



REC Review



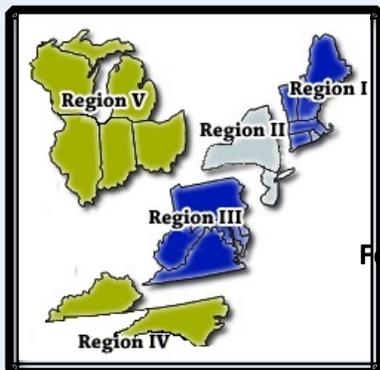
of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

December 2020

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.

To find out more about the Regional Environmental Coordination (REC) Office and browse back issues of the *REC Review* visit <http://denix.osd.mil/rec/home/>. To receive a copy of this electronic publication, send a subscription request to Jessica.m.rodriguez@navy.mil.



NAVFAc MIDLANT DoD REC Map

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SPOTLIGHT STORY

NAVSUP Weapon Systems Support named EPA Safer Choice Partner of the Year

The U.S. Environmental Protection Agency (EPA) recognized Naval Supply Systems Command Weapons System Support (NAVSUP WSS) as one of 18 of Safer Choice Partner of the Year award winners. The Safer Choice Partner of the Year Awards recognize contributions of Safer Choice partners and stakeholders who have shown outstanding achievement in the design, manufacture, selection, and use of products that meet the Safer Choice program's standards.

NAVSUP WSS is lauded for its pilot program, which introduced Safer Choice to 34,000 military, DoD civilians, contractors and family members. The pilot program was conducted over a six-month period at Naval Air Station Oceana in Norfolk, Va., and Naval Base Ventura County in Port Hueneme, Ca. The team identified existing Safer Choice products in the Department of Defense supply system and added 118 more, increasing the number of Safer Choice products available for purchase by 347 percent. Team members also conducted on-site communication campaigns at each installation and distributed "Clean with Green" flyers to promote the benefits of choosing and using Safer Choice products.

The pilot resulted in a purchase increase of Safer Choice cleaners by 1,500 percent, while decreasing newly added hazardous cleaners by 25 percent over the previous fiscal year at the installations. Ten percent of cleaners purchased at the pilot sites were Safer Choice products, compared to zero percent from the previous fiscal year.

For more information:

<https://www.dvidshub.net/news/383456/navsup-weapon-systems-support-named-epa-safer-choice-partner-year>

<https://www.epa.gov/newsreleases/naval-supply-systems-command-weapons-system-support-recognized-one-epas-2020-safer>

GENERAL INTEREST

State Regulations on AFFF Containing PFAS The following article issued by JD Supra includes a chart of states that have enacted or proposed regulations regarding AFFF containing PFAS as of November 10, 2020.

<https://www.jdsupra.com/legalnews/pfas-regulation-of-firefighting-foam-21645/>

The November 2020 edition of The Corps Environment is now available! Content includes commentary from Maj. Gen. Jeffrey Milhorn, U.S. Army Corps of Engineers Deputy Commanding General for Military and International Operations, discussing how sustainability ensures mission success in the present and future. This edition also highlights sustainability initiatives across the Army environmental community, including efforts to provide sustainable water resources; studying soils to improve restoration projects; drill crew efforts to sustain critical operations during COVID-19; using geospatial technology to support informed land-management decisions; collaborative environmental cleanup efforts ...and much more!

https://media-cdn.dvidshub.net/pubs/pdf_56096.pdf

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.*

NATURAL AND CULTURAL RESOURCES

Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for Sickle Darter USFWS announces a 12-month finding on a petition to list the sickle darter (*Percina williamsi*), a fish species from the upper Tennessee River drainage in North Carolina, Tennessee, and Virginia, as a threatened species under the ESA. After a review of the best available scientific and commercial information, they find that listing the species is warranted. Accordingly, they propose to list the sickle darter as a threatened. If they finalize this rule as proposed, it would add this species to the List of Endangered and Threatened Wildlife and extend the ESA's protections to the species. USFWS will accept comments received or postmarked on or before 11 January 2021. POC is Lee Andrews, Field Supervisor, USFWS, Kentucky Ecological Services Field Office, 330 West Broadway, Suite 265, Frankfort, KY 40601; tel: 502-695-0468.

