



# REC Review

## of Legislative & Regulatory Actions



The Navy Regional Environmental Coordination Office

May 2024

The *REC Review* publishes environmental and energy related developments for DoD/Navy leaders and installation staff. Covering 21 states, the *REC Review* gives early notice of legislative and regulatory activities relevant to DoD interests in Federal Regions 1 & 3 and Navy interests in Federal Regions 2, 4, & 5.



NAVFAC MIDLANT DoD REC Map

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### SPOTLIGHT STORY

#### New DoD Installation Commanding Officer Clean-up Challenge

The Department of Defense (DoD) is a federal leader in environmental stewardship. Its annual Service-specific and Secretary of Defense Environmental Awards recognize installations that conserve their natural and cultural resources, clean up pollutants, and protect human health, as these activities safeguard military personnel and civilians, protect the environment, and support effective personal and institutional performance. To reinvigorate installation spring clean-up events and to continue DoD’s leadership role in environmental stewardship, Admiral McCall, designated lead for the DoD’s Chesapeake Bay Program (CBP), is sponsoring a “DoD Installation Commanding Officer Clean-up Challenge.”

Past clean-up volunteers could most likely confirm that the majority of trash picked up is made of plastic, such as bags, food and beverage containers, straws, etc. Plastic waste makes up an estimated 80% of marine pollution, with about 10 million metric tons of plastic waste entering the oceans each year that kill seabirds, fish, and marine mammals. Plastic breaks down into smaller pieces called “microplastics” that absorb a range of chemicals floating in the marine environment, including pesticides and toxic metals. These chemical-laden particles are ingested by fish and shellfish and then passed on to seafood-consuming humans. Microplastics may harm marine and human health, and the risks are still being researched.

At the end of the challenge, Admiral McCall will recognize and award the Installation Commanding Officer and Clean-up Coordinator of the installation that collects the most debris (in pounds), as well as the installation that collects the most trash per clean-up participant. Clean-ups may occur on multiple dates between April 1 and June 30, 2024

For more information:

<https://www.denix.osd.mil/chesapeake/denix-files/sites/30/2024/04/Spring-2024-Journal-Final-04-11-2024.pdf>

# GENERAL INTEREST/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.*

## GENERAL

**Screening Tool for Equitable Adoption and Deployment of Solar (Web-based):** This webinar from the National Renewable Energy Laboratory will present information about a new dataset developed through the Solar Energy Innovation Network. Originating from a need expressed by underserved communities, the Screening Tool for Equitable Adoption and Deployment of Solar (STEADy Solar) helps identify specific locations where solar projects may be economical, allowing stakeholders to focus limited resources and deploy solar more equitably. The training will be held June 5, 2024. [https://www.fedcenter.gov/Events/index.cfm?id=42205&pge\\_id=1854](https://www.fedcenter.gov/Events/index.cfm?id=42205&pge_id=1854)

**Environmental Protection Agency (EPA's) Enforcement and Compliance History Online (ECHO) "Behind the Scenes" of ECHO (Web-based):** This Intro to ECHO webinar dives into the, answering questions about environmental data such as: From which EPA system does ECHO retrieve data? How frequently are the data updates, and how do I make corrections? How can I download ECHO data? What are the ECHO web services? The training will be held June 11, 2024. [https://www.fedcenter.gov/Events/index.cfm?id=42201&pge\\_id=1854](https://www.fedcenter.gov/Events/index.cfm?id=42201&pge_id=1854)

## AIR

**Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Ge:** The EPA is finalizing multiple actions under section 111 of the Clean Air Act (CAA) addressing greenhouse gas (GHG) emissions from fossil fuel-fired electric generating units (EGUs). First, the EPA is finalizing the repeal of the Affordable Clean Energy (ACE) Rule. Second, the EPA is finalizing emission guidelines for GHG emissions from existing fossil fuel-fired steam generating EGUs. Third, the EPA is finalizing revisions to the New Source Performance Standards (NSPS) for GHG emissions from new and reconstructed fossil fuel-fired stationary combustion turbine EGUs. Fourth, the EPA is finalizing revisions to the NSPS for GHG emissions from fossil fuel-fired steam generating units that undertake a large modification, based upon the 8-year review required by the CAA. The EPA is not finalizing emission guidelines for GHG emissions from existing fossil fuel-fired stationary combustion turbines at this time; instead, the EPA intends to take further action on the proposed emission guidelines at a later date. This final rule is effective on July 8, 2024. <https://www.federalregister.gov/documents/2024/05/09/2024-09233/new-source-performance-standards-for-greenhouse-gas-emissions-from-new-modified-and-reconstructed>

