



REC UPDATE

Monthly environmental news for DoD facilities in EPA Regions 1, 2 & 3



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GENERAL INTEREST

Resident Energy Conservation Program 'Mock' Billing to Begin throughout Naval District Washington

By Chatney Auger – Navy News Service

Accountability for electrical consumption to each resident of Navy Public Private Venture (PPV) housing will soon be the responsibility of residents and mock billing for the Resident Energy Conservation Program (RECP) for Naval District Washington will begin July 1.

"It's important to note that you and your family will reap the benefits of the money that is saved by this program," said Vice Adm. William French, commander, Navy Installations Command (CNIC), in a video message to the fleet. "First with the refund from energy savings you and your family create by staying below the average normal usage rate. Second, the vast majority of the RECP cost savings will be reinvested back into the local PPV community to sustain high-quality homes and neighborhood amenities such as playgrounds, facilities and landscaping."

Prior to the commencement of the live billing cycle in October, residents throughout Naval District Washington (NDW) participating in RECP will be provided a three-month "mock" billing period beginning July 1 to Sept. 30 to allow residents to evaluate their home energy consumption before the program begins.

"The mock bills are intended to show your actual electrical consumption and billing costs, and how it compares with other homes in your like-type group," said Julie Barnes, regional Navy Housing Program manager for NDW. "All billing costs will be based on the same electric rate charged for a particular housing area."

Barnes recommends that residents review their mock bills, compare their monthly usage with the normal usage band, and consider adjusting their consumption habits as needed to minimize personal costs.

Additionally, the RECP will have no impact on residents' Basic Allowance for Housing (BAH). According to CNIC, an allowance for normal utilities is a part of the BAH. BAH includes an allowance for utilities such as electricity, gas or other heating fuels, and water/sewer. The BAH includes the cost of utilities based on averages from residents living in the private sector who are directly responsible for paying for their utilities. The RECP is intended to encourage residents to achieve normal usage and to reward them for conservation beyond normal expectations. Residents who conserve and stay within the normal range will incur no out-of-pocket utility expenses.

CNIC recommends that those who wish to conserve make easy changes around the house. Simple adjustments to home thermostats to minimize heating and cooling, and wise use of hot water, lighting and appliances can also contribute significantly to energy savings. In cases where utility consumption is high, residents can also request that their property manager perform an energy audit to identify energy saving strategies specific to their home.

Residents are also reminded to keep up with any fees incurred through over-usage. Those with a past due account will receive delinquency notice letters and a late fee. Extreme delinquencies can result in a notice to vacate housing and can potentially affect a resident's credit. The PPV partnership will work with residents to arrange payment plans if help is needed making payments.

NDW residents can expect mock billing to begin July 1 with the first mock statement being mailed August 15. Residents will not be financially responsible for utility usage during this period. The actual billing period begins Oct. 1, and the first 'live' bill will be mailed Nov. 14. Residents will be expected to pay for their usage above the 'normal usage' band or will be eligible to receive a rebate if their usage is below the band.

For more information about the RECP program, visit <http://www.cninc.navy.mil/regions/ndw.html>.

DOI Announces First Offshore Renewable Energy Lease Sale

By Associated Press

A southeastern Virginia city that borders North Carolina is casting a wary eye toward legislation that could allow a large landfill just over the state line.

Chesapeake officials fear a landfill in Camden County, N.C., could degrade its drinking water supply, threaten the region's economic development and endanger the long-term viability of a Navy facility that straddles the state line and is used by multiple branches of the military.

The North Carolina Senate approved legislation Monday scaling back restrictions on new landfills that supporters say would help meet future in-state trash demands. But opponents contend it would allow huge dumps for out-of-state trash.

Among other things, the bill awaiting action in the North Carolina House would reduce the buffer zone between proposed landfills and lands protected by the state and federal governments. The distances currently range from one to five miles. The proposal would reduce all buffers to 1,500 feet.

The 5-mile buffer approved under a 2007 law contributed to the state's denial of a permit for a proposed landfill in Camden County by the Great Dismal Swamp, less than a mile from Chesapeake. The landfill would have been in the watershed of the city's Northwest River.

The bill also narrows reasons that state regulators can reject permit applications, such as by eliminating language justifying a denial because the landfill would cause "significant damage" to ecological systems, cultural sites, parks and wilderness areas.

"The City of Chesapeake believes a matter of this importance, potentially affecting residents of both state's economic future, drinking water supply, critical federal military operations, and protected natural resources must be given time for substantial public input and informed deliberation. Northeastern North Carolina's and Southeastern Virginia's continued economic viability is at stake," a post on the city's website says.

Following the bill's Senate passage, Chesapeake issued a statement on Tuesday encouraging its residents to contact North Carolina lawmakers to express their concerns.

One of Chesapeake's major concerns with a landfill is that it could disrupt military operations at the Chesapeake-based Naval Support Activity Hampton Roads Northwest Annex. The military is one of the region's major employers and city officials fear the landfill could jeopardize the base's operations if another round of base closures is ordered.

Navy and Marine anti-terrorism and force protection commands use the 3,600-acre facility, which has one of the Navy's largest small-arms ranges. The Navy, Coast Guard and NATO also use the facility for strategic communication activities.

"The concern we have is that the amount of earth moving activity associated with the landfill has the potential to cause electromagnetic interference which would impact the radar system on the base at Northwest Annex," said Katisha Draughn-Fraguada, a Navy spokeswoman for the facility, said in an email to The Associated Press on Wednesday.

The amended proposal would allow state regulators to deny a permit if a proposed landfill would have a "significant adverse impact on the mission, training, or operations of any military installation or branch of the military."

Draughn-Fraduada said the Navy would make judgments on actual impacts if state or local approval of a landfill near the annex is reconsidered.

"To this end, we would expect to be consulted and given the opportunity to comment on the details of any proposed landfill well before any permit is granted by the North Carolina Department of Environment and Natural Resources," she wrote.

North Carolina Senate Bill 328 was referred to the House Environment Committee on Wednesday. Rep. Roger West, R-Cherokee and co-chairman of the House Environment Committee, has previously said he didn't know how the bill would fare in his chamber and knew little about the legislation's contents.

[Link to Online Article](#)

Solar, Wind Overtake Geothermal at DoD Facilities

By Andy Medici – Federal Times

Since 1987, Naval Air Weapons Station China Lake, Calif., has tapped into geothermal wells to produce about 270 megawatts of energy annually — enough to power 180,000 homes and making it the largest renewable energy project within the Defense Department.

But while geothermal energy has been a big part of the Defense Department's past, tight budgets and difficulties developing geothermal energy mean it will be a smaller portion of the department's renewable energy future, according to officials, contractors, and DoD data.

Geothermal energy is heat stored underground — usually in the form of steam — that can power turbines to create electricity. The number of renewable energy projects on DoD installations increased from 489 in fiscal 2009 to 679 in fiscal 2012 — an increase driven almost entirely by an increase in solar and wind energy projects. Nine projects at DoD installations produce geothermal energy, according to the report.

In 2011, geothermal energy use accounted for 74 percent of all renewable energy used by DoD installations. But one year later, that fell to 49 percent, according to the DoD energy management report released in early June. The declining share of geothermal energy was driven mainly by a rapid increase in solar, wind, and waste-to-energy projects.

DoD's analysis of its installations and land shows that geothermal electricity could account for only 5 percent of total possible renewable energy. Solar power can account for up to 39 percent of total possible renewable energy generation, and wind energy, 28 percent. The remainder includes biomass energy — obtained from burning plant material — and ground heat where warm underground air is brought into buildings.

