continue with their Stage II equipment can do so, but must continue to test, repair, replace, retrofit, and maintain the Stage II equipment in accordance with Stage II requirements. The proposed regulation will be submitted to the U.S. EPA for approval as a revision to Maryland's State Implementation Plan (SIP). Regulation passed and became effective 23 NOV 15.

**PENNSYLVANIA**

Note: The Pennsylvania General Assembly convened 6 JAN 15 and adjourns 30 NOV 16.

Legislation

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

Final Rules

[Replacement Costs for Wildlife Killed](#) - The Game Commission has adopted amendments to § 131.8 (relating to replacement costs for wildlife killed) to increase replacement costs for bald and golden eagles from \$200 to \$2,500. Regulation passed and became effective 7 NOV 15.

[Wildlife Classification; Mammals](#) – The Game Commission has adopted amendments to § 133.41 (relating to classification of mammals) to remove the Delmarva Fox Squirrel from the State endangered species list and also update the common name of the Eastern woodrat to the Allegheny woodrat. Regulation passed and became effective 7 NOV 15.

Proposed Rules/Other Regulatory Activity

[Fishing; Endangered Species](#) – The Fish and Boat Commission has proposed amendments to Chapter 75 (relating to endangered species). The proposed amendments update the Commission's list of threatened species. Comments are due by 20 DEC 15.

[Final Nonpoint Source Management Plan - 2014 Update](#) – The Department of Environmental Protection (Department) has finalized the Nonpoint Source Management Plan—2014 Update (Management Plan), which was published for public comment at 45 Pa.B. 3277 (June 20, 2015). The Management Plan includes a narrative description of significant efforts taking place in this Commonwealth to address nonpoint source pollution and milestones set to demonstrate progress in addressing nonpoint source pollution in this Commonwealth. The Management Plan was developed in a manner consistent with United States Environmental Protection Agency (EPA) guidance outlining the required elements of these program updates. Notice of Availability of Final Document was issued 14 NOV 15.



VIRGINIA

The Virginia General Assembly convened 14 JAN 15 and adjourned 27 FEB 15.

Legislation

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

Final Rules

[Emission Standards for Industrial Solvent Cleaning Operations in the Northern Virginia Volatile Organic Compound Emissions Control Area, 8-hour Ozone Standard](#) - The Department of Environmental Quality has adopted amendments to 9VAC5-40, Existing Stationary Sources (Rev. D09). The regulations require owners to limit emissions of air pollution from (1) industrial solvent cleaning operations, and (2) miscellaneous industrial adhesive application processes to the level necessary for the protection of public health and welfare, and the attainment and maintenance of the air quality standards. *The regulations apply to sources within the Northern Virginia volatile organic compound (VOC) emissions control area*, and establish standards, control techniques, and provisions for determining compliance. The regulations also include provisions for visible emissions, fugitive dust, odor, toxic pollutants, compliance, test methods and procedures, monitoring, notification, registration, malfunctions, and permits. Based on comments received during the public comment period, a number of amendments, primarily exemptions, were made to the proposal in order to make the regulations operate more efficiently. Regulation passed and will become effective 1 FEB 16.

[Emission Standards for Lithographic Printing Processes](#) – The Department of Environmental Quality has adopted amendments to 9VAC5-40, Existing Stationary Sources (Rev. C09). The regulations require owners to limit emissions of air pollution from (1) offset lithographic printing operations, and (2) letterpress printing operations to the level necessary for the protection of public health and welfare, and the attainment and maintenance of the air quality standards. The regulations *apply to sources within the Northern Virginia volatile organic compound (VOC) emissions control area*, and establish standards, control techniques, and provisions for determining compliance. The regulations also include provisions for visible emissions, fugitive dust, odor, toxic pollutants, compliance, test methods and procedures, monitoring, notification, registration, malfunctions, and permits. Based on comments received during the public comment period, a number of amendments were made to the proposal in order to make the regulations operate more efficiently. The conditions under which performance testing would be conducted were revised, default retention factors and capture efficiencies were added, terms were updated, an additional provision allowing an exemption of a certain amount of cleaning materials was added, and corrections to definitions and standards were made to conform to the new control techniques guidelines. Regulation passed and will become effective 1 FEB 16.

