

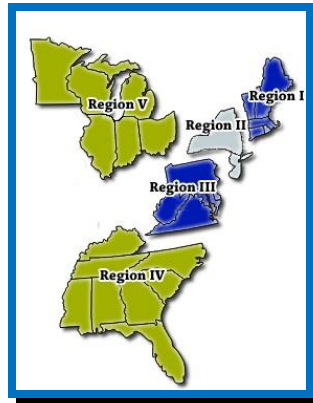


REC Update



ENVIRONMENTAL NEWS FOR DOD FACILITIES IN FEDERAL REGIONS 1-5

September 2015



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GENERAL INTEREST

Oysters Under Guard at Naval Weapon Station Earle

Written by S.P. Sullivan

Past the gates and security checkpoints, down the miles of reinforced pier where train cars load ordnance aboard warships, beneath the waves and the watchful eye of the United States Navy, sit the world's most heavily-guarded shellfish. For three years, the environmental group NY/NJ Baykeeper has been growing tankfuls of oysters at Naval Weapons Station Earle, a military base in the Leonardo section of Middletown Township. It's one of the few places in New Jersey they say they can raise the shellfish without running afoul of state

regulations. http://www.nj.com/news/index.ssf/2015/08/oysters_ahoy_see_the_most_heavily-guarded_shellfis.html

Perchlorate Policy Update

The Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Emerging Issues Focus Group developed this [Perchlorate Policy Update](#) to provide information on State and Federal policies, guidance, and resources specific to assessing and remediating perchlorate while performing environmental cleanups. It is intended to serve as a source of information to assist States as they prepare to deal with the environmental assessment and cleanup at sites potentially or currently contaminated with perchlorate, and to assist States and Federal Agencies that may be considering regulatory or policy development for this contaminant of concern. This document should serve as a supplement to the 2005 ASTSWMO Perchlorate Issues Document and other recent technical documents on perchlorate assessment and remediation.

Trash Reduction and Sensible Handling Act of 2015 (DRAFT)

A [draft bill](#) has been introduced to Congress to amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste.

Lead Exposure Reduction Amendments Act of 2015 (Draft)

A [draft bill](#) has been introduced to Congress to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities.

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

Clean Power Plan Final Rules Announced

In advance of formal publication in the Federal Register, EPA has released the text of their [Clean Power Plan rules](#). EPA has released two final rules, one addressing greenhouse gas emissions from existing electric utility generating plants and a separate rule addressing GHG emissions from new, modified, and reconstructed electric utility generating units. The yet to be published rule for existing power plants has already been challenged and is under review by the U.S. Court of Appeals for the District of Columbia Circuit.

Prevention of Significant Deterioration and Title V Permitting for Greenhouse Gases: Removal of Certain Vacated Elements

EPA has amended its [Prevention of Significant Deterioration \(PSD\) and title V regulations](#) to remove from the Code of Federal Regulations portions of those regulations that were initially promulgated in 2010 and that the Court of Appeals for the District of Columbia Circuit (D.C. Circuit) specifically identified as vacated in the 10 APR 15, amended judgment, Coalition for Responsible Regulation v. EPA. This rule became effective on 19 AUG 15.

Emission Guidelines, Compliance Times, and Standards of Performance for Municipal Solid Waste Landfills (Draft)

EPA is proposing a new subpart that updates the [Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills](#) (Emission Guidelines). This action proposes to achieve additional reductions of landfill gas (LFG) and its components, including methane, by lowering the emissions threshold at which a landfill must install controls. This action also incorporates new data and information received in response to an advanced notice of proposed rulemaking and addresses other regulatory issues including surface emissions monitoring, wellhead monitoring, and the definition of landfill gas treatment system. Comments must be received on or before 26 OCT 15.

WASTE

Final Update V of SW-846 Test Methods for Solid Waste

EPA has released "[Final Update V](#)" to the Third Edition of the SW-846 manual, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Final Update V contains analytical methods, of which 8 are new and 15 are revised. The methods in Update V may be used in monitoring or complying with the Resource Conservation and Recovery Act (RCRA) hazardous waste regulations.

Twenty-Eighth Update of the Federal Agency Hazardous Waste Compliance Docket

The EPA updated the [Federal Agency Hazardous Waste Compliance Docket](#) ("Docket") in accordance with Section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The Docket is used to identify Federal facilities that should be evaluated to determine if they pose a threat to public health or welfare and the environment and to provide a mechanism to make this information available to the public. This update includes 21 additions and 90 deletions to the Docket. At the time of publication of this notice, the new total number of Federal facilities listed on the Docket is 2,323. This list is current as of July 13, 2015.