## NATURAL RESOURCES

**Planting for the Future: Native Plants, Green Jobs, and Equitable Climate Resilience (Web-based):** Landscapes planted with native, locally-adapted plants have wide-ranging benefits including ecosystem connectivity, soil health, water infiltration, and more. As adoption of native, locally-adapted landscaping grows nationwide, the availability of suitable seed, plant starts, and skilled, knowledgeable tradespeople to plan, install, and maintain these landscapes presents an obstacle. At the same time, harmful effects of climate change are already impacting communities, often hitting hardest for those already impacted by social and environmental inequities. In this webinar, convened speakers will discuss the growing need for skilled workers to grow, plant, and maintain native and rewilded landscapes; opportunities to work toward equity in frontline communities through workforce development and livable wage careers; climate resilience, disaster preparedness, and fostering a "deep bench" of local knowledge and skillsets; and more. The training will be held June 6, 2024. [https://www.fedcenter.gov/Events/index.cfm?id=42110&pge\\_prg\\_id=42307](https://www.fedcenter.gov/Events/index.cfm?id=42110&pge_prg_id=42307)

## TOXICS

**Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory Beginning With Reporting Year 2024 (Final):** The EPA is updating the list of chemicals subject to toxic chemical release reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA). Specifically, this action updates the regulations to identify seven PFAS that must be reported pursuant to the National Defense Authorization Act for Fiscal Year 2020 (FY2020 NDAA) enacted on Dec. 20, 2019. As this action is being taken to conform the regulations to a Congressional legislative mandate, notice and comment rulemaking is unnecessary. This final rule is effective June 17, 2024. <https://www.federalregister.gov/documents/2024/05/17/2024-10568/implementing-statutory-addition-of-certain-per-and-polyfluoroalkyl-substances-pfas-to-the-toxics>

## WATER

**Water Quality Standards Regulatory Revisions To Protect Tribal Reserved Rights:** EPA is revising Clean Water Act (CWA) water quality standard (WQS) regulations for waters where tribes reserve rights to aquatic resources and aquatic-dependent resources. This ruling defines tribal reserved rights, provides framework for states to account for these rights, and defines EPA's responsibility in the oversight of these procedures. Specifically, once petitioned by a reserved rights holder, the state must consider the value of current and future use of these tribal resource, and it must create water quality criteria that protect tribal interests in the designated waters. This rule is effective June 3, 2024. <https://www.federalregister.gov/documents/2024/05/02/2024-09427/water-quality-standards-regulatory-revisions-to-protect-tribal-reserved-rights>

**Water System Restructuring Assessment Rule (Draft):** EPA is proposing a regulatory framework for states and public water systems (PWSs) to identify and assess restructuring alternatives to ensure that every community receives safe, affordable, and reliable drinking water. The proposed regulations would: establish a new mandatory restructuring assessment authority for states; require states with primary enforcement authority (primacy) to develop mandatory restructuring assessment programs and submit primacy revisions for EPA review and approval; establish requirements for states and PWSs that implement system-specific mandatory restructuring assessments; and establish eligibility requirements and limitations for restructuring incentives under state-approved restructuring plans. This proposed rulemaking is required under amendments to the Safe Drinking Water Act (SDWA). By taking this action, the EPA intends to strengthen the ongoing efforts of states and PWSs to protect public health [https://www.fedcenter.gov/Articles/index.cfm?id=42199&pge\\_id=1854](https://www.fedcenter.gov/Articles/index.cfm?id=42199&pge_id=1854)