<https://www.federalregister.gov/documents/2020/11/12/2020-24471/endangered-and-threatened-wildlife-and-plants-threatened-species-status-with-section-4d-rule-for>

WATER

EPA issued Interim Strategy for Per- and Polyfluoroalkyl Substances in Federally Issued National Pollutant Discharge Elimination System Permits This memorandum provides recommendations from a cross-agency workgroup on an interim approach to include PFAS-related conditions in EPA-issued NPDES permits (Massachusetts, New Hampshire, New Mexico, the District of Columbia, most U.S. territories including Puerto Rico, Indian Country, and certain federal facilities). The strategy advises EPA permit writers to consider including PFAS monitoring at facilities where these chemicals are expected to be present in wastewater discharges, including from municipal separate storm sewer systems and industrial stormwater permits. The PFAS that could be considered for monitoring

are those that will have validated EPA analytical methods for wastewater testing, which the agency anticipates being available on a phased-in schedule as multi-lab validated wastewater analytical methods are finalized. The agency's interim strategy also encourages the use of best management practices where appropriate to control or abate the discharge of PFAS and includes recommendations to facilitate information sharing to foster adoption of best practices across states and localities.

<https://www.epa.gov/pfas/interim-strategy-and-polyfluoroalkyl-substances-federally-issued-national-pollutant-discharge>

INTERAGENCY AGREEMENT between the UNITED STATES FISH AND WILDLIFE SERVICE and THE UNITED STATES ARMY for the CONSERVATION OF NATURAL RESOURCES ON ARMY CONTROLLED LANDS The Interagency Agreement (IA) establishes a cooperative natural resource conservation partnership between the Army and the U.S. Fish and Wildlife Service (FWS) to support the management of natural resources on and near Army controlled lands. With the establishment of this formal agreement, the Army will be able to sustain and enhance its ranges, ensuring the attainment of its training/testing capabilities, meeting its mission readiness goals, and directly support the Secretary's priorities and National Defense Strategy. Through the IA, the Army will have assistance in meeting its Federal stewardship requirements and ensure the continued availability of installation lands to support Army readiness by providing a mechanism under which the Army can request reimbursable support from the FWS for the conservation of fish and wildlife and their habitats on and near Army installations and lands.

https://www.fedcenter.gov/kd/items/actions.cfm?action=Show&item_id=36175&destination=ShowItem

Reclassification of the Red-Cockaded Woodpecker From Endangered to Threatened USFWS proposes to reclassify the red-cockaded woodpecker (*Dryobates (= Picoides) borealis*) as a threatened species with a rule issued under section 4(d) of the ESA. If they finalize this rule as proposed, it would reclassify the red-cockaded woodpecker from endangered to threatened on the List of Endangered and Threatened Wildlife (List). This proposal is based on a thorough review of the best available scientific and commercial data, which indicate that the species' status has improved such that it is not currently in danger of extinction throughout all or a significant portion of its range. They are also proposing a rule under the authority of section 4(d) of the Act that provides measures that are necessary and advisable to provide for the conservation of the red-cockaded woodpecker. In addition, we correct the List to reflect that *Picoides* is not the current scientifically accepted generic name for this species. We seek information, data, and comments from the public regarding this proposal. They will accept comments received or postmarked on or before 7 December 2020. POC is Aaron Valenta, Chief, Division of Restoration and Recovery, USFWS, Southeast Regional Office, 1875 Century Boulevard, Atlanta, GA 30345; tel: 404-679-4144.

<https://www.federalregister.gov/documents/2020/10/08/2020-21510/endangered-and-threatened-wildlife-and-plants-reclassification-of-the-red-cockaded-woodpecker-from>

Endangered and Threatened Wildlife and Plants; Review of Domestic Species That Are Candidates for Listing as Endangered or Threatened; Annual Notification of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions The U.S. Fish and Wildlife Service (Service) has published the Candidate Notice of Review (CNOR) document that presents an updated list of domestic plant and animal species that USFWS regards as candidates for or have proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants under the Endangered Species Act of 1973, as amended. This document also includes the USFWS findings on resubmitted petitions and describes the progress in revising the Lists of Endangered and Threatened Wildlife and Plants (Lists) during the period October 1, 2018, through September 30, 2020.