Standards of Performance for Municipal Solid Waste Landfills (Draft)

The EPA is issuing this supplemental proposal for the [Standards of Performance for Municipal Solid Waste](#) (MSW) Landfills to address the nonmethane organic compound (NMOC) emission rate threshold at which an affected MSW landfill must install controls. EPA is proposing to establish the NMOC emission rate threshold for installing a GCCS at 34 Mg/yr and is requesting comment specifically on whether this is appropriate. The EPA is also soliciting comment on the number of facilities that might ultimately become subject to proposed new subpart XXX. Comments must be received on or before 26 OCT 15.

WATER

2014 Effluent Guidelines Program Plan and 2014 Annual Effluent Guidelines Review Report

The EPA's Final [2014 Effluent Guidelines Program Plan](#) and EPA's [2014 Annual Effluent Guidelines Review Report](#) are now available. Section 304(m) of the Clean Water Act requires EPA to biennially publish a plan for new and revised effluent guidelines, after public notice and comment. The Plan identifies any new or existing industrial categories selected for effluent guidelines and provides a schedule.

Water Quality Standards Regulatory Revisions

EPA updates the [federal water quality standards \(WQS\) regulation](#) to provide a better-defined pathway for states and authorized tribes to improve water quality and protect high quality waters. In this rule, EPA is revising six program areas to improve the WQS regulation's effectiveness, increase transparency, and enhance opportunities for meaningful public engagement at the state, tribal and local levels. This final rule will become effective on 20 OCT 15.

Drinking Water Protection Act

Public Law 114-45, the [Drinking Water Protection Act](#), has been enacted; it amends the Safe Drinking Water Act, tasking EPA to develop and submit to Congress, within 90 days, a strategic plan for assessing and managing risks associated with algal and cyanobacterial toxins in public drinking water systems. EPA is tasked, in the context of public drinking water systems, to:

- evaluate the risk to human health from algal toxins,
- publish, and update a comprehensive list of algal toxins that may have an adverse effect on human health,
- summarize the known adverse human health effects of the listed algal toxins,
- identify factors that cause toxin-producing cyanobacteria and algae to proliferate and to express toxins,
- determine whether to publish health advisories for such algal toxins in drinking water,
- establish guidance regarding feasible analytical methods ... and frequency of monitoring ... and
- recommend feasible treatment options ... and source water protection practices,
- partner; provide technical assistance; identify gaps and continue studying.

Potential Impact: May lead to additional analytes for drinking water systems using surface water or open storage.

REGION 1



CONNECTICUT

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

Proposed Legislation

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

Final Rules

[Update Threatened & Endangered Species List](#) - The Department of Energy & Environmental Protection has adopted amendments updating the State Threatened, Endangered and Species of Special Concern. Regulation became effective 7 AUG 15.

Proposed Rules/Other Regulatory Activity

[Notice of Tentative Decision to Issue the General Permit for the Discharge of Food Preparation Establishment Wastewater](#) - The Department of Energy & Environmental Protection has given notice of a tentative decision to issue the General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments. The proposed general permit authorizes the discharge of wastewater associated with food preparation establishments into a sanitary sewer line and then to a POTW or privately owned or state owned sewage treatment works, provided the requirements of Section 3(b) and the conditions of Section 5 of the general permit are satisfied. The proposed general permit contains effluent limits and conditions established in accordance with Section 22a-430-4 of the Regulations of Connecticut State Agencies that are designed to protect the waters of the state from pollution. Public comments are due by 6 SEP 15.

[Notice of Tentative Determination to Issue a General Permit to Limit Potential to Emit from Major Stationary Sources of Air Pollution](#) - The Department of Energy & Environmental Protection has given notice that a tentative determination has been reached to issue a General Permit to Limit Potential to Emit from Major Stationary Sources of Air Pollution to Less than 50% of Major Thresholds. The proposed general permit contains different provisions from those of the General Permit to Limit Potential to Emit that is currently in effect. Public comments are due by 18 SEP 15.