In 2009, the Navy spent \$9.1 million to survey and test the potential for geothermal energy at Naval Air Station Fallon, NV but only two out of six sites tested high enough for geothermal energy use, according to a 2011 DoD inspector general report. The Navy has yet to move ahead on the construction of a geothermal power plant at those two sites.

Richard Kidd, the Army's Deputy Assistant Secretary for Energy and Sustainability, said that while there is potential for geothermal development, it's a time-consuming and costly process that holds higher risk than installing solar panels. For example, in the case of geothermal, companies have to drill multiple "test wells" to make sure the energy is present. On the other hand, "With a solar project, if you get a little less sun, your investment doesn't fail; it just takes longer to pay off," Kidd said. Kidd said geothermal energy projects are the costliest of any renewable energy.

Jeff Sherman, Director of Federal Professional Services for Energy Contractor Schneider Electric, said it's harder to finance a geothermal energy project using an energy savings performance contract (ESPC) than it is for a solar or wind project. That is because the higher costs prevent energy contractors from including them in the packages of retrofits and renovations they offer agencies.

But DoD is not giving up on geothermal as a renewable energy source, Kidd said. The May rollout of a new multiple-award task order contract (MATOC) will allow agencies to more easily enter into renewable energy

projects. The first round of the potential \$7 billion contract focused on geothermal energy projects, with five pre-approved vendors chosen to help DoD develop geothermal projects in areas where geothermal energy is known to exist. Among the vendors on the contract are Constellation NewEnergy Inc., ECC Renewables LLC, Enel Green Power North America Inc., LTC Federal LLC, and Siemens Government Technologies Inc.

The MATOCs will help installations enter into “power purchase agreements,” under which companies pay for and maintain renewable energy projects in exchange for set energy payments over time. Installations will choose from pre-qualified companies that were vetted by the Army and Army Corps of Engineers. So an installation would only have to pay for the electricity generated by the projects and not for the construction of the geothermal wells.

The Pentagon is pushing to reach ambitious renewable energy goals. The Air Force has said one gigawatt of its energy will come from renewable sources by fiscal 2016. The Department of the Navy said it will reach the same goal by fiscal 2020, and the Army by fiscal 2025.

[Link to Online Article](#)

EPA Warns Against Use of Refrigerant Substitutes that Pose Fire and Explosion Risk

The U.S. Environmental Protection Agency (EPA) is warning homeowners, propane manufacturers and sellers, home improvement contractors, and air conditioning technicians of potential safety hazards related to the use of propane or other unapproved refrigerants in home air conditioning systems.

The EPA is currently investigating instances where propane has been marketed and used as a substitute for HCFC-22 (R-22), a refrigerant that is widely used in home air conditioning systems.

Home air conditioning systems are not designed to handle propane or other similar flammable refrigerants. The use of these substances poses a potential fire or explosion hazard for homeowners and service technicians. The EPA is aware of incidents that have occurred both overseas and in the U.S. where individuals have been injured as a result of the use of propane and other unapproved refrigerants in air conditioning systems. The EPA is investigating and will take enforcement actions where appropriate. Other names for these unapproved refrigerants include R-290, 22a, 22-A, R-22a, HC-22a, and CARE 40.

At this time, the use of propane refrigerant or other hydrocarbon refrigerants in any type of air conditioner has not been approved. Homeowners and technicians are strongly recommended to limit use of propane or other hydrocarbons to only those appliances specifically designed for these substances and that are properly marked to alert technicians that the equipment contains a flammable substance. Propane has been approved as a substitute refrigerant for R-22 in industrial process refrigeration systems and in new, stand-alone retail food refrigerators and freezers that are specifically designed to use flammable hydrocarbon refrigerants.

R-22 is being phased out of production and importation under the Montreal Protocol, an environmental treaty ratified by every country in the world designed to reduce and eventually eliminate the use of ozone depleting substances. EPA's Significant New Alternatives Policy (SNAP) Program has already listed numerous refrigerants with improved environmental, health and safety profiles and continues to evaluate other refrigerants that can be used to replace R-22 and other ozone-depleting substances.

For more information about the SNAP program, go to: <http://www.epa.gov/ozone/snap/>. For more information about R-22a and alternatives for air conditioning, go to: <http://www.epa.gov/ozone/snap/r22a.html>.

DoD Tackles Water Scarcity

By Andy Medici – Federal Times

Scarcity of a resource as important as oil and as critical to military operations — fresh water — may be one of the most overlooked issues the Defense Department will face in coming years, DoD and outside experts say. A Rand

report commissioned by the Army and released this month identifies water scarcity as one of the key issues facing the Army in future years. The report said that the supply of water will continue to shrink around the world as population swell and climate change alters weather patterns and rainfall. This will lead to greater conflict as well as greater energy costs to transport and store water.

Since 1960, more than half of rivers and streams nationwide have shown significant volume changes and the report projects that in 2013 about 36 states will face water shortages because of drought, population growth and waste.

One recent example of the problem: On May 31, service members at Wheeler Army Airfield in Hawaii were reminded to restrict water use for activities such as showering, laundering and dishwashing because of a limited supply of water available on the island during the summer season. Two of the four deep wells that provide water to the installation are also in need of repair and may not work through the summer, according to the Army.

Water scarcity is also a big problem in the American Southwest where DoD has a substantial presence. At the Army's Fort Huachuca in Arizona, tight water restrictions mean that families can water their lawns only two months a year and only for two hours a day, two days a week. The installation has replaced grass with artificial turf in many areas to cut down on irrigation and has joined a 21-member organization made up of state and local partners to help manage water needs and maintain the supply of water to the area.

The frequency of prolonged droughts and water shortages only will continue to increase, according to Massachusetts Institute of Technology's Joint Program on the Science and Policy of Global Change. Droughts will proliferate in the American southwest as well, according to the study.

DoD says it has cut water use at its installations from 111 billion gallons in 2007 — about the annual water use of 1.1 million homes — to 90 billion gallons last year.

A 2009 Executive Order directs agencies to cut their potable water use by 26 percent by 2020 from a 2007 baseline. Agencies must also reduce industrial and irrigation water use by 20 percent by 2020 from a 2010 baseline. DoD exceeded an interim target of a 16 percent reduction in potable water use by fiscal 2015 with a reduction of 18.6 percent in fiscal 2012.

Joseph Sikes, Director of Facilities Energy and Privatization at the Defense Department, said saving water also saves fuel needed to move water to facilities and personnel. "If you are wasting water, you are wasting energy," Sikes said. "Water is a finite resource and, as there are more people, there will be greater demands for it," said Beth Lachman, senior operations research analyst at Rand and lead author of the report.

The Army will need to analyze the water supply and political environment surrounding each of its installations in order to prepare for eventual water shortages, and it must direct greater attention to the problem of water scarcity, the report said. Lachman said the Army should work with local communities and state governments to carefully manage water resources and reduce water use as much as possible. Sikes said DoD is tackling the issue through water-efficiency upgrades to its facilities, recycling existing water and promoting water-efficient technologies.

At Travis Air Force Base, Calif., officials are hoping to reduce their 748 million gallons of annual water use by 50 percent by 2020 by installing water-efficient fixtures and by reducing the amount of potable water available for landscaping. The installation will also train service members and civilians how to conserve water and energy throughout the installation.

Richard Kidd, the Army's Deputy Assistant Secretary for Energy and Sustainability, said reducing water use is not just about making the Army more effective, it is about establishing good relationships with local communities around its installations. "If we consume water to the point that the local community has no access, then we are not establishing the proper relationship," Kidd said.