https://www.govinfo.gov/content/pkg/FR-2020-11-16/pdf/2020-24198.pdf?utm_campaign=subscription+mailing+list&utm_source=federalregister.gov&utm_medium=email

AIR

Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (Final) This rule finalizes amendments to the General Provisions that apply to National Emission Standards for Hazardous Air Pollutants (NESHAP). These amendments implement the plain language reading of the "major source" and "area source" definitions of section 112 of the Clean Air Act (CAA) and provide that a major source can be reclassified to area source status at any time upon reducing its potential to emit (PTE) hazardous air pollutants (HAP) to below the major source thresholds (MST) of 10 tons per year (tpy) of any single HAP and 25 tpy of any combination of HAP. This rule also finalizes amendments to clarify the compliance dates, notification, and recordkeeping requirements that apply to sources choosing to reclassify to area source status and to sources that revert back to major source status, including a requirement for electronic notification. This final rule is effective on 19 January 2021. POC Ms. Elineth Torres, Sector Policies and Programs Division (D205-02), Office of Air Quality Planning and Standards, USEPA, Research Triangle Park, North Carolina 27711; tel: (919) 541-4347; and email address: torres.elineth@epa.gov. <https://www.govinfo.gov/content/pkg/FR-2020-11-19/pdf/2020-22044.pdf>

Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) Revisions Final Rule The Environmental Protection Agency (EPA) is promulgating revisions to its major New Source Review (NSR) applicability regulations to clarify when the requirement to obtain a major NSR permit applies to a source proposing to undertake a physical change or a change in the method of operation (i.e., a project) under the major NSR preconstruction permitting programs. In this action, we are promulgating revisions to our major NSR applicability regulations to clarify that both increases and decreases in emissions resulting from a proposed project can be considered in Step 1 of the major NSR major modification applicability test. We refer to the consideration of emissions increases and decreases in Step 1 as project emissions accounting. Effective date: December 24, 2020. https://www.govinfo.gov/content/pkg/FR-2020-11-24/pdf/2020-23784.pdf?utm_campaign=subscription+mailing+list&utm_source=federalregister.gov&utm_medium=email

REGION I



Note: The Connecticut Legislature convened a special session on 29 September 2020 and adjourned on 2 October 2020. Next session begins 6 January 2021.

FINAL RULES

Connecticut Revisions to the New Source Review (NSR) Permitting Program (Citation: 22a-174-1, 22a-174-2a, 22a-174-3a) The Department of Energy and Environmental Protection has adopted rules updating the new sources review (NSR) permitting program and making other minor revisions. This proposal will also be submitted to the U.S. EPA as a revision to the State Implementation Plan (SIP). Effective Date: November 18, 2020. https://services.statescape.com/RegsText/StaticDownloads/164192_329980.pdf



Note: The Maine Legislature convened on 5 December 2018 and adjourned on 17 March 2020. Next session begins 2 December 2020.

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



Note: The Massachusetts Legislature convened on 2 January 2019 and will adjourn on 2 January 2021.

OTHER ACTIONS AND OPPORTUNITIES

EPA issued Interim Strategy for Per- and Polyfluoroalkyl Substances in Federally Issued National Pollutant Discharge Elimination System Permits This memorandum provides recommendations from a cross-agency workgroup on an interim approach to include PFAS-related conditions in EPA-issued NPDES permits (Massachusetts, New Hampshire, New Mexico, the District of Columbia, most U.S. territories including Puerto Rico, Indian Country, and certain federal facilities). The strategy advises EPA permit writers to consider including PFAS monitoring at facilities where these chemicals are expected to be present in wastewater discharges, including from municipal separate storm sewer systems and industrial stormwater permits. The PFAS that could be considered for monitoring are those that will have validated EPA analytical methods for wastewater testing, which the agency anticipates being available on a phased-in schedule as multi-lab validated wastewater analytical methods are finalized. The agency's interim strategy also encourages the use of best management practices where appropriate to control or abate the discharge of PFAS and includes recommendations to facilitate information sharing to foster adoption of best practices across states and localities.

<https://www.epa.gov/pfas/interim-strategy-and-polyfluoroalkyl-substances-federally-issued-national-pollutant-discharge>



Note: The New Hampshire Legislature convened on 8 January 2020 and adjourned on 30 July 2020. Next session begins 6 January 2021.