**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.

Final Rules

[Amended Subsurface Wastewater Rules](#) - The Department of Health and Human Services has adopted amendments to Ch. 241 which governs the siting, design, construction and inspection of subsurface wastewater disposal systems, in order to protect the health, safety and welfare of the citizens and visitors of Maine. Approved procedures, design and siting requirements, materials, methods and administrative polices are described in detail. These rules are intended to complement municipal planning, zoning, and land use control regulations. These revisions clarify requirements by adding and specifying definitions, adding clearer guidance, and deleting unnecessary language, by correcting wrong references to other sections or regulations, articulating prohibitions on structures without Department approval and 1st-time systems in 10-year flood zones, and reorganizing this rule to clarify requirements (including relocating non-malfunctioning systems, first-time and replacement structures, disposal system applications, permit requirements, setback requirements, slope descriptions, site evaluator requirements to strive to meet first-time design standards, and requiring specific soil conditions. Regulation became effective 3 AUG 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.

Final Rules

[Aquatic Application of Pesticides](#) - The Pesticide Control Board has adopted rulemaking regarding pesticide rule Chapter Pes 600 which identifies the process for requesting and issuing a special permit for the use of pesticides in aquatic environments. As well as editorial changes, the amendments include clarifying the items of the form used for requesting a special permit; adopting a definition of "longterm management plan"; adding specification of the qualification of who can sample water following a pesticide treatment; and a revision to pesticide treatment notification to reflect contemporary methods. Regulation became effective 8 JUL 15. Notice of Adopted Rules was published 13 AUG 15.

[Owner or Operator Recordkeeping and Reporting Obligations](#) - The Department of Environmental Services has adopted rulemaking regarding existing rules, Env-A 900, which establish recordkeeping and reporting requirements for owners of stationary sources, area sources, and devices that are regulated under RSA 125-C and/or RSA 125-I. The purpose is to require the owner or operator of sources that discharge air pollutants to maintain records so that the emissions of such pollutants can be readily calculated or estimated and reported to the department for the purposes of demonstrating compliance, compiling emission inventories, and developing air-related strategic plans. Regulation became effective 18 JUL 15. Notice of Adopted Rules was published 13 AUG 15.

Proposed Rules/Other Regulatory Activity

[Pesticide Registration Certificate](#) - The Pesticide Control Board has proposed rulemaking to readopt with amendments Pes 101.36 and Pes 303.01. Pes 101.36, "Supervisory Registration Certificate - General Use", is a definition of a pesticide certificate ("license") issued to certain commercial pesticide applicators. The amendment proposal is to include the Forest Pest Control & Timber Treatment, Microbial Pest Control, and Shade & Ornamental Pest Control categories to the definition. Pes 303.01 "Qualifications For Supervisory Level

Certificates" identifies the criteria required to qualify to take a pesticide exam leading to a supervisory level license. The amendment proposal is to replace the current five-year formula with a three-year formula, thereby reducing the time to qualify for eligibility to take an exam leading to a supervisory level license. The Notice of Proposed Rules was published 27 AUG 15. A Public Hearing has been scheduled for 21 SEP 15 and public comments are due by 2 OCT 15.



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.

Proposed Rules/Other Regulatory Activity

[Draft Revised Groundwater Protection Rule and Strategy](#) - The Department of Environmental Conservation has invited comment on the current draft of the revised VT Groundwater Protection Rule and Strategy. The purpose of this Rule and Strategy is 1) to establish a) classes of groundwater; b) a process for groundwater reclassification and c) standards for groundwater quality protection and 2) to ensure that DEC regulatory programs protect groundwater resources. Public comments are being accepted until 25 SEP 15.

REGION 2



NEW JERSEY

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

Legislation

On 24 MAR 14, Senator Jim Whelan introduced [NJ SB 1813](#) (NJ AB 3123), which expands and strengthens state provisions that require each state agency to periodically review permits to identify those that are obsolete or that could be administered through an expedited procedure. The bill also requires the head of each state agency to conduct a periodic comprehensive written review of the agency's permits. The bill establishes required elements and timelines for the comprehensive written reviews. Bill passed and became effective 10 AUG 15.

On 18 SEP 14, Senator Robert G. Smith introduced [NJ SB 2420](#) (NJ AB 3838), which increases the electric power net metering capacity threshold to 2.9 percent of total annual kilowatt-hours sold in State. The bill only applies to facilities that have renewable energy systems in place for use in reducing their dependence on electricity generated by electric utilities. Bill passed and became effective 10 AUG 15.

On 8 DEC 14, Senator Christopher Bateman introduced [NJ SB 2599](#) (NJ AB 4121), which revises the definitions of biobased liquid fuel, biodiesel fuel, heating oil, renewable biomass, and renewable diesel fuel to be used in the state's Motor Fuel Tax Act. Bill passed and became effective 10 AUG 15.