Kidd said the Army also is targeting water use for irrigation — such as in its maintenance of golf courses — as areas where the Army can cut down potable water use. It is researching using “gray water” — or recycled water — that isn’t safe to drink but can be used to water plants or cool equipment.

[Link to Online Article](#)

President Nominates Retired Admiral to Lead Navy Energy Efforts

By Ryan Koronowski – Think Progress

President Obama has nominated someone who understands the importance of renewable energy to be the next Assistant Secretary of the Navy for Energy, Installations, and Environment. Retired Vice Admiral Dennis McGinn is currently the President and CEO of the American Council on Renewable Energy, and has articulated a reasoned military approach to cutting down on fossil fuel dependency while moving toward clean, reliable renewable energy.

Why is the Navy pursuing net-zero energy policies? As the Director of the Navy’s 1 Gigawatt Task Force, Kerry Gilpin said “The real reason we’re doing this is very simple. Secretary Mabus has set two priorities: energy security and energy independence.... Basically we don’t like having vulnerable supply lines ... that are not difficult to disrupt. All threats, right? Natural disasters, manmade — anything that could threaten our ability to do our critical missions presents a problem for us.”

Military leaders have come under attack from Senators like James Inhofe when they state the obvious: climate change is happening and the military will bear much of the burdens from dealing with climate impacts, and transitioning from dirty, expensive fossil fuels to clean renewable energy makes the military more self-sufficient and cuts costs.

McGinn has long been an advocate for this transition away from fossil fuels, referring to reports such as the 2007 CAN report titled “*National Security and the Threat of Climate Change*” which lays out the ways in which climate change is a “threat multiplier” around the globe.

He also served on the CNA Military Advisory Board that released the 2009 report “Powering America’s Defense: Energy and the Risks to National Security.” This report considered the risks that American energy policy posed to national security, how climate change affects both of these things, and finally “the role the Department of Defense can play in the nation’s approach to energy security and climate change.”

McGinn’s wealth of experience, including a 35-year Navy career that included being a test pilot and aircraft carrier commanding officer, paired with his recent expertise in the impact climate change and energy choices have on national security make his nomination to lead energy, installations, and environment efforts at the Navy extremely interesting.

For more information, go to: <http://thinkprogress.org/climate/2013/07/09/2270861/president-obama-nominates-ret-admiral-mcginn-to-lead-navy-energy-efforts/>.

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.

WATER

Summer is Ideal Time for Homeowners to Explore the Benefits of Rain Barrels

The EPA is encouraging homeowners to explore the opportunity of introducing a rain barrel next to their homes this summer to help save precious water and help control storm water runoff.

A rain barrel is a system that collects and stores rainwater from your roof that would otherwise be lost to runoff and diverted to storm drains and streams. A rain barrel is relatively simple and inexpensive to construct and can sit conveniently under any residential gutter down spout.

"Rain barrels are a way for homeowners to save money by saving water," said EPA Mid-Atlantic Regional Administrator Shawn M. Garvin. "Not only can they use the water collected in the rain barrel to water their gardens, they are also actively helping the environment by reducing pollution in local streams and rivers."

EPA's Public Information Center at 1650 Arch St. in Philadelphia, is showcasing a new exhibit called the Art and Science of Rain Barrels through September 20. As visitors to the exhibit will see, rain barrels don't have to be boring. The rain barrel exhibit includes examples of decorated rain barrels from the Mt. Airy Art Garage, the Philadelphia Water Department and the Energy Coordinating Agency, who are coordinating the exhibit with EPA. Visitors will also get a quick education on how using rain barrels can help the environment. EPA's Public Information Center is open Monday through Friday from 9 a.m. to 4 p.m. All visitors who are 18 and older must show a valid photo id and go through security before entering the exhibit area.

For more information on rain barrels, visit: <http://www.epa.gov/reg3esd1/garden/rainbarrel.html>

CHESAPEAKE BAY

Analysis: DC, States within Chesapeake Bay Watershed Making Progress on Pollution Cuts

By Associated Press

Washington, D.C., and states within the Chesapeake Bay watershed are making progress to reduce pollution flowing into the hobbled estuary but none is on track to meet cleanup commitments set this year, an analysis by environmental groups concludes. The mixed assessment is based on an analysis of benchmarks each state and the district are aiming to meet by year's end to help measure progress to restore the bay and keep the cleanup on track. By 2017, they are expected to reach 60 percent of their pollution-reduction goals in hopes of achieving the Chesapeake's restoration by 2025.

The multi-billion dollar restoration plan overseen by the Environmental Protection Agency was devised to ensure a commitment to cleaning up the nation's largest estuary after decades of broken promises and neglect. The Chesapeake Bay Foundation and the Choose Clean Water Coalition conducted the analysis.

The states within or part of the 64,000-square-mile watershed are Virginia, West Virginia, Maryland, Delaware, Pennsylvania and New York. About 17 million people live in the crowded corridor. A detailed analysis of New

York was not conducted because the authors of the assessments did not have a partner group in that state, but it also likely would not meet all its pollution goals in 2013.

The restoration plan has various elements to keep the bay on a strict “pollution diet”. They range from planting buffer zones of trees around streams, keeping livestock out of them so they don’t foul waters that flow to the bay, and upgrading wastewater treatment plants, among many other practices.

The goal is to sharply reduce sediment, nitrogen and phosphorus that enter the bay from agricultural runoff, urban and suburban sprawl and waste waters. A steady dose of those pollutants over the decades has taken a toll on the bay’s health, harming marine life such as shellfish and coveted game fish, snuffing grasses that crabs and other species need and creating vast “dead zones” that are absent of life.

The state-by-state and District analysis looked at pollution-control practices that are intended to restore the bay and help the bay jurisdictions make adjustments where they are lagging. In Pennsylvania, for instance, the state is on track or exceeded goals for three practices but was falling short on five. The state was doing well in barnyard runoff control but lagging in forest buffers and the number of farm acres with pollution management plans. Maryland is on track or besting six of seven goals, while Virginia is on pace with five and behind on three; West Virginia is behind on one of five goals; the District should achieve all but one of six goals; and Delaware has evenly divided results on eight goals.

For more information, go to: http://www.washingtonpost.com/local/analysis-dc-states-within-chesapeake-bay-watershed-making-progress-on-pollution-cuts/2013/07/08/5bc6c95e-e794-11e2-818e-aa29e855f3ab_story.html.

Virginia Advances “Safe Harbor” Plan to Urge Farms to Use Better Runoff Measures

By Whitney Pipkin – Bay Journal

Virginia will be the first state in the Chesapeake watershed to move forward with a "safe harbor" approach to reducing sources of pollution from agricultural lands, which will be a cornerstone of the Commonwealth's overall effort to improve water quality in its portion of the Chesapeake Bay.

The program is designed to encourage and reward farmers for using a high level of best management practices to reduce runoff to the Bay. Participation is voluntary but farmers who do participate may take advantage of a "safe harbor" clause that exempts them from complying with new water quality requirements that may arise over a nine-year period. By the end of that period, farmers do have to be in compliance with any state or local laws that have passed during the interim.

But the plan has lost the support of the Chesapeake Bay Foundation (CBF), which provided extensive input on the project and found it was headed in the right direction — until a requirement to provide a grass or forested buffer along pasturelands was removed at the last minute before final approval. "It was disappointing, because this is a concept and approach we believe does provide an opportunity to bring more farmers into the effort to restore the Bay," said Ann Jennings, the CBF's Virginia Executive Director. "We had indicated that this last-minute change, which ultimately does not meet the (state's) water quality goals, left us with not being able to provide support for it."