[VOC Emissions - Miscellaneous Metal and Plastic Parts Coating Operations](#) – The Department of Environmental Quality has adopted amendments to 9VAC5-20 and 9VAC5-40, Existing Stationary Sources (Rev. E09). The regulation requires owners to limit emissions of air pollution from miscellaneous metal and plastic parts coating operations to the level necessary for the protection of public health and welfare, and the attainment and maintenance of the air quality standards. *The regulation applies to sources within the Northern Virginia volatile organic compound (VOC) emissions control area*, and establishes standards, control techniques, and provisions for determining compliance. The regulation also includes provisions for visible emissions, fugitive dust, odor, toxic pollutants, compliance, test methods and procedures, monitoring, notification, registration, malfunctions, and permits. Based on comments received during the public comment period, a number of amendments,

primarily exemptions, were made to the proposal in order to make the regulations operate more efficiently. Regulation passed and becomes effective 1 FEB 16.

Proposed Rules/Other Regulatory Activity

[Notice: Draft Coastal Enhancement Strategies](#) – The Department of Environmental Quality's Coastal Zone Management (CZM) Program has prepared Draft Virginia Coastal Zone Management Program Coastal Enhancement Strategies. The strategies were developed using National Oceanic and Atmospheric Administration's Section 309 Guidance issued in January 2013. The Virginia CZM Program began its 2016-2020 Coastal Zone Enhancement Process in fall of 2014 by distributing to its partners a Virginia Coastal Needs Assessment and Prioritization Survey. The results of this survey were shared at the December 2014 Virginia Coastal Partners Workshop, which included attendees from regional, local, and state agencies; academic institutions; nongovernmental organizations; marine-related businesses; and individuals who help manage and protect Virginia's coastal resources. During the course of the workshop, attendees heard presentations on critical or evolving coastal resource management issues and helped prioritize which areas should be considered the highest priorities for the Virginia CZM Program and the focus of Coastal Enhancement (Section 309) strategies for the coming 2016-2020 cycle. Virginia CZM Program staff then presented recommendations to the Virginia Coastal Policy Team (CPT) in February 2015. The CPT approved staff recommendations to develop strategies in the following three "High Priority" areas: Ocean management, Coastal hazards, and Cumulative and secondary impacts of coastal development. The department is now seeking comment on the draft strategies.

[General Virginia Pollutant Discharge Elimination System \(VPDES\) Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia](#) – The Department of Environmental Quality has proposed rulemaking which consists of the reissuance of 9 VAC25-820 General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia. The regulation provides for the permitting of Total Nitrogen and Total Phosphorus discharges in the Chesapeake Bay watershed and allows for trading of nutrient credits to minimize costs to the regulated facilities and allow for future growth. Amendments are proposed to update and clarify definitions, effective dates, monitoring frequencies and sample types, quantification level requirements, trading ratio provisions, new waste load allocations for some facilities as required by the December 29, 2010 Chesapeake Bay TMDL with associated compliance schedule requirements and conditions applicable to all VPDES permits. Proposed regulations were filed 17 NOV 15. Comments are due by 12 FEB 16.



WEST VIRGINIA

The West Virginia Legislature convened on 14 JAN 15 and adjourned on 18 MAR 15.

Legislation

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

Proposed Rules/Other Regulatory Activity

[Notice of Action Taken on Aboveground Storage Tank Fee Assessments](#) – The Department of Environmental Protection has proposed 47-64 Aboveground Storage Tank Fee Assessments. This rule establishes schedules of registration fees, annual operation fees, and annual response fees for aboveground storage tanks governed by

the Aboveground Storage Tank Act, W. Va. Code § 22-30-1, et seq. This rule applies to any person who is subject to regulation by that Act. Notice of Action Taken by the LRMRC was published 25 NOV 15.

REGION 4



NORTH CAROLINA

Note: The North Carolina General Assembly convened on 14 JAN 15 and adjourns on 1 JUL 16.

