



REC Update



ENVIRONMENTAL NEWS FOR DOD FACILITIES IN FEDERAL REGIONS 1-5

January 2016



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SPOTLIGHT



NSA Crane's Natural Resources Staff Awarded a Certificate of Appreciation

NSA Crane's Natural Resources Program recently partnered with the Quilts of Valor (QOV). QOV is a volunteer community whose mission is to cover service members and veterans touched by war with comforting and healing Quilts of Valor. Volunteers from the organization attended three of NSA Crane's early morning Deer Hunts and sold breakfast items to the hunters. This fund raising event helped fund the group's purchase of materials to make more quilts for our nation's

veterans. NSA Crane's Natural Resources Program received a certificate of appreciation from the Quilts of Valor for the Natural Resource program's partnership and support. Click [here](#) to see the full story.

Any questions can be directed to James Riggins, PWD Crane Environmental Division Manager.

NSA Hampton Roads, Portsmouth Annex Pollinator Garden

National Public Lands Day (NPLD) is the nation's largest, single-day volunteer effort for public lands. In 1999 DoD Legacy Resource Management Program joined the partnership providing funding to support volunteer projects on military installations. Through the competitive award process NSA Hampton Roads, Portsmouth Annex received a Legacy award which was used to rejuvenate and rehabilitate their Pollinator Garden. The event had a total of 20 volunteers who worked over the period between 29 OCT and 24 NOV putting in over 80 hours planting approximately 275 various native shrubs, and perennials and repairing the Arbor. Click [here](#) to see the full story.



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

Any questions can be directed to Linda Hicks, NSA Hampton Roads Environmental Program Director.

GENERAL INTEREST

National Defense Authorization Act FY 2016 (Public Law No: 114-92)

The [National Defense Authorization Act for Fiscal Year 2016](#) was signed by the President and became public law 25 NOV 15. The Act authorizes FY2016 appropriations and sets forth policies regarding the military activities of the Department of Defense (DOD), military construction, and the national security programs of the Department of Energy (DOE). Highlights under Subtitle B—Energy and Environment include:

- (Sec. 311) Prohibits DOD from making a bulk purchase of a drop-in fuel (biofuels that are similar to conventional fuels and may be used with existing vehicles and transportation infrastructure) for operational purposes unless the fully burdened cost of the fuel is cost-competitive with a traditional fuel, subject to a national security waiver.
- (Sec. 312) Establishes Southern Sea Otter Military Readiness Areas at specified offshore islands in the Southern California Bight. Exempts military readiness activities of the Navy from specified environmental laws pertaining to the southern sea otter in the Areas. Requires the Navy to monitor and report to Congress on the effects of military readiness activities on the southern otter population in the Areas.
- (Sec. 315) Amends the Toxic Substances Control Act to exclude from the definition of "chemical substance" any component of any article subject to the excise tax on firearms and ammunition, limited to shot shells, cartridges, and components of shot shells and cartridges.

Semiannual Regulatory Agenda Released

Federal agencies including EPA have published the 2015 semiannual regulatory [Unified Agenda](#) online (the e-Agenda) and the semiannual regulatory flexibility agenda. The regulatory agenda provides updates on:

- Regulations and major policies currently under development
- Reviews of existing regulations and major policies
- Rules and major policymakings completed or canceled since the last agenda

EPA Launches Portal for Self-Disclosure of Environmental Violations

EPA is modernizing implementation of its self-disclosure policies by creating a centralized web-based "eDisclosure" portal to receive and automatically process self-disclosed civil violations of environmental law. Under the automated eDisclosure system, large and small businesses will quickly be able to get some of their more routine types of disclosures resolved. These modifications to the implementation of EPA's [Audit Policy](#) and [Small Business Compliance Policy](#), and the launch of the eDisclosure portal became effective 9 DEC 15. Additional information on EPA's eDisclosure program is available [here](#).