For more information, go to:

http://www.bayjournal.com/article/va_advances_safe_harbor_plan_to_urge_farms_to_use_better_runoff_measures.

HAZARDOUS MATERIALS

EPA Reduces Regulatory Burden for Industrial Facilities using Solvent Wipes

The EPA modified the hazardous waste management regulations under the Resource Conservation and Recovery Act (RCRA) to conditionally exclude solvent-contaminated wipes from hazardous waste regulations provided that businesses clean or dispose of them properly. The rule is based on EPA's final risk analysis, which was peer reviewed in 2008 and published for public comment in 2009, that concluded wipes contaminated with certain hazardous solvents do not pose significant risk to human health and the environment when managed properly. EPA estimates that the final rule will result in a net savings of between \$21.7 million and \$27.8 million per year.

Wipes are used in conjunction with solvents for cleaning and other purposes by tens of thousands of facilities in numerous industrial sectors, such as printers, automobile repair shops and manufacturers of automobiles, electronics, furniture and chemicals. The final rule excludes wipes that are contaminated with solvents listed as hazardous wastes under RCRA that are cleaned or disposed of properly. To be excluded, solvent-contaminated wipes must be managed in closed, labeled containers and cannot contain free liquids when sent for cleaning or disposal. Additionally, facilities that generate solvent-contaminated wipes must comply with certain recordkeeping requirements and may not accumulate wipes for longer than 180 days.

EPA estimates that the final rule will result in a net savings of \$18 million per year in avoided regulatory costs and between \$3.7 million and \$9.9 million per year in other expected benefits, including pollution prevention, waste minimization and fire prevention benefits. For more information, go to: <http://www.epa.gov/epawaste/hazard/wastetypes/wasteid/solvents/wipes.htm>.

REGION 1



CONNECTICUT

Note: The Connecticut General Assembly convenes on 9 JAN 13 and adjourned on 5 JUN 13.

Legislation

On 24 JAN 13, Representative Nafis introduced [CT HB 5907](#) which would require the display of diesel fuel cetane numbers on fuel pumps. Its purpose is to require the posting of diesel fuel cetane numbers on certain fuel pumps. This bill was signed by the Governor on 11 JUL 13 and becomes effective on 1 JAN 14.

Proposed Rules

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

Statewide Paint Recycling Program Launches in CT

PaintCare, a Washington, DC-based product stewardship organization for the paint industry, announced the official launch of the program responsible for the recycling of unused and leftover paint in the state. Legislation for the plan was signed into law by Governor Dannel Malloy in 2011.

“With programs like PaintCare Connecticut, we are moving the state towards a safer and more efficient 21st century method of handling recyclables and waste disposal,” said Governor Malloy. “Paint recycling now joins our electronic waste and mattress recycling programs as another example of a common sense, money saving solution. We are taking the lead on transforming and modernizing our recycling system while gaining greater value from waste materials, reducing waste through improved materials management, protecting our environment and lowering costs for municipalities, businesses and consumers.”

Created by the American Coatings Association (ACA), a membership organization of paint manufacturers, PaintCare is a non-profit (501(c)(3)) organization tasked with working with state and local government to develop paint product stewardship legislation; secure permanent, year-round drop-off and collection sites; conduct public outreach/education; and operate on-going programs in each state for the recycling of post-consumer paint.

A new law mandates paint manufacturers create and fund an easy-to-use, cost-effective, and environmentally responsible program to manage post-consumer paint (unused or leftover). The programs are funded by a minimal “recovery fee” added to the purchase price of paint at retailers throughout participating states. These fees are based on the size of paint container, and are as follows:

Container Size	Fee per Unit
½ Pint or Less	\$0.00
More than ½ pint to 1 gallon	\$0.35
1 Gallon	\$0.75
More than 1 Gallon to 5 Gallons	\$1.60

For more information, go to: <http://www.ct.gov/deep/cwp/view.asp?A=4380&Q=527588>.



MAINE

Note: The Maine General Assembly convened on 5 DEC 12 and adjourned on 18 JUN 13.

Legislation

On 12 FEB 13, Senator Whittemore introduced [ME LD 328](#) which would repeal the current provisions in law related to mandatory radon testing and disclosure of the presence of radon to tenants and prospective tenants in residential buildings and enacts provisions related to disclosure of a radon hazard to tenants and prospective tenants based on Illinois law. The bill provides that radon testing is not required, but requires the disclosure of a radon hazard to tenants and prospective tenants when a landlord is made aware of test results indicating the presence of a radon hazard and mitigation has not been performed to reduce the level of radon. The bill applies to dwelling units located below the 3rd story above ground level in a residential building. This bill was signed by the Governor on 21 JUN 13.

Proposed Rules

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



MASSACHUSETTS

Note: The Massachusetts General Court meets throughout the year.

Proposed Legislation

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

Regulations

[Fire Prevention](#) - The Board of Fire Prevention Regulations has adopted amendments to 527 CMR (the State Fire Code) sections 6.00: Liquefied Petroleum Gas Containers and Systems and 527 CMR 1.04(8) (permit table reference). The rulemaking updates the code by adopting National Fire Protection Association (NFPA) 58 (2008 Edition) and enhances said standard for bulk railcar shipments of LP gas by utilizing an objective test to detect sufficient odorant and requires records of such test be retained for a period of 3 years. The rulemaking also includes: enhanced protocols/notification requirements in the event of tank leakage or imminent threat situations

involving under odorization, new enhancements for long term non-use or new installation and requires that person dispensing LP gas be properly trained in safe use and handling of LP gas tanks and systems. This regulation passed and became effective on 5 JUL 13.

DEP Proposes Food Waste-to-Energy Process

The Massachusetts Department of Environmental Protection (MassDEP) has proposed a commercial food waste ban, to take effect by 1 JUL 14, that would require any entity that disposes of at least one ton of organic waste per week to donate or re-purpose the useable food. Any remaining food waste would be required to be shipped to an anaerobic digestion (AD) facility, a composting operation, or an animal-feed operation. Residential food waste is not included in the ban.

Food waste and organics make up 20-25 percent of the current waste stream going to landfills and incinerators. The proposed food waste ban would help the Commonwealth reach its goals to reduce the waste stream by 30 percent by 2020 and 80 percent by 2050. To ensure that there will be sufficient facilities in Massachusetts to handle the waste resulting from the ban, MassDEP is working with the Massachusetts Division of Capital Asset Management and Maintenance to conduct feasibility studies to build AD facilities on state-owned land.

AD is a process that puts food and yard wastes, and other organics, into an enclosed chamber with no oxygen. Microbes inside the chamber break down the organics and produce a biogas that can produce electricity and heat. The electricity and heat is used in place of fossil fuels, reducing emissions. AD facilities have become more popular in Massachusetts in recent years at facilities such as dairy farms, municipal landfills, and wastewater treatment plants. For more information, go to: <http://www.mass.gov/eea/pr-2013/commercial-food-waste-ban.html>.



NEW HAMPSHIRE

Note: The NH General Court convenes on 2 JAN 13 and adjourned on 30 JUN 13.

Legislation

On 3 JAN 13, Representative L. Webb introduced [NH HB 185](#) which would increase the fuel oil discharge cleanup fund fee. This bill is a request of the oil fund disbursement board. The Governor signed this bill on 28 JUN 13 and it became effective on 1 JUL 13.