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).

Proposed Legislation

On 24 AUG 15, Assemblyman Kevin A Cahill introduced [NY AB 8372](#) and Senator Kevin S. Parker introduced [NY SB 6037](#), which would establish a new tax on carbon-based fuels to mitigate greenhouse gas emissions causing anthropogenic climate change.

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.

Rules

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



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.

Final Rules

Stage II Vapor Recovery Requirements - The Department of Natural Resources and Environmental Control has adopted revisions to Section 36 of 7 DE Admin. Code 1124 to allow new or modified gasoline stations the option to not install Stage II vapor recovery systems, and to instead install an enhance Stage I vapor recovery system, and to either 1) conduct enhanced monthly inspections and pressure decay leak testing or, 2) participate in a 1-year trial to demonstrate whether or not a continuous pressure monitoring (CPM) system is able to accurately identify system leaks and times when emissions are being vented from the pressure/vacuum valve. Regulation passed and will become effective 11 SEP 15.



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.

Rules

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



PENNSYLVANIA

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

Proposed Legislation

On 24 JUN 15, Senator John C. Rafferty introduced [PA SB 925](#), which is an Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for definitions, for employer responsibilities, for commercial driver's license (CDL) qualification standards, for nonresident CDL, for commercial driver's license and for disqualification.

On 24 AUG 15, Senator Lisa M. Boscola introduced [PA SB 979](#), which pertains to the unlawful taking and possession of protected birds further providing for jurisdiction and penalties.

Final Rules

[NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines](#) - The Department of Environmental Protection has announced the availability of the National Pollution Discharge Elimination System (NPDES) PAG-10 General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines. PAG-10 is intended to provide NPDES permit coverage to those who wish to conduct hydrostatic testing and discharge the water used for this testing to surface waters of the Commonwealth that are not considered high quality or exceptional value. The permit became effective 18 JUL 15. A [Notice of Minor Revision](#) was issued 22 AUG 15 which clarifies the submission procedures for annual reports and NOI annual fee.

Proposed Rules/Other Regulatory Activity

[Control of Volatile Organic Compound Emissions from Automobile Assembly Coating Operations](#) – The Environmental Quality Board has proposed rulemaking to amend Chapter 129 to include § 129.52e which would adopt reasonably available control technology (RACT) requirements and RACT emission limitations for stationary sources of volatile organic compound (VOC) emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations including primer, primer-surfacer, topcoat and final repair coating materials, as well as additional coatings applied during the vehicle assembly process and related cleaning activities. Public hearing scheduled for 8-10 SEP 15. Public comments are due 13 OCT 15.

[Control of Volatile Organic Compound Emissions from Metal/Plastic Parts & Pleasure Craft Surface Coating](#) - The Environmental Quality Board (Board) has proposed rulemaking to amend Chapter 129 (relating to standards for sources) to read as set forth in Annex A. The proposed rulemaking would add § 129.52d to adopt reasonably available control technology (RACT) requirements and RACT emission limitations for stationary sources of volatile organic compound (VOC) emissions from miscellaneous metal parts surface coating processes and miscellaneous plastic parts surface coating processes. Public hearing scheduled for 8-10 SEP 15. Public comments are due 13 OCT 15.

[Replacement Costs for Wildlife Killed](#) - The Game Commission has proposed 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. Public comments are due 25 SEP 15.

[Proposed State Implementation Plan Revision](#) - The Department of Environmental Protection is seeking public comment on the proposed State Implementation Plan (SIP) mandated under sections 172(c)(3) and 182(a)(1) of the Clean Air Act (42 U.S.C.A. §§ 7502(c)(3) and 7511a(a)(1)), which require the submission of "a comprehensive, accurate, current inventory of actual emissions from all sources of the relevant pollutant or pollutants in such area." The proposed SIP revision meets the requirements necessary, including a detailed explanation of the 2011 base year emissions inventory for stationary, area, nonroad and mobile anthropogenic sources as well as biogenic sources in the areas in this Commonwealth that the EPA designated as nonattainment for the 2008 ozone NAAQS. The proposed anthropogenic emissions were estimated for volatile organic compounds, oxides of nitrogen and carbon monoxide for both annual and a typical ozone season day emissions. Public comments are due by 21 SEP 15.

[Draft NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems \(PAG-13\)](#) - The Department of Environmental Protection (Department) has announced the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems. The current PAG-13 General Permit will expire 16 MAR 18. This proposal will reissue the permit with several significant changes.