NPDES Industrial Stormwater Fact Sheet Series, Guidance, and Templates

EPA's 1990 stormwater regulations established NPDES permit requirements for industrial stormwater discharges, and the Agency issued the first Multi-Sector General Permit (MSGP) for those facilities in 1995. The current MSGP went into effect on June 4, 2015 and applies in areas of the country where EPA is the NPDES permitting authority and has made the permit available for coverage. EPA has established a [website](#) that provides a fact sheet for each of the 29 industrial sectors regulated by the multi-sector general permit (MSGP). Each fact sheet describes the types of facilities included in the sector, typical pollutants associated with the sector, and types of stormwater control measures used to minimize the discharge of the pollutants. The website also provides guidance on preparing a SWPPP and monitoring Stormwater as well as providing templates for SWPPPs.

Arsenic Rule Compliance for Community Water System Owners and Operators

Compliance with the Arsenic Rule requires additional monitoring and community water system actions beyond compliance with the chemical contaminants rules. EPA has established a website devoted to [Arsenic Rule Compliance for Community Water System Owners and Operators](#) that provides background information, guidance, and tools pertaining to the management of arsenic in drinking water at all sizes of community water systems.

Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules

This EPA [website](#) provides background information, guidance, fact sheets, and tools to facilitate understanding the requirements of the Stage 1 and Stage 2 rules as well as implementing them.

Water/Wastewater All-Hazard Boot Camp Training

EPA's new [Water/Wastewater All-Hazard Boot Camp Training](#) is a comprehensive computer-based course incorporates emergency planning, response, and recovery activities into an all-hazard management program for water utilities. The training covers several topics including: identifying and funding potential hazard mitigation projects, developing and updating an Emergency Response Plan (ERP), coordinating mutual aid and assistance during emergencies, conducting damage assessments, and many more. The training features clickable displays, testimonials from water utility professionals, knowledge checks, and recommendations for additional tools and resources to build all-hazards resilience. Many states have already pre-approved the course for continuing education hours for both water and wastewater personnel.

EPA Webinar to Discuss the Recently Signed UCMR 4 Proposal Training

EPA is proposing a Safe Drinking Water Act (SDWA) rule that requires public water systems to collect occurrence data for contaminants that may be present in tap water but that are not yet subject to EPA's drinking water standards set under SDWA. The rule is known as the Unregulated Contaminant Monitoring Rule (UCMR 4). EPA is holding a webinar to discuss the proposed rule on 13 JAN 16. Those who wish to participate in the public webinar [must register](#) in advance no later than 5:00 p.m., eastern time on 10 JAN 16.

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

Proposed Ozone Depleting Substance Revisions

On 9 NOV 15, the EPA published a Notice of [Proposed Rulemaking under Section 608](#) of the Clean Air Act (FR Vol 80 #216) related to service of shore-side air conditioning and refrigeration systems. Information on the proposed rule was included in the [NOV 15 DoD REC Newsletter](#). Comments on the proposed rule are due by 25 JAN 15. The DoD CAA Steering Committee (CAASC) is commenting on several issues in the proposal including: lowering leak rate limit by 5%; requiring annual leak checks for 50+ pound equipment; requiring records of system disposal for 5 - 50# units; and extending leak requirements to replacement refrigerants, unless

previously exempted. Of particular concern is the proposed prohibition on operation of systems normally containing 50+ pounds refrigerant that have leaked 75% or more of their full charge for two consecutive years, since catastrophic and unavoidable leak events can occur even to new and well maintained equipment.

National Emission Standards for Aerospace Manufacturing and Rework Facilities Risk and Technology Review – Final Rule

EPA finalized the amendments to the [national emissions standards for hazardous air pollutants \(NESHAP\) for Aerospace Manufacturing and Rework Facilities](#) to address the results of the residual risk and technology review (RTR). These amendments add limitations to reduce organic and inorganic emissions of hazardous air pollutants from specialty coating application operations; remove exemptions for periods of startup, shutdown and malfunction (SSM) so that affected units will be subject to the emission standards at all times; and revise provisions to address recordkeeping and reporting requirements applicable to periods of SSM. These final amendments include a requirement to report performance testing through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI). This action also clarifies the applicability, definitions, and compliance demonstration provisions, and other technical corrections. This final action became effective 7 DEC 15.

Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS – Proposed Rule

The primary purpose of this [proposal](#) is to address interstate air quality impacts with respect to the 2008 ozone National Ambient Air Quality Standards (NAAQS). The EPA promulgated the Cross-State Air Pollution Rule (CSAPR) on 6 JUL 11, to address interstate transport of ozone pollution under the 1997 ozone NAAQS and fine particulate matter (PM_{2.5}) under the 1997 and 2006 PM_{2.5} NAAQS. The EPA is proposing to update CSAPR to address interstate emission transport with respect to the 2008 ozone NAAQS. This proposal also responds to the 28 JUL 15 remand by the Court of Appeals for the District of Columbia Circuit of certain states' ozone-season nitrogen oxides (NO_x) emissions budgets established by CSAPR. This proposal also updates the status of certain states' outstanding interstate ozone transport obligations with respect to the 1997 ozone NAAQS, for which CSAPR provided a partial remedy. Comments must be received by 19 JAN 16.

Supplemental Finding That It Is Appropriate and Necessary To Regulate Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units – Proposed Rule

EPA is soliciting comment on a [proposed supplemental finding](#) that consideration of cost does not alter the agency's previous conclusion that it is appropriate and necessary to regulate coal- and oil-fired electric utility steam generating units (EGUs) under section 112 of the Clean Air Act (CAA). In light of the U.S. Supreme Court decision in *Michigan v. EPA*, 135 S.Ct. 2699 (2015), the EPA has taken cost into account in evaluating whether such regulation is appropriate. In this document, the EPA sets forth its proposed supplemental finding and requests comment on all aspects of that finding and the supporting legal memorandum in the docket for this action. Comments must be received by 15 JAN 16.

Revisions to the Public Notice Provisions in Clean Air Act Permitting Programs – Proposed Rule

EPA proposes to revise the public notice rule provisions for the New Source Review (NSR), title V and Outer Continental Shelf (OCS) permit programs of the CAA and the corresponding onshore area (COA) determinations for implementation of the OCS air quality regulations. This action would remove the mandatory requirement to provide public notice of a draft air permit, as well as certain other program actions, through publication in a newspaper and would instead allow for electronic noticing (e-notice) of these actions. The [proposed rule](#) revisions would apply to major source air permits issued by the EPA, by EPA-delegated air agencies, and by air agencies with EPA-approved programs (with the exception of permits that are issued pursuant to the Tribal NSR Rule, which already allows for e-notice methods). Comments must be received by 29 FEB 16.

Prohibition of Regulations Regarding Carbon Dioxide or Other Greenhouse Gas Emissions Reduction – Proposed Rule

[H.R. 4036](#) was introduced in the House of Representatives on 17 NOV 15 and referred to the Committee on Energy and Commerce. This is a bill to prohibit any regulation regarding carbon dioxide or other greenhouse gas emissions reduction in the United States until China, India, and Russia implement similar reductions.

WASTE

Name Change for EPA Office of Solid Waste and Emergency Response – Final Rule

EPA published [notification of the name change](#) for the Office of Solid Waste and Emergency Response (OSWER) in the Federal Register on 15 DEC 15. The new name is the Office of Land and Emergency Management (OLEM). This action is being taken to more accurately reflect the nature of the work that this office does to protect human health and the environment. In addition, technical corrections are made to more accurately state the laws implemented previously by OSWER (now OLEM), and to reflect prior organizational changes. OLEM has primary responsibility for implementing the Resource Conservation and Recovery Act (RCRA); the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA--"Superfund"), as amended by the Superfund Amendments and Reauthorization Act (SARA); the Emergency Planning and Community Right-to-Know Act; the Oil Pollution Act; Clean Water Act section 311; and the Mercury-Containing and Rechargeable Battery Management Act; among other laws.

H.R. 4184. Food Recovery Act of 2015 – Proposed Rule

[H.R. 4184](#) was introduced on 7 DEC 15 and is referred to as the "Food Recovery Act of 2015." This Act is bill to decrease the incidence of food waste, and for other purposes. It covers programs and practices to be used on farms and in retail, restaurants, schools and other institutions to reduce the potential for food waste generation.