On 3 JAN 13, Representative Rappaport introduced [NH HB 306](#) which would modify New Hampshire' Regional Greenhouse Gas Initiative. The Governor signed this bill on 16 JUL 13 and it becomes effective on 1/1/14.

Proposed Rules

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



RHODE ISLAND

Note: The RI General Assembly convenes on 1 JAN 13 and adjourned on 30 JUN 13.

Legislation

On 12 FEB 13, Senator Ruggiero introduced [NH SB 261](#) which would establish the procedure for the recycling, reuse and disposal of mattresses. This act would take effect upon passage. The Governor signed this bill on 15 JUL 13 and it became effective on the same date.

Regulations

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



VERMONT

Note: The Vermont General Assembly convenes on 9 JAN 13 and adjourned on 10 MAY 13.

Legislation

On 18 MAR 13, the House Committee on Natural Resources and Energy introduced [VT HB 520](#) which relates to reducing energy costs and greenhouse gas emissions. The Governor signed this bill on 15 MAY 13.

Proposed Rules

[Aboveground Storage Tank Rules](#) - The Agency of Natural Resources has proposed revisions to the Aboveground Storage Tank Rules. These rules are being revised to incorporate some new measures to prevent petroleum releases from aboveground storage tanks (ASTs). One of the more significant changes to the rules is the proposal to require spill prevention measures to ASTs located in flood prone areas. Some other changes to the rule include: allow for fiberglass single-walled ASTs for inside use only, clarify that solid foundations are needed for inside tanks as well as outside tanks, clarify that multiple tank systems require separate volume gauges, separate vents and separate alarms but that the vents can be plumbed together before it goes outside a building, clarify that shelters are recommended but not required for tanks installed on the gable end of a building and require all portable (skid) tanks not be used within 25 feet of a public or private water supply well and not within 25 feet of a surface water body. Appropriate spill containment supplies are also required when using portable tanks.

REGION 2



NEW JERSEY

The New Jersey Legislature meets throughout the year.

Proposed Legislation

On 27 Jun 13, Assemblyman Rumana introduced [NJ AB 4313](#) which would establish an Office of River Maintenance (Office) in the Department of Environmental Protection (DEP). This new office is charged with the responsibility for conducting all stream cleaning and desnagging projects and bank stabilization or restoration projects in the State. The bill defines "Stream cleaning and desnagging project" to mean the removal of accumulated sediments, debris, garbage, or vegetation from a stream with a natural stream bed, or the removal of any accumulated material from a stream previously channelized with concrete or similar artificial material, to improve, for the purposes of flood control, the use or function of any stream. (This is the same definition used in the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003," P.L.2003, c.162.)

Proposed Rules

Proposed Draft General Permit (GP-001A) - Solid Material Storage - The Department of Environmental Protection's Air Quality Program has invited comment on a draft general permit for certain solid material storage. General Permit GP-001A will replace GP-001, Bulk Solid Materials Receiving and Storage Systems. Once GP-001A is issued final, GP-001 will no longer be available to new registrants. The bulk solid material receiving and storage systems registered under GP-001 can continue to operate under general permit GP-001 until:

- The bulk solid materials receiving and storage system's equipment is replaced or modified, before which time the registrant must register for authorization under GP-001A or apply for and receive approval for a source-specific permit and certificate prior to operation of the new or modified equipment, as applicable; or
- The registrant's current general permit expiration date, before which time the registrant must register for authorization under GP-001A or apply for and receive approval for a source-specific permit and certificate for continued operation of the bulk solid materials receiving and storage systems equipment, as applicable.

A general permit is a pre-approved permit to construct and certificate to operate, issued pursuant to N.J.A.C. 7:27-8.8, for one or more types of similar sources at a facility. A facility with a qualifying source can accept and operate under a general permit, rather than submit a source-specific permit application, which would require case by case processing by the Department.

GP-001A allows for the construction, installation, reconstruction, modification, and operation of single or multiple solid materials receiving and storage systems using pneumatic or mechanical conveying, where all particulate air contaminant emissions are captured and vented to a particulate control apparatus with a minimum design removal efficiency of 99 percent.

GP-001A is substantially the same as GP-001, except as set forth below:

- GP-001A will allow multiple pieces of solid material storage equipment to be registered;
- GP-001A will have an inventory list of equipment, emission points, control devices, and emission units; and
- GP-001A will require records of material stored.



NEW YORK

The New York State Legislature meets throughout the year.

Proposed Legislation

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

Proposed Regulations

[DEC to Hold Free Workshops on Alternative Land Care and Pest Management](#) - The Department of Environmental Conservation has announced free workshops in August on alternative land care and pest management. Cornell Cooperative Extension will provide introductory training on alternatives to conventional pesticides, including organic methods, which will better protect the environment and public health. The workshops are scheduled for:

- Workshop scheduled for 8/8/2013
- Workshop scheduled for 8/9/2013

REGION 3



DISTRICT OF COLUMBIA

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

Proposed Legislation

On 18 JUN 13, Councilmember Cheh introduced [DC B 344](#) which would require applicants for special event permits or licenses to submit and implement waste diversion plans.

Proposed Rules

[Municipal Separate Storm Sewer System \(MS4\) Permit Outfall Repair Schedule and Report](#) - The Department of the Environment has invited comments on a draft Municipal Separate Storm Sewer System (MS4) Permit Outfall Repair Schedule and Report. Section 4.3.5.3 of the National Pollutant Discharge Elimination System Permit for the District's Municipal Separate Storm Sewer System (NPDES Permit No. DC 0000221) directs the District to develop a schedule for evaluating and repairing stormwater outfalls within the District's separate storm sewer system, and to make this schedule available for public review and comment.

[Municipal Separate Storm Sewer System \(MS4\) Report on Optimal Catch Basin Cleaning, Inspection, and Repair](#) - The Department of the Environment has invited comments on a draft Municipal Separate Storm Sewer System (MS4) Report on Optimal Catch Basin Cleaning, Inspection, and Repair. Section 4.3.5.1 of the National Pollutant Discharge Elimination System Permit for the District's Municipal Separate Storm Sewer System (NPDES Permit No. DC 0000221) directs the District to develop a plan to reduce runoff stormwater pollutants by evaluating and optimizing the District's program for cleaning, inspection, and maintenance for all catch basins which collect stormwater from within the District's separate storm sewer system, and to make this plan available for public review and comment.



DELAWARE

Note: The Delaware General Assembly convenes on 8 JAN 13 and adjourned on 30 JUN 13.

Proposed Legislation

On 15 JUN 13, Senator Hall-Long introduced [DE SB 139](#) which pertains to lead poisoning. This Act requires the Department of Health and Social Services to establish regulations for lead-based paint activities performed by

renovators and dust-wipe technicians in; and provides administrative authority to seek criminal penalties for continuing violations and bring civil action to collect assessed penalties in the event of nonpayment.

Proposed Rules

Heavy Duty Diesel Engine Standards - The Department of Natural Resources and Environmental Control (DNREC) has proposed revisions to 7 DE Admin. Code 1143 which were identified in a 1 APR 13 DNREC report titled, "Executive Order 36 Report to The Office of the Governor." Repeal of this regulation is proposed. The provisions of this regulation apply to heavy-duty diesel engines produced for the 2005 and 2006 model years, and to new motor vehicles with a gross vehicle weight rating (GVWR) of greater than 14,000 pounds containing such engines that are sold, leased, offered for sale or lease, imported, delivered, rented acquired, or received in the State of Delaware. This regulation was developed and adopted as a backstop to a then anticipated EPA regulation. EPA successfully adopted standards and this regulation is no longer needed. The repeal of this regulation will also be submitted to the EPA as a revision to Delaware's State Implementation Plan (SIP).