[Wildlife Classification; Mammals](#) – The Game Commission has proposed 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. Public comments are being accepted until 25 SEP 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

[Amendment of Exam Fee Cap for Third-Party Lead Exam](#) - The Department of Professional and Occupational Regulation, Board for Asbestos, Lead, and Home Inspectors has adopted amendments to 18VAC15-30-161.C to provide for the establishment of examination fees by a third party vendor through the competitive negotiation process pursuant to the Virginia Public Procurement Act (B§2.2-4300 et seq. of the Code of Virginia). The amendments remove the examination fee cap previously imposed. A public comment forum be open from 7 SEP 15 through 7 OCT 15. The new rule will become effective 1 NOV 15.

[Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Regulations](#) - The Department of Professional and Occupational Regulation, Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals has adopted amendments to 18VAC160-20 which eliminates

the need for an applicant for a conventional onsite sewage system installer license, who is applying for waiver of the examination, to provide documentation of experience attained working with professionals from a specific list. The amendments allow more latitude to consider applicants that have the required experience but have not worked with one of the specified professionals. The regulation amendments became effective 1 AUG 15.

[Definition of Volatile Organic Compound](#) – The Department of Environmental Quality (DEQ) has adopted amendments to the general definitions of [9VAC5-10](#) to align with the newly revised EPA definitions. The amendment revises the definition of volatile organic compound (VOC) to add 2-amino-2-methyl-1-propanol (also known as AMP) to the list of substances excluded from the definition of VOC. The regulation became effective 30 JUL 15. DEQ is [seeking comment](#) on the issue of whether the regulation amendments should be submitted as a revision to the SIP. Public comments are due by 9 SEP 15.

[Facility and Aboveground Storage Tank \(AST\) Regulation](#) - The Department of Environmental Quality's State Water Control Board has adopted revisions to 9VAC25-91 to incorporate new performance standards for certain aboveground storage tanks (ASTs) located in the City of Fairfax as mandated by actions taken by the 2011 General Assembly (CH 884). In addition, the regulations were revised to clarify the applicability of the regulations and remove the requirement for registration fees to be paid. The regulation becomes effective 1 NOV 15.

[Daylighting of Streams](#) - The Department of Environmental Quality has adopted amendments to 9VAC25-830, Chesapeake Bay Preservation Area Designation and Management Regulations to conform the regulation to changes in the Code of Virginia enacted by Chapter 674 of the 2015 Acts of Assembly, the amendments define a daylighted stream and add an exemption for a locality's designation of a Resource Protection Area adjacent to a daylighted stream. The rules became effective 26 AUG 15.

[Amendments to the Virginia Erosion and Sediment Control Program Exemption for Routine Maintenance Projects](#) - The Department of Environmental Quality has adopted amendments to 9VAC25-840, Erosion and Sediment Control Regulations to conform to Chapter 497 of the 2015 Acts of Assembly. The amendment exempts routine maintenance projects from the flow rate capacity and velocity requirements of the Virginia Erosion and Sediment Control Law (Article 2.4 of Chapter 3.1 of Title 62.1 of the Code of Virginia). The rules became effective 26 AUG 15.

[Emission Standards for VOCs from Petroleum Liquid Storage and Transfer Operations](#) – The Department of Environmental Quality (DEQ) has proposed revisions to 9VAC5-40, Existing Stationary Sources. Section 182 (b)(3) of the federal Clean Air Act required the implementation of Stage II vapor recovery in ozone nonattainment and maintenance areas, including northern Virginia and Richmond. DEQ has determined that Stage II is no longer needed thus removing vapor recovery requirements. Regulation became effective 30 JUL 15. DEQ is now [seeking comment](#) on the issue of whether the regulation amendments should be submitted as a revision to the SIP. Comments are being accepted until 23 SEP 15.

[Radiation Protection Regulations-Diagnostic X-ray/Therapeutic Radiation Machine 2009 Update](#) - The Department of Health has adopted changes to 12VAC5-481, Virginia Radiation Protection Regulations to (i) reflect changes to federal regulations, (ii) reflect new x-ray modalities in the medical field, (iii) reduce the frequency of required inspections for lower-risk equipment, (iv) update definitions, and (v) make minor grammatical and clarifying changes. The regulation became effective 27 AUG 15.



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.

Rules

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

REGION 4



KENTUCKY

Note: The Kentucky General Assembly convened on 6 JAN 15 and adjourned on 25 APR 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.