FINAL RULES

New Hampshire Spring 2020 Amendments to Wetlands Rules The Department of Environmental Services has adopted amendments to the rules in this compilation, intended to clarify certain rules, modify rules that are not working as intended, and change the date on the forms to accommodate needed revisions. Effective Date: October 23, 2020.

<https://www.des.nh.gov/organization/commissioner/legal/rulemaking/documents/env-wt3-900Sprng20adpt.pdf>

OTHER ACTIONS AND OPPORTUNITIES

EPA issued Interim Strategy for Per- and Polyfluoroalkyl Substances in Federally Issued National Pollutant Discharge Elimination System Permits This memorandum provides recommendations from a cross-agency workgroup on an interim approach to include PFAS-related conditions in EPA-issued NPDES permits (Massachusetts, New Hampshire, New Mexico, the District of Columbia, most U.S. territories including Puerto Rico, Indian Country, and certain federal facilities). The strategy advises EPA permit writers to consider including PFAS monitoring at facilities where these chemicals are expected to be present in wastewater discharges, including from municipal separate storm sewer systems and industrial stormwater permits. The PFAS that could be considered for monitoring are those that will have validated EPA analytical methods for wastewater testing, which the agency anticipates being available on a phased-in schedule as multi-lab validated wastewater analytical methods are finalized. The agency's interim strategy also encourages the use of best management practices where appropriate to control or abate the discharge of PFAS and includes recommendations to facilitate information sharing to foster adoption of best practices across states and localities.

<https://www.epa.gov/pfas/interim-strategy-and-polyfluoroalkyl-substances-federally-issued-national-pollutant-discharge>



Note: The Rhode Island Legislature convened on 7 January 2020 and adjourned on 30 October 2020. Next session begins 5 January 2021.

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



Note: The Vermont Legislature convened on 9 January 2019 and will adjourn on 25 September 2020. Next session begins 6 January 2021.

FINAL LEGISLATION

Act No. 172 (H.683). Conservation and land development; wildlife; migratory birds. An act relating to the protection of migratory birds. This act prohibits the incidental take of migratory birds in Vermont. It gives the Commissioner of Fish and Wildlife enforcement discretion when enforcing the statute. Effective Date: October 8, 2020.

<https://legislature.vermont.gov/Documents/2020/Docs/ACTS/ACT172/ACT172%20As%20Enacted.pdf>

REGION II



NEW JERSEY

Note: The New Jersey Legislature convened on 14 January 2020 and will adjourn on 11 January 2022.

FINAL LEGISLATION

New Jersey SB 864 (Companion Bill AB 1978) – Public Law 117 Prohibits provision or sale of single-use plastic carryout bags, single-use paper carryout bags, and polystyrene foam food service products; limits provision of single-use plastic straws; appropriates moneys from Clean Communities Program Fund for public. Effective Date: November 4, 2020.

https://www.njleg.state.nj.us/2020/Bills/S1000/864_R4.PDF

PROPOSED LEGISLATION

New Jersey SB 3008 (Companion Bill AB 4857) Requires public water systems to inventory lead service lines and replace lead service lines at expense of public water system customers.

https://www.njleg.state.nj.us/2020/Bills/S3500/3008_I1.PDF

New Jersey AB 5000 - Smart Container Act This bill would require a deposit on beverage containers and require each distributor of beverage containers to submit to the State Treasurer, quarterly, a return indicating the total number of containers to be sold in the State from that distributor in the ensuing quarter, and pay the initial deposit on each container. Retailers of beverage containers would be required to accept empty beverage containers and refund to the bearer the refund value of the container.

https://www.njleg.state.nj.us/2020/Bills/A5000/5000_I1.HTM

New Jersey SB 894 (Companion Bill AB 3874) Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use.

https://www.njleg.state.nj.us/2020/Bills/S1000/894_R1.PDF

New Jersey SB 1016 (Companion Bill AB 2070) Restricts use of neonicotinoid pesticides.

https://www.njleg.state.nj.us/2020/Bills/S1500/1016_R1.PDF

FINAL RULES

Notice of Administrative Change and Announcement of Availability of a New General Operating Permit (GOP-009) for a Boiler Greater Than or Equal to 10 MMBtu/hr and Less Than 50 MMBTU/hr The Department of Environmental Protection (Department) is announcing the availability of a new General Operating Permit GOP-009 for a Boiler Greater Than or Equal to 10 MMBtu/hr and Less Than 50 MMBTU/hr for major facilities (subject to Title V of the Federal Clean Air Act). This new general operating permit is available beginning on November 2, 2020.