Informational Workshop - Proposed Scrap Tire Regulations - The Department of Natural Resources and Environmental Control (DNREC), Solid and Hazardous Waste Management Section (SHWMS), has announced a regulatory informational workshop to present proposed amendments to Delaware's Regulations Governing Solid Waste (DRGSW).

The purpose of this workshop is to introduce new proposed scrap tire regulations for the State of Delaware for any scrap tire site that has 100 or more scrap tires. This workshop will cover maximum number of tires allowed, siting and design standards, mosquito control options, operational requirements, financial assurance, and closure procedures.

Regulation Governing the State of Delaware Asbestos Certification and Training Program - The Office of Management and Budget has proposed a regulation governing the State of Delaware Asbestos Certification and Training Program. This proposed regulation is intended to provide public notice regarding the manner in which the Program will operate and be applied by the Office of Management and Budget. The proposed regulation is intended to safeguard the public by requiring that renovations or demolitions which disturb asbestos be conducted only by contractors, supervisors, and workers certified by the Office of Management and Budget's Division of Facilities Management. It is the purpose and the policy of the Division of Facilities Management to insure the health, safety, and welfare of the public by ensuring that asbestos abatement is performed in a manner which will minimize the risk of exposure to asbestos by:

- Reducing potential exposure from asbestos-containing materials through the training and certification of contractors, professional service firms and Project Monitors, project supervisors, and workers.
- Providing the building owner with certificate(s) of analysis stating that the material that is to be disturbed is in fact asbestos-containing material.
- Establishing a program for such standards which shall include revocation, suspension, and/or denial to renew certifications.
- Establishing an asbestos management program in public schools under the guidelines and regulations as established under the U.S. Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA). Establish a similar program in public buildings for the purpose of protecting public health against the dangers of exposure to students/staff and the general public.

Regulations Governing Aboveground Storage Tanks - The Department of Natural Resources and Environmental Control (DNREC) has proposed modifications to the Regulations Governing Aboveground Storage Tanks (the Regulations) which were created under the authority of the Jeffrey Davis Aboveground Storage Tank Act, Title 7, Del.C., Chapter 74A, in 2004. The Regulations were last updated in 2005. In response to Executive Order #36 the Delaware Department of Natural Resources and Environmental Control has conducted

a periodic review of the AST Regulations to determine if the Regulations should be modified or eliminated. Three modifications have been identified:

- Part A, Section 4.6.3. has been modified to extend the required time frame for notification to the DNREC for a Retrofit or Upgrade from sixty (60) days to one (1) year.
- Part A, Section 5.3. has been modified to require a specific time frame in which the DNREC must respond to a request for alternative technology approval. Currently there is no time frame in which the DNREC must respond. The proposed change requires the DNREC to provide a written response within ninety (90) days of receiving a request.
- Part B, Section 1.7 has been modified to allow an Owner or Operator to request a one year extension of the DNREC approval for an installation of a new AST.

Regulations Governing Solid Waste - The Department of Natural Resources and Environmental Control (DNREC) has proposed amendments to solid waste, including infectious waste, regulations to afford regulated parties opportunity to propose alternative packaging methods for infectious waste provided compliance is achieved with applicable federal Department of Transportation (DOT) and Occupational Safety and Health Administration (OSHA) standards. It is also proposed to allow infectious waste package labeling consistent with federal DOT requirements, rather than applying inconsistent state and federal requirements. Finally, it is proposed to amend the regulations with regard industrial landfill capping and grading, to allow soil-equivalent material to be used as the final grading layer, as well as alternative materials if approved by the Department, providing more flexibility for landfill operators.



MARYLAND

Note: The Maryland General Assembly convenes on 9 JAN 13 and adjourned on 8 APR 13.

Legislation

The Maryland Legislature is out of session.

Proposed Rules

General Permit for Stormwater Associated with Construction Activity - The Department of the Environment has reached a tentative determination to issue the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Associated with Construction Activity. The permit is necessary to protect water quality and to meet federal and State requirements under Code of Federal Regulations 40 CFR 122.26 and 40 CFR 450, as well as Code of Maryland Regulations COMAR 26.08.04.09A. It replaces all prior General Permits for Stormwater Associated with Construction Activity that have been previously issued. All construction activity in Maryland disturbing one or more acres needs to be covered under the General Permit. The new proposed permit includes numerous changes from previous permits and should be reviewed carefully. Several key changes that should be noted are:

- A change to the public notification period following submission of the NOI before permit coverage is approved;
- Specific requirements to meet federal effluent limitation guidelines at 40 CFR 450;

- Emergency authorization procedures in the event of public emergencies; and
- Several clarifications, including which types of projects and discharges are eligible for coverage under the General Permit.

Habitat Protection Areas in the Critical Area - The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays has proposed rulemaking to amend the applicability language to require an applicant proposing a shore erosion control project to submit to the Maryland Department of the Environment (MDE) a buffer management plan when a lot is in a mapped modified buffer area (MBA). The recently updated MDE regulations require a buffer management plan to be submitted at the time of application to MDE for non-MBA lots. This amendment proposes to include MBA lots. The amendments also clarify that expansion of a 200-foot buffer is required when it is adjacent to contiguous sensitive areas such as steep slopes, hydric soils, and highly erodible soils. The DoD REC submitted formal comments asking for clarification on the amendment and re-iterated its position that critical areas do not exist on federal lands. Thus, military installations are not required to submit buffer management plans. If you have any questions, please submit them to dodrecreg3@navy.mil.

Regulations

Outer Continental Shelf Air Regulations - The Department of the Environment has adopted new Regulations .01 - .04 under a new chapter, COMAR 26.11.37 Outer Continental Shelf Air Regulations to adopt new regulations which will incorporate by reference (IBR) the provisions of the Code of Federal Regulations, 40 CFR 55 "Outer Continental Shelf Air Regulations". This action is required in order to allow the U.S. Environmental Protection Agency (EPA) to delegate to the State of Maryland EPA's authority to control air pollution from sources located on the Outer Continental Shelf (OCS). This delegated authority would allow the Department to issue federal air quality permits to any OCS source including an offshore wind farm should one decide to locate offshore of Maryland. Section 328(a)(1) of the Clean Air Act requires EPA to establish requirements to control air pollution from OCS sources located offshore of states along the Pacific, Atlantic, and Arctic coasts in order to attain and maintain Federal and State ambient air quality standards and to comply with the provisions of Part C of Title I of the Clean Air Act. Under 40 CFR Part 55 "Outer Continental Shelf Air Regulations," EPA established air pollution control requirements for "OCS sources" and procedures for implementation and enforcement of the requirements. This regulation passed and became effective on 8 JUL 13.

Goats Clear Invasive Plant Species at NSA Annapolis

By James Johnson – NAVFAC Washington Public Affairs

Greenbury Point, a popular spot for joggers and hikers on the North Severn area of Naval Support Activity Annapolis, has a new community - a herd of hungry goats. The goats are being used by Naval Facilities Engineering Command Washington in a pilot project to combat invasive plant species which have forced out native plants and animals. "Our current strategy is to restore designated areas to a grass-land meadow by using goats to consume the invasive species," says Kevin Montgomery, NAVFAC Washington environmental planning and conservation product line coordinator. "Goats are selective grazers; they prefer broad-leafed species over grasses and will eat all of the invasive plant species present in the designated areas."