H.R. 4215. CLEANER Act of 2015 – Proposed Rule

[H.R. 4215](#) is a bill introduced 10 DEC 15 and was referred to the Committee on Energy and Commerce. The purpose of the bill is to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes.

WATER

Unregulated Contaminant Monitoring Rule (UCMR 4) for Public Water Systems – Proposed Rule

EPA has proposed the fourth revision to the Unregulated Contaminant Monitoring Rule, a Safe Drinking Water Act rule that requires public water systems to monitor for contaminants that may be present in tap water but are not yet subject to EPA's drinking water standards set under SDWA. This [proposal](#) identifies eleven analytical methods to support water system monitoring for a total of 30 chemical contaminants/groups, consisting of ten cyanotoxins/groups; two metals; eight pesticides plus one pesticide manufacturing byproduct (hereinafter collectively referred to as "pesticides"); three brominated haloacetic acid groups of disinfection byproducts; three alcohols; and three semivolatile organic chemicals. EPA will be holding a public webinar on 13 JAN 16 (see GENERAL INTEREST section for details.) Comments on the proposed revisions must be received by 9 FEB 16.

Beach Act of 2015 – Proposed Rule

[H.R. 4136](#) and [S. 2335](#), cited as the “Beach Act of 2015”, was introduced on 30 NOV 15 and 1 DEC 15, respectively, and referred to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works. It is a bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes.

EPA Extends Public Comment Period on Notice for Information on Forest Road Stormwater Discharges

On November 10, 2016, EPA published a [notice](#) in the Federal Register seeking public comment and additional information on the effectiveness of programs addressing water quality impacts associated with stormwater discharges from forest roads. EPA has extended the public comment period from 11 JAN 16 to 12 FEB 16 for its notice seeking additional information on the effectiveness of existing regulatory and non-regulatory programs to address water quality impacts associated with stormwater discharges from forest roads. EPA is extending the comment period in response to several requests from the public. After considering comments and information received, EPA will publish an additional notice by 26 MAY 16 with its determination as to whether stormwater discharges from forest roads are required to be regulated under the Clean Water Act.

Water Innovation Strategy

The President has announced a new Water Innovation Strategy that states the general goals of 1) promoting and investing in breakthrough research and development that will reduce the price and energy costs of new water supply technology, and 2) boosting water sustainability through the greater utilization of water-efficient and water reuse technologies. A fact sheet is available [here](#).

NATURAL RESOURCES

Orca Responsibility and Care Advancement Act of 2015 – Proposed Rule

[H.R. 4019](#) is a bill to amend the Marine Mammal Protection Act of 1972 to prohibit the taking, importation, and exportation of Orcas and Orca products for public display, and for other purposes. It was introduced in the House of Representatives on 16 NOV 15 and referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture.

Catastrophic Wildfire Prevention Act of 2015 – Proposed Rule

[S. 2286](#) is a bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System land and public land managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes. It was introduced in the Senate on 17 NOV 15 and referred to the Committee on Energy and Natural Resources.

OTHER

EPA Announces 2015 Annual Environmental Enforcement Results

EPA released its [annual enforcement and compliance results](#) highlighted by large cases that reduce pollution, level the playing field for responsible companies, and protect public health in communities across the country. In fiscal year 2015, EPA secured record-setting hazardous waste, Clean Air Act, and Superfund settlements, and acted swiftly to win a large criminal plea agreement following a major coal ash spill, among other

accomplishments. Additionally, EPA made significant progress on cases that will benefit communities well into the future, by pursuing a final settlement that puts billions of dollars to work restoring the Gulf and helping communities affected by the BP oil spill, and by launching an investigation against Volkswagen for illegally emitting air pollution from diesel vehicles.

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.