[https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=ac0ae095-16db-423c-bf34-3030997171e6&nodeid=AABAABAABAAEAAEAAB&nodepath=%2fROOT%2fAAB%2fAABAAB%2fAABAABAAB%2fAABAABAABAAE%2fAABAABAABAAEAAE%2fAABAABAABAAEAAEAAB&level=6&haschildren=&populated=false&title=52+N.J.R.+2008\(b\)&config=025154JABiMmFjYzAxMy1hNjlyLTQ0YTctOTY0NS1iOGNIMTRiYzBkNGQKAFBvZENhdGFsb2flnvGwky16hNN9rcMfcun6&pddocfullpath=%2fshared%2fdocument%2fadministrative-codes%2furn%3acontentitem%3a6146-X5B1-JF1Y-B2MP-00008-00&ecomp=c38_kkk&prid=b33fb1a3-e157-44fd-a0ca-7607b5573a88](https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=ac0ae095-16db-423c-bf34-3030997171e6&nodeid=AABAABAABAAEAAEAAB&nodepath=%2fROOT%2fAAB%2fAABAAB%2fAABAABAAB%2fAABAABAABAAE%2fAABAABAABAAEAAE%2fAABAABAABAAEAAEAAB&level=6&haschildren=&populated=false&title=52+N.J.R.+2008(b)&config=025154JABiMmFjYzAxMy1hNjlyLTQ0YTctOTY0NS1iOGNIMTRiYzBkNGQKAFBvZENhdGFsb2flnvGwky16hNN9rcMfcun6&pddocfullpath=%2fshared%2fdocument%2fadministrative-codes%2furn%3acontentitem%3a6146-X5B1-JF1Y-B2MP-00008-00&ecomp=c38_kkk&prid=b33fb1a3-e157-44fd-a0ca-7607b5573a88)



Note: The New York State Legislature convened on 9 January 2019 and will adjourn on 1 January 2021.

PROPOSED LEGISLATION

New York SB 9072 (Companion Bill AB9827) Requires the commissioner to promulgate rules and regulations requiring entities proposing construction of a new building development within one mile of a transit facility to submit environmental impact statements; defines transit facility.

<https://www.nysenate.gov/legislation/bills/2019/s9072>

PROPOSED RULES

New York Siting of Major Renewable Energy Facilities The Department of State has proposed rulemaking to establish procedural requirements for permits for siting, construction and operation of major renewable energy facilities.

http://services.statescape.com/RegsText/StaticDownloads/185826_319821.pdf#page=25

OTHER ACTIONS AND OPPORTUNITIES

Guidelines for Sampling and Analysis of PFAS The Department of Environmental Conservation has issued guidance regarding DER's protocols and precautions for sampling and analyzing various media. It provides guidelines for preparing Quality Assurance Project Plans, criteria for laboratory consistency, and guidelines on screening sites based on water and soil results.

https://www.dec.ny.gov/docs/remediation_hudson_pdf/pfassampanaly.pdf

REGION III



DISTRICT OF COLUMBIA

Note: The Council of the District of Columbia convened 2 January 2019 and will adjourn on 31 December 2020.

OTHER ACTIONS AND OPPORTUNITIES

EPA issued Interim Strategy for Per- and Polyfluoroalkyl Substances in Federally Issued National Pollutant Discharge Elimination System Permits This memorandum provides recommendations from a cross-agency workgroup on an interim approach to include PFAS-related conditions in EPA-issued NPDES permits (Massachusetts, New Hampshire, New Mexico, the District of Columbia, most U.S. territories including Puerto Rico, Indian Country, and certain federal facilities). The strategy advises EPA permit writers to consider including PFAS monitoring at facilities where these chemicals are expected to be present in wastewater discharges, including from municipal separate storm sewer systems and industrial stormwater permits. The PFAS that could be considered for monitoring are those that will have validated EPA analytical methods for wastewater testing, which the agency anticipates being available on a phased-in schedule as multi-lab validated wastewater analytical methods are finalized. The agency's interim strategy also encourages the use of best management practices where appropriate to control or abate the discharge of PFAS and includes recommendations to facilitate information sharing to foster adoption of best practices across states and localities.