Broad-leafed non-native plants such as the Autumn Olive tree, Oriental Bittersweet, and Multiflora Rose are a favorite target of the herd. "Another benefit of the goats is that their digestive system is so strong that they break down the seeds of everything they are eating, so the plants can't reseed themselves, for the most part." said Katharine Clark, Natural Resources Manager.

The herd of 60 goats is one of a three-part approach, which also includes spraying chemicals and mechanical mowing.

According to Montgomery, "This is a pilot project that, if successful, can be utilized to reduce herbicide use and mowing actions while also reducing chemical run-off and air emissions, which should significantly improve the habitat."

The goats have been held inside one acre electric fence-lines since May and are moved as needed to prevent overgrazing. By mid-June, the herd had grazed more than 12 acres. A target of 25 acres by the first week of August has been set. At that time, the goats will be removed and the area will be tilled and planted with native warm-season grass seeds suitable for ground nesting birds.

“At the halfway point, NAVFAC Washington Environmental is pleased with the progress the goats are making at Greenbury Point,” said Blake Waller, Natural Resource Specialist. “This phase of the project has met our expectations and we will continue to use this as a learning experience for the entire region.”



PENNSYLVANIA

Note: The Pennsylvania General Assembly meets throughout the year.

Proposed Legislation

On 24 JUN 13, Representative Lawrence introduced [PA HB 1573](#) which would provide for requirement for periodic inspection of vehicles.

Proposed Rules

[Policy on Public Participation in the Permit Review Process](#) - The Department of Environmental Protection has invited public comment on a draft of its public participation policy for the Permit Review Process. Public participation is an integral part of environmental decision making, and it is the policy of the Department that applications for approval should provide for effective involvement of the public. It is the intent of the Department to respond appropriately and in a timely manner to all relevant comments received during the permit application review process, particularly when there is a formal public comment process. This policy establishes a framework for public participation in the permit application review process by providing consistent guidelines for how the Department encourages public participation in the review of a permit application and how it reviews and responds to comments received during the public participation process.



VIRGINIA

The Virginia Legislature convenes on 9 JAN 13 and adjourned on 23 FEB 13.

Proposed Legislation

The Virginia Legislature is out of session.

Regulations

Amendment to Repeal Transporter Registration Requirements - The Department of Environmental Quality has proposed a fast-track regulatory action that will amend the Regulated Medical Waste Management Regulations under 9VAC20-120. Currently, transporters of regulated medical waste are required to register with the Department of Environmental Quality (Department). This registration is duplicative of the federal registration requirements and unnecessary as the information received from the registration under 9VAC20-120 can be obtained from the federal registration. As this is a duplicative requirement, this amendment will repeal the registration requirements under 9VAC20-120-480 and will amend 9VAC20-120-280 and 490 for conforming changes. This regulation passed and became effective on 4 JUL 13.

Repeal of Procedural Rule No. 3 - The Department of Environmental Quality's State Water Control Board has proposed a fast-track regulation to repeal Procedural Rule No. 3 - Certification Pursuant to 33 USC §1341 (9VAC25-240) which provides for the issuance of a certification by the Board that a proposed activity that may result in a discharge to State waters meets the requirements of the Clean Water Act. This regulation has been superseded by the Virginia Water Protection Permit Regulation (9VAC25-210) and is therefore no longer necessary. The State Water Control Board at their December Board Meeting on December 6, 2012, voted to authorize the department to:

1. Promulgate the repeal proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial with the understanding that the authorization constituted its adoption of the repeal at the end of the public comment period provided that
 - i. No objection to use of the fast-track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and
 - ii. The Department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.
2. Set an effective date 15 days after close of the 30-day public comment period provided
 - i. The proposed repeal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and
 - ii. The Department does not find it necessary to make any changes to the proposal.

This regulation passed and became effective on 4 JUL 13.

Chesapeake, Navy Set-up Land Use Plan near Fentress NALF

By Jeff Sheler – Virginian Pilot

The City of Chesapeake and the Navy have reached an agreement on procedures for vetting land-use proposals near the Fentress Naval Auxiliary Landing Field (NALF). The agreement is the latest effort to prevent encroaching development around the Navy's practice-landing field on the city's eastern edge. It calls for joint review by the city and the Navy of rezoning and conditional-use requests involving land within the city's Fentress Airfield Overlay District, a zone connecting Fentress with Oceana Naval Air Station in Virginia Beach.

The review panel would determine whether a proposed development is compatible with safety, noise, and other restrictions related to the Oceana-Fentress flight zone and would make recommendations to the Planning Commission and the City Council. Under the agreement, if a proposed development is deemed incompatible, the city and the Navy would meet to consider whether an acceptable alternative use exists and would communicate any results to the developer. The council would have the final say on any proposal.

City Attorney Jan Proctor said the purpose of the joint review is to have the city and the Navy "work together to mitigate encroachment upon the military operations at Fentress, while giving due recognition to property rights." She said the agreement is similar to one between the Navy and Virginia Beach.

In a related step, the council voted in May to extend for five years a 2008 agreement with the Navy to buy undeveloped property along the flight path from Oceana to Fentress to prevent encroachment. Under that

agreement, whenever the city buys such property, the Navy pays for a restricted-use easement worth as much as half the property's appraised value. The Navy and the city split survey and appraisal costs. According to city officials, the city has spent about \$4.3 million to date on purchases involving hundreds of acres, most of it undeveloped wetlands, and has recouped \$1.8 million from the Navy.

Unrelated to the two agreements, the council earlier this year approved and then rescinded a rezoning request that would have permitted a developer to build 31 fill-in houses in a subdivision near Fentress. The council changed course after Navy, Virginia Beach and state officials objected that the zoning change violated a commitment the city made to protect Fentress from residential encroachment.



WEST VIRGINIA

The West Virginia Legislature convenes on 9 JAN 13 and adjourned on 14 APR 13.

Proposed Legislation

The West Virginia Legislature is out of session.

Proposed Rules

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

REGION 4



NORTH CAROLINA

Note: The NC General Assembly convenes on 9 JAN 13 and will adjourn on 1 JUL 13.

Legislation

On 26 MAR 13, Representative Bell introduced [NC HB 433](#) which would support the activities of the armed forces and to maintain and enhance the military's presence in North Carolina by regulating the height of buildings and structures located in areas that surround military installations in the state. The Governor signed this bill on 26 JUN 13

Regulations

[Duration of Sanitary Landfill or Transfer Station Permits](#) - The Department of Environment and Natural Resources, Division of Waste Management has proposed rule changes related to the duration of sanitary landfill or transfer station permits to comply with recent changes in state law. The current rule and statutory requirements are based on five-year permit durations. The proposed rule change is necessary to comply with new state laws and is in the public interest because it provides the regulated community with opportunities for cost savings and greater permit length flexibility.

PROFESSIONAL DEVELOPMENT

Conferences

Energy Savings Performance Contracting Training (Web Based, On Demand)

This 8-hour course is offered by the Defense Acquisition University/Federal Acquisition Institute (DAU/FAI) and is targeted at federal contracting and procurement officials, however, federal energy/facility managers would also benefit from understanding third-party financing options for energy and energy-related building improvements. Energy Savings Performance Contracting (ESPC) is a contracting vehicle that allows federal agencies to accomplish energy projects for their facilities without depending on appropriations to pay for the improvements. An ESPC project is a partnership between the customer (a government organization) and an energy service company (ESCO). For more information, go to: http://icatalog.dau.mil/onlinecatalog/courses.aspx?crs_id=1945.