**National Primary Drinking Water Regulations: Consumer Confidence Reports (Final):** EPA is revising the Consumer Confidence Report (CCR) Rule in accordance with America's Water Infrastructure Act (AWIA) of 2018 (United States, 2018) and is requiring States, territories, and Tribes with primary enforcement responsibility to report compliance monitoring data (CMD) to the EPA. The revisions will improve the readability, clarity, and understandability of CCRs as well as the accuracy of the information presented, improve risk communication in CCRs, incorporate electronic delivery options, provide supplemental information regarding lead levels and control efforts, and require systems who serve 10,000 or more persons to provide CCRs to customers biannually (twice per year). The final rule requirements for States to submit to the EPA CMD for all National Primary Drinking Water Regulations (NPDWRs) will improve the EPA's ability to fulfill oversight responsibilities under the Safe Drinking Water Act (SDWA). This final rule is effective on 24 June 2024. [https://www.fedcenter.gov/Articles/index.cfm?id=42195&pge\\_id=1854](https://www.fedcenter.gov/Articles/index.cfm?id=42195&pge_id=1854)

# REGION I

**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.



**Note:** The Connecticut Legislature convened on Feb. 7, 2024 and adjourned on May 8, 2024.

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



**Note:** The Maine Legislature convened on Dec. 7, 2022 and adjourned on April 17, 2024.

## **FINAL LEGISLATION**

**Maine LD 2007:** This act is related to advance self-determination for Wabanaki Nations. Signed April 22, 2024.

<https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1287&item=4&snum=131>



**Note:** The Massachusetts Legislature convened on Jan. 3, 2023 and will adjourn on Jan. 2, 2025.

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



## NEW HAMPSHIRE

**Note: The New Hampshire Legislature convened on Jan. 3, 2024 and will adjourn on June 30, 2024.**

### **PROPOSED REGULATION**

**New Hampshire Backflow Prevention:** The Department of Environmental Services has proposed rulemaking to add a requirement that the annual report will need to include the number of backflow prevention devices being tested and clarify existing requirements, including referencing 2021 International Plumbing Code section 608. The amendments also remove the reporting requirement for suppliers with over 1,000 service connections that demonstrate the absence of any connections with a high degree of hazard. This proposal also allows for additional tester certifications and protocols (ASSE 5000). The existing rules Env-Dw 505 are due to expire on June 1, 2024 but are subject to extension for the duration of this rulemaking proceeding pursuant to RSA 541-A:14-a.

<https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/env-dw-505-ip.pdf>



## RHODE ISLAND

**Note: The Rhode Island Legislature convened on Jan. 2, 2024 and will adjourn on June 30, 2024.**

### **PROPOSED LEGISLATION**

**Rhode Island HB 8127:** This act establishes requirements which would have to be met by an applicant prior to the issuing of permits for an activity that would have an environmental impact on or would increase the cumulative impacts on an environmental justice area.

<https://webserver.rilegislature.gov/BillText24/HouseText24/H8127.htm>



## VERMONT

**Note: The Vermont Legislature convened on Jan. 4, 2023 and adjourned on May 10, 2024.**

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

## REGION II

**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.



## NEW JERSEY

**Note:** The New Jersey Legislature convened on Jan. 9, 2024 and will adjourn on Jan. 13, 2026.

### **PROPOSED LEGISLATION**

**New Jersey AB 4118 (SB 203):** This act would establish Statewide targets to reduce disposal of organic waste in landfills and would require the Department of Environmental Protection to adopt regulations to achieve targets. [https://pub.njleg.gov/bills/2024/A4500/4118\\_I2.HTM](https://pub.njleg.gov/bills/2024/A4500/4118_I2.HTM)

**New Jersey SB 3066 (AB 4214):** This act is concerning standards for certain emissions within newly constructed structures and supplementing. [https://pub.njleg.gov/bills/2024/S3500/3066\\_I1.HTM](https://pub.njleg.gov/bills/2024/S3500/3066_I1.HTM)

### **FINAL REGULATION**

**New Jersey Fiscal Year 2024 Annual Fee Report and Assessment of Fees:** The Department of Environmental Protection has adopted rulemaking concerning the Fiscal Year 2024 (FY24) New Jersey Pollutant Discharge Elimination System (NJPDES) Annual Fee Report and Assessment of Fees (Annual Fee Report). Effective April 24, 2024. [https://dep.nj.gov/dwq/permitting\\_information/permit\\_and\\_application\\_fees/](https://dep.nj.gov/dwq/permitting_information/permit_and_application_fees/)