Proposed Rules/Other Regulatory Activity

[Notice of Tentative Decision - Intent to Reissue the MS4 General Permit](#) – The Department of Energy and Environmental Protection ("DEEP") has given notice that a tentative decision has been reached to reissue without modifications the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 general permit). The revised modified MS4 general permit, when issued, will not be effective until 1 JUL 17. Consequently, in order to maintain permit coverage for the regulated community, the current MS4 general permit is proposed to be reissued without modifications for the period effective from 9 JAN 16 through 30 JUN 17. Comment deadline is 11 JAN 16.



MAINE

Note: The Maine General Assembly convened on 3 DEC 14 and adjourns on 16 JUN 16.

Proposed Legislation

On 23 DEC 15, Representative Robert Duchesne introduced [ME LD 1494](#) (ME HP 1017), which is an act to revise Oil Spill reporting standards. Current law provides that if a person discharges oil into or upon certain water bodies, lands adjacent to certain water bodies, public or private water supplies or sewers that person is not subject to fines or civil penalties if that person, in addition to taking other actions, reports the discharge. This bill exempts discharges of less than 10 gallons from the reporting requirement.

Rules

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



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

Wetlands Mitigation Rules – The Department of Environmental Services has adopted [new rules](#) Env-Wt 101.16, 101.89, and 101.114. Env-Wt 100 contains the organizational rules and definitions for subtitle Env-Wt. In conjunction with the readoption with amendment of Env-Wt 800 and certain sections in Env-Wt 500 relative to mitigation requirements, definitions of certified wetland scientist, service area, and wetland enhancement are proposed to be added to Env-Wt 101. Rules became effective 23 DEC 15. The Department has also adopted rulemaking regarding the existing rules in [Env-Wt 800](#), Compensatory Mitigation, which establish the procedures and substantive requirements that apply when compensatory mitigation is required for unavoidable impacts to aquatic resources. Rules will become effective 1 FEB 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.

Proposed Rules/Other Regulatory Activity

[Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems](#) – The Department of Environmental Management (DEM) has proposed amendments to the “Rules Establishing Minimum Standards Relating to Location, Design, Construction and

Maintenance of Onsite Wastewater Treatment Systems” (OWTS Rules). The primary purpose of these amendments is to incorporate revisions made to the R.I. Cesspool Act of 2007 (R.I. Gen. Laws § 23-19.15) by the R.I. General Assembly in the 2015 session. The Cesspool Act is incorporated into the OWTS Rules in the administrative findings, definitions, and in Rule 53. Under the proposed Rule 53, cesspools must be removed from service when the property served by the cesspool is sold or transferred. These amendments also make several clarifications and minor technical changes. Comment deadline is 22 JAN 16.



VERMONT

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

Proposed Legislation

Senator Martha Jane Kitchel prefiled [VT SB 191](#), which is an Act relating to the siting of wind generation facilities.

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 14 JAN 14, Senator Robert G. Smith introduced [NJ SB 579](#) and on 16 JAN 14, Assemblywoman L. Grace Spencer introduced [NJ AB 1583](#), which is an act concerning stormwater utility systems, and supplementing Title 58 of the Revised Statutes. This Act authorizes creation of stormwater utilities for certain local government entities. Passed House Committee and Senate and Reported 2nd Reading on 10 DEC 15.

On 10 DEC 15, Senator Robert G. Smith introduced [NJ SB 3302](#), which would require certain generators of solid waste to separate and recycle food waste, and amend the definition of 'Class I renewable energy.'" Specifically, under the bill, beginning January 1, 2017, every large food waste generator that is located within 35 miles of an authorized recycling facility and that generates an average projected volume of 104 or more tons per year of food waste would be required to: (1) source separate that food waste; and (2) send the source separated food waste to an authorized recycling facility that has available capacity and will accept it. Beginning January 1, 2020,

large food waste generators that produce an average projected volume of 52 or more tons per year of food waste would have to comply with these requirements.

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.