Emergency Environmental Spill Response Training (Web Based, On Demand)

Produced by NOAA's Office of Response and Restoration, this is an online training module for individuals looking to strengthen their knowledge of spills and their effect on the environment. The scenario describes an oil spill and directs you to the references and data that you can use to determine what natural resources are at risk. For more information, go to: <http://ohshub.com/free-online-training-emergency-environmental-spill-response/>.

30-Meter Height High-Resolution Wind map for Small and Distributed Projects (Web Based, On Demand)

This webinar, originally presented 18 July 2012, provided an introduction to the new 30-meter high-resolution wind maps developed for the small and distributed wind markets. Included in the discussion was the methodology behind the wind maps, how these maps leverage the learning that occurred in the development of the utility-scale wind maps, and the appropriate use of the maps. For more information, go to: http://www.windpoweringamerica.gov/filter_detail.asp?itemid=3550.

StormCon Conference 2013, 18-22 AUG 13, Myrtle Beach, SC

StormCon is the only North American event dedicated exclusively to stormwater and surface-water professionals across the continent: municipal stormwater and public works managers, industrial stormwater managers, engineering consultants, regulatory personnel, watershed management professionals, and others concerned with stormwater and surface-water quality. For more information, go to: http://www.stormcon.com/call_papers_2013.html?CFID=2208750&CFTOKEN=71207034.

Climate Strategies Forum, 14-17 OCT 13, Washington, DC

Sponsored by the Association of Climate Change Officers, the Forum will feature prominent leaders from across sectors in a plenary format, and a series of half-day bootcamps aligned with the core competencies. Plenary sessions will focus on climate and energy, and bootcamps will focus on topics including adaptation planning, implementing change management schemes, implementing a GHG management structure, and building a public-private partnership project. For more information, go to: <http://www.climatestrategiesforum.org/>.

29th Annual Conference on Soils, Sediments, Water, and Energy, 21-24 OCT 13, Amherst, MA

Examples of conference topics include: bioremediation, ecological risk assessment, innovative technologies, jet fuel contamination, regulatory programs and policies, remediation, renewable energy projects on closed landfills and contaminated sites, carbon footprint and life-cycle analysis, and recycling of demolition debris. For more information, go to: <http://www.aehsfoundation.org/east-coast-conference.aspx>.

Defense Energy Summit, 11-13 NOV 13, Austin, TX

This will be a 3-day conference and expo covering operational and installation energy issues. More information to come as it becomes available.

Greenbuild Conference and Expo 2013, 20-22 NOV 13, Philadelphia, PA

The Greenbuild Conference and Expo is dedicated to green building. The schedule for Greenbuild includes multiple education sessions, LEED workshops, and a summit on Materials and Human Health. For more information, go to: <http://greenbuildexpo.org/why/attend.aspx>.

13th Annual New Partners for Smart Growth Conference, 13-16 FEB 14, Denver, CO

The theme of the conference is "Building Safe, Healthy, Equitable, and Prosperous Communities." Topics being addressed include: Communications and Engagement; Equitable Development and Environmental Justice; Implementing Smart Growth; Land Preservation; Planning Tools and Technologies; and Water and Coastal Areas. For more information, go to: <http://newpartners.org/>.

2014 Climate Leadership Conference, 24-26 FEB 14, San Diego, CA

At this conference, forward-thinking leaders from business, government, academia, and the non-profit community gather to explore energy and climate related solutions, introduce new opportunities, and provide support for those addressing climate change in their operations. For more information, go to: <http://www.climateleadershipconference.org/>.

National Association of Environmental Professionals 2014 Conference, 7-10 APR 14, St. Petersburg, FL

The theme of this conference is "Changing Tides and Shifting Sands." Subject matter ranges from cultural resources to land management to overall sustainability. For more information, go to: <http://www.naep.org/2014-conference>.

TRAINING

Only the CECOS courses offered within Regions 1-3 and North Carolina are listed here (with the exception of Natural Resources and Cultural Resources courses). For further information on the courses below, course offerings in other regions, and/or to register, visit the CECOS training website at:

<https://www.netc.navy.mil/centers/csfe/cecos/Default.aspx>.

CECOS Classroom Courses

Beginning Date	End Date	Course	Location
13 AUG 13	15 AUG 13	Basic Environmental Law	Norfolk, VA
13 AUG 13	15 AUG 13	Advanced Historic Preservation Law & Section 106 Compliance	Joint Base Myer/McNair/Henderson Hall, VA
19 AUG 13	23 AUG 13	US Marine Corps Facilities Management	Washington, DC
20 AUG 13	23 AUG 13	DoD Pesticide Applicator Recertification	Virginia Beach, VA
26 AUG 13	30 AUG 13	Adv Public Works Dept & Fac Eng Command Operations	Washington, DC
27 AUG 13	29 AUG 13	MCON Programming and Budgeting	Washington, DC
9 SEP 13	9 SEP 13	National Env Policy Act (NEPA) Navy Executive Overview	Norfolk, VA
10 SEP 13	12 SEP 13	National Env Policy Act (NEPA) Application	Norfolk, VA

CECOS Online Courses/Web Conferences

Beginning Date	End Date	Course	Location
Various		HAZWOPER for Uncontrolled Hazardous Waste Site Workers - Refresher	On-Line
19 SEP 13	19 SEP 13	Sustainability in the Navy	Web Conference

NPDES Permit Writer's Training on the Web

EPA has created a web-based training series based on its popular National Pollutant Discharge Elimination System (NPDES) Permit Writer's Course. This will allow students, staff, stakeholders, and the public to access NPDES permit program training content online. The Course is a five-day training session covering the key elements of NPDES permit development and is taught by experienced instructors. These recorded presentations enable one to review the material on demand in a self-paced environment to become familiar and comfortable with the concepts of the NPDES permit program. The NPDES web-based training series can be found at <http://www.epa.gov/npdes/training> under "Self-Paced Web Training."

CECOS

EMS General Awareness: Computer Based Training (CBT) Module Available 24/7 at <http://www.cecosweb.com/> under Training by Subject>EMS. A certificate is issued to all registered users upon completion. This module is designed to provide an awareness level overview of EMS to satisfy the requirement that ALL personnel have basic EMS knowledge. It is also to be taken as a quick refresher for anyone that takes the Advancing an Effective EMS and/or Integrated EMS/Compliance trainings.

NAVOSH & Environmental Training Center

For further information on the courses and/or to register, visit NAVOSH & Environmental Training Center website at: <http://www.safetycenter.navy.mil/training/default.htm>.

EPA Watershed Assessment Tools Training, Various Times & Locations

More information is available at: <http://www.epa.gov/waterscience/basins/training.htm>.

USDA Forest Service Continuing Education Program, Various Times & Locations

More information is available at: <http://www.fs.fed.us/biology/education/>.

EPA Online EMS Training Course

The course is available at: <http://www.epa.gov/osw/inforesources/ems/ems-101/>.

RCRA Training Modules

An archive of training modules that provides an overview of a specific regulatory topic. These modules will not be updated but are useful resources for people wishing to gain a general understanding of RCRA. They are not intended to serve as comprehensive sources of regulatory information. For more information, go to: <http://www.epa.gov/epawaste/inforesources/pubs/rmods.htm>.

MEET THE REC

STAFF

<p>RADM D. R. Smith 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- 0386</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 Coordinator (757) 341-0455</p> <p>DoD Chesapeake Bay State Liaison - PA/VA/WV (757) 341-0383</p> <p>DoD Chesapeake Bay State Liaison - DC/MD/NY (757) 341-0450</p>
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