### **PROPOSED REGULATION**

**New Jersey Discharges of Petroleum and Other Hazardous Substances:** The Department of Environmental Protection has proposed amendments to the Discharges of Petroleum and Other Hazardous Substances rules. The Department proposes to amend the description of what constitutes a "hazardous substance" in order that the rules remain current, as substances are identified. <https://dep.nj.gov/rules/notice-of-rule-proposals/20240520a/>

**New Jersey Draft State-of-the-Art (SOTA) Technical Manual for the Surface Coating Industry:** The Department of Environmental Protection has issued a notice to share that it is seeking public comment on the proposed revisions of the existing State-of-the-Art (SOTA) technical manual for the Surface Coating Industry. The use of the revised manual will satisfy the requirements for advances in the art of air pollution control at N.J.A.C. 7:27-8.12 for preconstruction permits and N.J.A.C. 7:27-22.35 for operating permits. <https://dep.nj.gov/wp-content/uploads/boss/state-of-the-art/sota-surface-coating-draft-20240520.pdf>



# NEW YORK

**Note:** The New York State Legislature convened on Jan. 4, 2023 and will adjourn on Jan. 2, 2025.

## **OTHER ACTIONS AND OPPORTUNITIES**

**New York Triennial Review of Water Quality Standards:** The Department of Environmental Conservation has issued an advanced notice of proposed rulemaking to solicit early public engagement on the Department’s Triennial Review of Water Quality Standards (WQS).

<https://dos.ny.gov/system/files/documents/2024/05/050824.pdf>

# REGION III

**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.



# DISTRICT OF COLUMBIA

**Note:** The Council of the District of Columbia convened Jan. 2, 2023 and will adjourn on Dec. 31, 2024.

## **PROPOSED LEGISLATION**

**District of Columbia B 793:** This act would require that the Historic Preservation Review Board consider proposed alterations to buildings and structures in a historic district that promote energy and water efficiency. It also allows the Board to propose reasonable alternatives that produce energy resiliency or water and energy efficiency benefits that are substantially similar to the proposed.

<https://lms.dccouncil.gov/downloads/LIMS/55219/Introduction/B25-0793-Introduction.pdf?Id=188804>

**District of Columbia B 801:** This act would align the District’s Building Energy Performance Standards Task Force. Among other things, it would require Department of Energy Environment (DOEE) to establish building energy performance standards within certain time frames and clarify that a period of time for which a public health emergency was in effect shall.

<https://lms.dccouncil.gov/downloads/LIMS/55308/Introduction/B25-0801-Introduction.pdf?Id=189469>

## **OTHER ACTIONS AND OPPORTUNITIES**

**District of Columbia Air Quality Issues - State Implementation Plan; Inspections and Maintenance (I/M) Programs:** The Department of Energy and Environment had issued a notice concerning a proposed State Implementation Plan (SIP) revision that the District of Columbia is submitting to the EPA. The Department is also submitting a certification required by the EPA in 40 CFR 51.372(a)(2) that responds to requirements set by the EPA to model Inspections and Maintenance (I/M) programs for areas that are required to implement I/M programs.

<https://doee.dc.gov/release/notice-public-comment-period-air-quality-ch-6-7>

**District of Columbia Notice of Public Comment Period on Air Quality Issues - Chapter 6 and 7 Revisions:** The Department of Energy and Environment had issued a notice to announce an opportunity to comment on a proposed State Implementation Plan revision that the District of Columbia is submitting to the United States Environmental Protection Agency. <https://doee.dc.gov/release/notice-public-comment-period-air-quality-ch-6-7>



**Note: The Delaware General Assembly convened on Jan. 10, 2023 and will adjourn on June 30, 2024.**

### ***PROPOSED LEGISLATION***

**Delaware HB 422:** This act would amend Title 7 of the Delaware code relating to environmental permits in overburdened communities. This act defines certain facilities which will require an applicant seeking a permit for a new facility, or expansion of an existing facility, or renewal of an existing permit, located in an overburdened community, as defined in the Act, to provide an environmental justice impact report.

<https://legis.delaware.gov/json/BillDetail/GenerateHtmlDocument?legislationId=141400&legislationTypeId=1&docTypeId=2&legislationName=HB422>

### ***FINAL REGULATION***

**Delaware Wildlife:** The Division of Fish and Wildlife has adopted rulemaking to existing regulations within 7 DE Admin. Code 3900 Wildlife. Effective May 11, 2024.