Legislation

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

Final Rules

[Protection Against Legionella - Emergency Rule Making](#) – The Department of Health has adopted emergency rule making to add Part 4 to Title 10 NYCRR. The purpose of this rule making is to protect the public from the immediate threat posed by Legionella. Outbreaks of legionellosis have been associated with cooling towers. This regulation requires that all owners of cooling towers ensure proper maintenance of the cooling towers, to protect the public and address this public health threat. Emergency regulation passed and became effective 13 NOV 15 and expires 10 FEB 16.

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

[Expanded Polystyrene Prohibition](#) - The Department of Energy and Environment has adopted rulemaking to amend Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR) by adopting a new Chapter 23 (Expanded Polystyrene Prohibition) to establish the standards for prohibiting expanded polystyrene food service products in the District of Columbia. The rulemaking establishes procedures for enforcement, administrative appeals, and judicial review, and defines the term “business or institutional cafeteria.” Regulation passed and became effective 25 DEC 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

[Notice of Final Action: Permits](#) - The Department of the Environment has adopted amendments to Regulation .09-1 under COMAR 26.08.04 Permits. The purpose of this action is to eliminate annual fees related to certain general discharge permits issued by the Oil Control Program. The amendments address the Notice of Intent coverage under General Discharge Permits for Storm Water and Hydrostatic Test Water from an Oil Terminal and Treated Groundwater. The annual fee of \$120 is being eliminated for coverage under both General Discharge Permits. Bill passed and became effective 21 DEC 15.

[Notice of Final Action: Underground Storage System Technician, Remover, and Inspector Certification](#) – The Department of the Environment has adopted amendments to Regulations .02—.05, .09, and .12 under COMAR 26.10.06 Underground Storage System Technician, Remover, and Inspector Certification. The purpose of this action is to eliminate fees associated with certain certifications issued through the Oil Control Program. The amendments address the following topics: 1)MDE Certified Underground Storage System Technician-the \$200 application fee is being eliminated; 2)MDE Certified Underground Storage System Heating Oil Technician-the \$100 application fee is being eliminated; 3)MDE Certified Underground Storage System Remover-the \$150 application fee is being eliminated; 4)MDE Certified Underground Storage System Inspector-the \$300 application fee is being eliminated; and 5)Retesting Fees-the retesting fee (equivalent to the application fee) is being eliminated for all four certification categories. Bill passed and became effective 21 DEC 15.

Proposed Rules/Other Regulatory Activity

[Historical Trust African American Heritage Preservation Program](#) – The Department of Planning has proposed to repeal existing regulations and adopt new regulations related to the Maryland Historical Trust African American Heritage Preservation Program. The purpose of this action is to incorporate into the regulations statutory

changes made during the 2015 Session applicable to the procedural implementation of the African American Heritage Preservation Program (AAHPP), and to make various stylistic changes and minor edits to the regulations for the African American Heritage Preservation Program to provide greater clarity and to conform with existing agency processes. Notice of Proposed Action was published 11 DEC 15. Comment deadline is 11 JAN 16.

[Notice of Proposed Action - Bay Restoration Fund Implementation](#) – The Department of the Environment has proposed rulemaking to amend Regulation .03 under COMAR 26.03.13 Bay Restoration Fund Implementation. The purpose of this action is to amend the existing regulations based on the statutory changes to Environment Article, §9-1605.2, Annotated Code of Maryland, during the 2015 legislative session in Md. Laws Chapter 124 (SB0863) and 2015 Md. Laws Chapter 153 (SB133). Comment deadline is 28 JAN 16.

[Proposed Calendar Year 2016 Standard Permit Application Turnaround Times](#) – The Department of the Environment has invited comment on the following proposed standard turnaround times for all types of permit applications. MDE is proposing several changes to the 2015 turnaround times for calendar year 2016. Among the changes are reductions in turnaround times for General Discharge Permit Registrations, Nontidal Wetland & Waterway Construction permits, Erosion & Sediment Control permits, and General Permit for Stormwater Associated with Construction Activities. Comment deadline is 20 JAN 16.



PENNSYLVANIA

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

Proposed Legislation

On 21 DEC 15, Senator Elder Vogel introduced [PA SB 1092](#), which is an Act imposing a duty on the Department of Environmental Protection to maintain a system for applicants to track the status of certain permit applications; and providing for permit notifications.