NORTH CAROLINA

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

Legislation

On 10 MAR 15, Representative Richard Catlin introduced [NC HB 186](#), which requires the environmental review commission to conduct a study of water resources availability in the Cape Fear River Basin and to permit the rules review commission to retain private counsel under certain circumstances. Bill passed and became effective 5 AUG 15.

Proposed Legislation

On 16 MAR 15, Representative John Szoka introduced [NC HB 245](#) which would authorize military, and others, to pursue renewable energy development with third-party developers.

Final Rules

[Executive Order – Emergency Response Commission](#) - The Office of the Governor has issued Executive Order No. 70 on 3 AUG 15 to establish the North Carolina Emergency Response Commission.

[Revised Total Coliform Rule](#) - The Department of Environment and Natural Resources has adopted rulemaking to adopt 40 C.F.R. 141, Subpart Y - Revised Total Coliform Rule. Regulation became effective 1 JUL 15. Approved rules were published 3 AUG 15.

Proposed Rules/Other Regulatory Activity

[Risk-Based Remediation](#) - The Department of Environment and Natural Resources has proposed rulemaking to adopt the rules cited as 15A NCAC 02L .0501 - .0515. The Environmental Management Commission has received a petition for rulemaking and the Division of Waste Management has taken comments from stakeholders who maintain it is inconsistent to require risk-based remediation for only petroleum contamination from petroleum Underground Storage Tanks. This change can be protective of human health and the environment and will reduce costs to some stakeholders. Public comments are due by 2 OCT 15.

REGION 5



ILLINOIS

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

Legislation

On 14 JAN 15, Representative Michael W. Tryon introduced [IL HB 3341](#), which amends the Environmental Protection Act redefining "stationary source" as not including a building, structure, facility, or installation causing emissions resulting directly from internal combustion engines for transportation purposes or from a nonroad engine or a nonroad vehicle as defined in a specified provision of the federal Clean Air Act. Bill passed and became effective 17 AUG 15.

On 16 JAN 15, Senator Sue Rezin introduced [IL SB 1672](#), which amends the Environmental Protection Act requiring the establishment of air permits that satisfy the requirements of, and may not impose restrictions greater than, the provisions of specified federal regulations.. Bill passed and will become effective 1 JAN 16.

Proposed Rules/Other Regulatory Activity

[Notice of Proposed Amendments – Certification and Operation of Environmental Laboratories](#) - The Department of Public Health has proposed amendments to 77 Ill. Adm. Code 465 - Certification and Operation of Environmental Laboratories. This rulemaking seeks to allow laboratories that test drinking water to use

additional vendors as proficiency test providers for microbiology drinking water to include those test providers recognized by The NELAC Institute (TNI) in addition to those accredited by the American Association for Laboratory Accreditation. Public comments are due by 21 SEP 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.

Rules

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



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.

Proposed Rules/Other Regulatory Activity

Adoption of NAAQS For SO₂ AND NO₂ – The Wisconsin Department of Natural Resources (NR) proposed revisions to Chapters NR 404 (Ambient Air Quality) and 484 (Incorporation by Reference) of the Wisconsin Administrative Code. The revisions incorporate the federal 1-hour National Ambient Air Quality Standards (NAAQS) for SO₂ and NO₂. On 12 AUG 15, NR submitted CR 15-033, a proposed rule in final draft form, to the chief clerk of each house of the legislature.

MEET THE REC STAFF

<p>RDML R. Williamson DoD Regional Environmental Coordinator (757) 322-2800, DSN 262-2800</p> <p>Director, Regional Environmental Coordination (REC) Office (757) 341-0363</p> <p>REC Counsel (757) 322-2938 DSN 262-2938 or Deputy (757)-322-2812</p> <p>Cultural Resources (757) 341-0372</p> <p>Potable Water, Stormwater, Groundwater, Wastewater (757) 341- 0429</p> <p>Air Quality, Asbestos, Radon (757) 341- 0381</p> <p>P2, EPCRA, RCRA - HW/SW (757) 341-0408</p>	<p>Navy On-Scene Coordinator Representative (757) 341-0449</p> <p>POL/Tanks (757) 341-0453</p> <p>Regional NEPA, Natural Resources (757) 341-0486</p> <p>Land Use, Encroachment (757) 341-0232</p> <p>Environmental Restoration (757) 341-0394</p> <p>REC Support (757) 341-0430</p> <p>DoD Chesapeake Bay Coordinators (757) 341-0383 (757) 341-0455</p>
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