<https://regulations.delaware.gov/documents/May2024c.pdf>



**Note: The Maryland General Assembly convened on Jan. 10, 2024 and adjourned on April 8, 2024.**

### ***FINAL LEGISLATION***

**Maryland HB 233 (SB306):** This act authorizes the Critical Area Commission to adopt regulations governing the transfer of development rights, fee in lieu payments, the assessment of and adaption of the critical area for climate resiliency, enhancing resiliency in the critical area, and environmental justice and equity initiatives; establishing certain considerations of climate change, climate resiliency, and equity as general principles and minimum elements of local programs; etc. Approved May 9, 2024.

[https://mgaleg.maryland.gov/2024RS/chapters\\_noln/Ch\\_424\\_hb0233E.pdf](https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_424_hb0233E.pdf)

**Maryland HB 1147:** This act prohibits, on or after Oct. 1, 2024, a person from installing, supplying, selling, soliciting, or offering for sale playground surfacing materials that contain a certain concentration of lead or a component product, material, or substance to which PFAS chemicals were previously intentionally added for certain purposes; prohibiting a county, municipality, or unit of local government from adopting any ordinance, rule, or regulation related to playground surfacing materials that is less stringent than of the Act; etc. Effective Oct. 1, 2024.

[https://mgaleg.maryland.gov/2024RS/chapters\\_noln/Ch\\_488\\_hb1147T.pdf](https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_488_hb1147T.pdf)



**Maryland HB 1153 (SB956):** This act requires the Department of the Environment to identify significant industrial users that currently and intentionally use PFAS chemicals by July 1, 2026; requiring the Department to develop certain PFAS monitoring and testing criteria for certain significant industrial users by Jan. 1, 2025; requiring the Department by June 1, 2025, to develop PFAS action levels for addressing PFAS contamination from industrial discharge for pretreatment permits; requiring the Department to develop mitigation plans by Sep. 1, 2025; etc. Effective July 1, 2024. [https://mgaleg.maryland.gov/2024RS/chapters\\_noln/Ch\\_556\\_hb1153E.pdf](https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_556_hb1153E.pdf)

**Maryland HB 1296 (SB1161):** This act requires the Public Service Commission to open a revised Round 2 proceeding on June 1, 2024, to evaluate certain offshore wind projects; prohibiting the Commission from approving an application for an offshore wind project unless the application includes commitments for in-State expenditures and investments; requiring the Commission to develop a certain plan to include a schedule of offshore wind energy procurements and proposed amounts of offshore wind energy for procurement through 2031; etc. Effective June 1, 2024. [https://mgaleg.maryland.gov/2024RS/chapters\\_noln/Ch\\_431\\_hb1296E.pdf](https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_431_hb1296E.pdf)

**Maryland SB 474 (HB579):** This act alters and establishes the definition of "generating station" for the purpose of exempting the construction of certain generating facilities used to produce electricity for the purpose of on-site emergency backup and certain test and maintenance operations from the requirement to obtain a certificate of public convenience and necessity or certain other related approvals under certain circumstances; and altering the distribution of income tax revenue from corporations that is attributable to certain data centers. Effective July 1, 2024. [https://mgaleg.maryland.gov/2024RS/chapters\\_noln/Ch\\_411\\_sb0474E.pdf](https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_411_sb0474E.pdf)



**Note: The Pennsylvania General Assembly convened on Jan. 3, 2023 and will adjourn on Nov. 30, 2024.**

### ***FINAL LEGISLATION***

**Pennsylvania SB 945:** This act amends Title 16 (Counties) of the Pennsylvania Consolidated Statutes, consolidating the act of Aug. 9, 1955 (P.L.323, No.130), known as The County Code. Effective July 7, 2024. <https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=S&billTyp=B&billNbr=0945&pn=1111>

### ***PROPOSED LEGISLATION***

**Pennsylvania HB 1978:** This act provides for the abrogation of regulations relating to the Pennsylvania Heavy-Duty Diesel Emissions Control Program and for the applicability of Federal standards. <https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2023&sessInd=0&billBody=H&billTyp=B&billNbr=1978&pn=2513>

### ***FINAL REGULATION***

**Pennsylvania Practice and Procedure:** The Environmental Hearing Board has adopted rulemaking to provide the regulated community, the Department of Environmental Protection (Department) and anyone who wished to challenge an action of the Department with more specific guidance on how to represent their interests before the Board and will improve the rules of practice and procedure before the Board. Effective May 18, 2024. <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol54/54-20/721.html>

## **OTHER ACTIONS AND OPPORTUNITIES**

**Pennsylvania Extension of National Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13):** The Department of Environmental Protection has issued a notice to share that it is extending the availability of the current National Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13) until PAG-13 is reissued.