Legislation

On 17 NOV 15, US Senator Richard Burr introduced [US S 2285](#), which is an act that would provide for federal recognition of the Lumbee Tribe of North Carolina, and for other purposes. The bill is known as the Lumbee Recognition Act.

Rules

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

REGION 5



ILLINOIS

Note: The Illinois General Assembly convened on 14 JAN 15 and adjourns on 30 MAY 16.

Legislation

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

Final Rule

[Certification and Operation of Environmental Laboratories](#) - The Department of Public Health (IDOH) has adopted amendments to 77 Ill. Adm. Code 465, Certification and Operation of Environmental Laboratories. The rule provides operating requirements for laboratories testing water samples for bacteria to obtain and maintain certification by the Illinois Department of Public Health. The requirements are those of the federal Safe Drinking Water Act, US Environmental Protection Agency. The rule change allows more vendors to provide quality assurance testing materials to the laboratories and adds an additional method as an option for certified laboratories to use to test for bacteria. Regulation passed and became effective 23 OCT 15.

[Primary Drinking Water Standards](#) - The Pollution Control Board has adopted amendments to 35 Ill. Adm. Code 611, Primary Drinking Water Standards. This rule updates the current fluoride standard to reflect the recent recommendation by the U.S. Department of Health and Human Services. A more complete description of this proposal may be found in the [Board's opinion and order of November 5, 2015](#) (R15-23. Regulation passed and became effective 9 NOV 15.

Proposed Rules/Other Regulatory Activity

[Ownership and Responsible Personnel For Water Treatment Facilities](#) - The Pollution Control Board has proposed amendments to 35 Ill. Adm. Code 603 governing public water supplies which amend Part 603 to be consistent with recent amendments to the Public Water Supply Operations Act, [415 ILCS 45] (2012). The updates add the new term Responsible Operator in Charge (ROINC), a position that a community water supply must designate and that directly supervises the water treatment facilities or distribution facilities, or both, of the community water supply. The proposal would also spell out the ROINC's duties and areas of responsibility. The proposal also adds a new concept: an "administrative contact" that a community water supply could designate to serve as agent of the owner or official custodian; notice on the administrative contact would be considered notice on the owner or official custodian. Comments are due 21 DEC 15.

[Water Pollution Permits](#) - The Pollution Control Board has proposed amendments to 35 Ill. Adm. Code 309 relating to permits issued by Illinois under the Federal National Pollutant Discharge Elimination System program and water pollution permits issued by the state under its own water pollution program. Comments are due by 4 JAN 15.



INDIANA

Note: The Indiana General Assembly convened on 6 JAN 15 and adjourned on 29 APR 15.

Legislation

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

Proposed Rules/Other Regulatory Activity

[Groundwater Petroleum Remediation NPDES General Permit](#) - The Department of Environmental Management has proposed to issue a new NPDES General Permit for Groundwater Petroleum Remediation Systems which have discharges to surface waters of the state. The purpose of this permit is to establish requirements for point source discharges from any conveyance used for collecting and conveying wastewater which is directly related to ground water petroleum remediation systems or activities, but specifically those which involve gasoline contamination of the ground water, to waters of the state. The NPDES general permit will supersede and replace the requirements for these discharges which are currently outlined in Article 15 of Title 327 of the Indiana Administrative Code.

[Repeal of Quarantines](#) – The Natural Resources Commission has proposed rulemaking which repeals 312 IAC 18-3-12 and 312 IAC 18-3-18 governing the quarantine of the larger pine shoot beetle and emerald ash borer,

respectively. The rulemaking also repeals 312 IAC 18-3-20 governing the regulation of Brazilian elodea. Comments are being accepted.



MICHIGAN

Note: The Michigan Legislature meets convened 14 JAN 15 and adjourns 31 DEC 16.

Legislation

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

Rules

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



OHIO

Note: The Ohio General Assembly meets convened 5 JAN 15 and adjourns 31 DEC 16.

Legislation

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

Rules

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



WISCONSIN

Note: The Wisconsin Legislature convened 5 JAN 15 and adjourns 4 JAN 17.

Legislation

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

Rules

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

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