Final Rules

[Extension of NPDES General Permit for Stormwater Discharges Associated with Industrial Activities \(PAG-03\)](#) – The Department of Environmental Protection has, by this notice, extended for 12 months the availability of the current General Permit for Stormwater Discharges Associated with Industrial Activity (PAG-03). The existing PAG-03 in effect at this time will expire on 4 DEC 15. By this notice, the Department is administratively extending the current PAG-03 General Permit to 4 DEC 16, or until the draft PAG-03 update is published as final. The Department is extending the availability of this permit to adequately complete preparation for the reissuance of the PAG-03 General Permit, which was recently published as draft for public comment. It is anticipated that the final PAG-03 General Permit update will be published prior to 4 DEC 16.



VIRGINIA

The Virginia General Assembly which will convene 13 JAN 16 and adjourn 5 MAR 16.

Proposed Legislation

On 16 DEC 15, Senator Mamie E. Locke introduced prefiled bill [VA SB 55](#), which would allow any locality by ordinance to prohibit the distribution, sale, or offer of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness; bags that are used to carry certain products, such as ice cream or newspapers; and garbage bags that are sold in multiples.

Rules

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



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



NORTH CAROLINA

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

Legislation

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

Final Rules

[Mitigation Program Requirements for Protection and Maintenance of Riparian Buffers](#) – The Department of Environment and Natural Resources has adopted rulemaking to adopt the rule cited as 15A NCAC 02B .0295. This rule adoption is authorized by Section 2 of S.L. 2014-95, which states that the Environmental Management

Commission shall adopt a "Mitigation Program Requirements for the Protection and Maintenance of Riparian Buffers" rule, pursuant to G.S. 150B-21.1, no later than 1 OCT 14. Regulation passed and became effective 1 NOV 15.

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.

Rules

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



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

[NOx Emissions from Large Industrial Boilers](#) – The Department of Environmental Management has proposed new rules to 326 IAC 10 concerning nitrogen oxide (NOx) emissions for the ozone season from large industrial boilers, also known as non-electric generating units (non-EGUs), on the repeal of the nitrogen oxides budget trading program at 326 IAC 10-4, the Clean Air Interstate Rule (CAIR) at 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3, and on a change to the CAIR reference in the Regional Haze rule at 326 IAC 26-1-5. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking. Comment deadline is 8 JAN 16.



MICHIGAN

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

Legislation

On 16 JUN 15, Senator Wayne Schmidt introduced [MI SB 400](#), which is an act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts. Bill passed and became effective 17 DEC 15.

Proposed Legislation

On 15 DEC 15, Representative Larry Inman proposed [MI HB 5152](#), which would amend several sections of the Natural Resources and Environmental Protection Act providing less stringent protection for waters that are not classified as Waters of the US.

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.

Final Rules

Ohio Building Code Amendments – The Board of Building Standards has adopted amendments to [Ohio Building Code](#) rules 4101, [Ohio Mechanical Code](#) rules 4101, and [Ohio Residential Code](#) rules 4101. Some of the amendments include new AST exemptions, clarifications and definitions and updates to NFPA and UL standards. Regulations passed and become effective 1 JAN 16.



WISCONSIN

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

Legislation

On 21 MAY 15, Senator Mary A. Lazich introduced [WI SB 178](#), which is a bill that creates an exemption from lead inspection requirements for lead sampling or testing done in certain renovations. Bill passed and became effective 18 DEC 15.

Final Rules

[Adopting the National Ambient Air Quality Standards for Sulfur Dioxide and Nitrogen Dioxide](#) - The Department of Natural Resources has proposed revisions to chapters. NR 404 and 484, Wis. Adm. Code to adopt US EPA 1-hour primary National Ambient Air Quality Standards (NAAQS) for NO₂ at a level of 0.100 parts per million (100 parts per billion) (75 FR 6474) and for SO₂ at a level of 0.075 parts per million (75 parts per billion). Regulation was adopted 14 DEC 15.

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