<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol54/54-20/679.html>



**Note: The Virginia General Assembly convened on Jan. 10, 2024 and adjourned on Mar. 9, 2024.**

## **PROPOSED REGULATION**

**Virginia Water Protection Permit Regulation:** The Department of Environmental Quality has initiated rulemaking to establish the general procedures for the issuance of a Virginia Water Protection permit for activities in navigable waters of the Commonwealth. <https://law.lis.virginia.gov/admincode/title9/agency25/chapter210/>

## **OTHER ACTIONS AND OPPORTUNITIES**

**Virginia Guidelines for Establishment, Use, and Operation of Tidal Wetland Mitigation Banks:** The Marine Resources Commission issued a notice sharing that the following guidance document has been submitted for publication: Guidelines for Establishment, Use, and Operation of Tidal Wetland Mitigation Banks.

<https://mrc.virginia.gov/regulations/bankguide.shtm>



**Note: The West Virginia Legislature convened on Jan. 10, 2024 and adjourned on March 10, 2024.**

## **FINAL REGULATION**

**West Virginia Emission Standards for Hazardous Air Pollutants:** The Air Quality Board has adopted amendments to incorporate by reference the National Emission Standards for Hazardous Air Pollutants. Effective June 1, 2024.

<https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=40124>

**West Virginia Regulation to Prevent and Control Air Pollution from the Emission of Volatile Organic Compounds:**

The Air Quality Board has adopted amendments to establish reasonably available control technology to control emissions of volatile organic compounds. Effective June 1, 2024.

<https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=40124>

**West Virginia to Prevent and Control Air Pollution from the Emission of Sulfur Oxides:** The Air Quality Board has adopted amendments to establish emission standards for sulfur oxides from fuel burning units and sets forth the registration, permitting, reporting, testing, recordkeeping, and exemption requirements. Effective June 1, 2024.

<https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=40124>

**West Virginia Alternative Emission Limitations During Startup, Shutdown, and Maintenance Operations:** The Air Quality Board has adopted amendments that set forth the criteria and permit application requirements for establishing alternative emission limitation during periods of startup or shutdown. Effective June 1, 2024. <https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=40124>

**West Virginia Standards of Performance for New Stationary Sources:** The Air Quality Board has adopted amendments to incorporate by reference the federal standards of performance for new stationary sources. Effective June 1, 2024. <https://apps.sos.wv.gov/adlaw/registers/readpdf.aspx?did=40124>

## REGION IV

**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.



**Note:** The North Carolina General Assembly convened on Jan. 11, 2023 and will adjourn on July 31, 2024.

### **PROPOSED LEGISLATION**

**North Carolina SB 832:** This act would establish maximum contaminant level (MCLs) for chemicals that are probable or known carcinogens or are otherwise toxic.

<https://www.ncleg.gov/Sessions/2023/Bills/Senate/HTML/S832v1.HTML>



**Note:** The Kentucky Legislature convened on Jan. 2, 2024 and adjourned on April 15, 2024.

### **PROPOSED REGULATION**

**Kentucky Air Emissions Fee:** The Energy and Environment Cabinet has proposed rulemaking to remove the 4,000 ton per year pollutant cap, which will increase the amount of 'subject emissions' and lower the overall per ton emissions fee for all sources. <https://eec.ky.gov/Environmental-Protection/Air/Pages/Public-Notices.aspx>

## REGION V

**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.



**Note:** The Illinois General Assembly convened on Jan. 11, 2023 and will adjourn on Jan. 5, 2025.

### **PROPOSED LEGISLATION**

**Illinois HB 5825 and SB 3934:** This act pertains to controlling/reducing greenhouse gas emissions from vehicular sources.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10300HB5825lv&SessionID=112&GA=103&DocTypeID=HB&DocNum=5825&print=true>

### **PROPOSED REGULATION**

**Illinois Permits and General Provisions:** The Pollution Control Board has proposed rulemaking that amends 35 Ill. Adm. Code 201, 202, 203, 204, and 232 to make the Board's Non-Attainment New Source Review (NA NSR) consistent with the federal CAA and underlying NA NSR program.

[https://www.ilsos.gov/departments/index/register/volume48/register\\_volume48\\_18.pdf](https://www.ilsos.gov/departments/index/register/volume48/register_volume48_18.pdf)



**Note:** The Indiana General Assembly convened on Jan. 8, 2024 and adjourned on March 14, 2024.

### **PROPOSED REGULATION**

**Indiana Fees, Fines, Civil Penalties, Financial Benefit Limitations, or other Payment Amounts:** The Natural Resources Commission has proposed rulemaking to bring current fees, fines, civil penalties, financial benefit limitations, or other payment amounts set by an agency otherwise qualifying as a rule charged by the divisions of fish and wildlife and nature preserves into compliance with HEA 1623-2023 requiring the amounts to be placed in rule. The proposed rule makes those fees, fines, civil penalties, financial benefit limitations, and other payment amounts transparent for regulated persons under IC 14.

<http://iac.iga.in.gov/iac//20240522-IR-312240165PHA.xml.html>



# MICHIGAN

**Note: The Michigan Legislature convened on Jan. 11, 2023 and will adjourn on Dec. 31, 2024.**

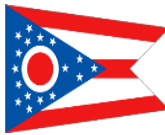
## **PROPOSED REGULATION**

**Michigan Emission Limitation and Prohibitions—Miscellaneous:** The Department of Environment, Great Lakes and Energy has proposed rulemaking that provides revisions and additional adopted standards to support revisions pending or completed in other rule parts developed to fulfill the ozone requirements under the federal CAA, 42 USC 7401 et seq. The proposed revisions also consist of updates to reference prices to align with what is currently offered by the respective sources, including the Air Quality Division; and revisions to the publication dates referenced, the physical and web addresses listed in the rule to reflect the current information, and availability of these reference materials from their respective agencies.

[https://www.michigan.gov/lara/-/media/Project/Websites/lara/moahr/ARD/2024-Michigan-Register/MR7\\_050124.pdf?rev=721c361ef471433cb036a9ba30580de1&hash=E4D51B3CDF8AB84A72C402ACFDE0C92D](https://www.michigan.gov/lara/-/media/Project/Websites/lara/moahr/ARD/2024-Michigan-Register/MR7_050124.pdf?rev=721c361ef471433cb036a9ba30580de1&hash=E4D51B3CDF8AB84A72C402ACFDE0C92D)

**Michigan Emission Limitations and Prohibitions-Oxides of Nitrogen:** The Department of Environment, Great Lakes and Energy has proposed rulemaking to create new rules to address a change to a moderate classification in nonattainment areas under provisions of the National Ambient Air Quality Standards (NAAQS).

[https://www.michigan.gov/lara/-/media/Project/Websites/lara/moahr/ARD/2024-Michigan-Register/MR7\\_050124.pdf?rev=721c361ef471433cb036a9ba30580de1&hash=E4D51B3CDF8AB84A72C402ACFDE0C92D](https://www.michigan.gov/lara/-/media/Project/Websites/lara/moahr/ARD/2024-Michigan-Register/MR7_050124.pdf?rev=721c361ef471433cb036a9ba30580de1&hash=E4D51B3CDF8AB84A72C402ACFDE0C92D)



# OHIO

**Note: The Ohio General Assembly convened on Jan. 2, 2023 and will adjourn on Dec. 31, 2024.**

## **FINAL REGULATION**

**Ohio Compliance with Air, Water, Solid Waste, and Aviation Regulations:** The Power Siting Board has adopted rulemaking to provide certain exceptions for wind farms and solar facilities, specify additional information that must be provided with respect to environmental and aviation regulation compliance, and update language. Effective May 30, 2024. <https://codes.ohio.gov/ohio-administrative-code/chapter-4906-4>



# WISCONSIN

**Note: The Wisconsin Legislature convened on Jan. 2, 2023 and will adjourn on Jan. 2, 2025.**

No new environmental legislation or regulation of significant importance to the Navy was identified during this reporting period.

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