<https://www.epa.gov/pfas/interim-strategy-and-polyfluoroalkyl-substances-federally-issued-national-pollutant-discharge>



DELAWARE

Note: The Delaware General Assembly convened on 8 January 2019 and adjourned on 30 October 2020. Next session begins 12 January 2021.

FINAL RULES

Delaware Regulations Governing Solid Waste (DRGSW) These amendments to DRGSW state that a store shall not provide any bags to a customer at the point of sale made from plastic not specifically designed and manufactured to be reusable and shall provide reusable plastic bags that meet the requirements as established in 7 Del.C. §6099A(a)(4). A store may make available for purchase or distribution at the point of sale a reusable grocery bag or may make paper bags available for no cost or may charge any price at their discretion.

https://services.statescape.com/RegsText/StaticDownloads/176383_330559.pdf

PROPOSED RULES

Delaware Solvent Cleaning and Drying (Citation: 7 DE Admin. Code 1124) The Division of Air Quality has proposed rulemaking to amend Section 33.0 to update control requirements based upon a 2012 Ozone Transport Commission model rule. These amendments will reduce emissions of volatile organic compounds from solvent cleaning operations. Comments due December 17, 2020.

<https://regulations.delaware.gov/register/november2020/proposed/24%20DE%20Reg%20465%2011-01-20.pdf>



Note: The Maryland General Assembly convened on 8 January 2020 and adjourned on 18 March 2020. Next session begins 13 January 2021.

FINAL RULES

Maryland Prohibitions on Use of Certain Hydrofluorocarbons in Aerosol Propellants, Chillers, Foam, and Stationary Refrigeration End-Uses (Citation: COMAR 26.11.3) The Department of the Environment has adopted new Regulations .01 — .06 under new chapter COMAR 26.11.33 Prohibitions on Use of Certain Hydrofluorocarbons in Aerosol Propellants, Chillers, Foam, and Stationary Refrigeration End-Uses. This action seeks to reduce hydrofluorocarbon (HFC) emissions by adopting specific United States Significant New Alternatives Policy Programs (SNAP) prohibitions for certain substances in air conditioning and refrigeration equipment, aerosol propellants, and foam end-uses. Effective date: November 2, 2020.

[https://mde.maryland.gov/programs/Regulations/HB1124/Documents/Air/NFA%20HFC%20MD%20Reg%20Issue%20\(10-23-2020\).pdf](https://mde.maryland.gov/programs/Regulations/HB1124/Documents/Air/NFA%20HFC%20MD%20Reg%20Issue%20(10-23-2020).pdf)

PROPOSED RULES

Maryland Threatened and Endangered Species (Citation: 08.03.08) The Department of Natural Resources has proposed to add four new species of animals to the lists of endangered, threatened or in need of conservation, and reclassify 56 species by changing the status of 12 species and removing 44 species. One insect is proposed to be added to the list as endangered. One mollusk and one bird species are proposed to be added to the list as threatened, and one mollusk species is proposed to be added to the list as in need of conservation.

<https://dnr.maryland.gov/wildlife/Pages/ProposedRegs.aspx>

<https://dnr.maryland.gov/wildlife/Documents/08.03.08-T-E2020.pdf>

OTHER ACTIONS AND OPPORTUNITIES

Maryland Sampling for PFAS in St. Mary's River Surface Water and Oysters On October 5, 2020, the Department of the Environment issued a press release regarding a new report showing that sampling of surface water and oysters in the St. Mary's River for per- and polyfluoroalkyl substances, or PFAS, found no levels of concern.

<https://news.maryland.gov/mde/2020/10/05/mde-releases-report-on-sampling-for-pfas-in-st-marys-river-surface-water-and-oysters/>



Note: The Pennsylvania General Assembly convened on 1 January 2019 and will adjourned on 30 November 2020. Next session begins 5 January 2021.

PROPOSED RULES

Pennsylvania HB 2927 An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for definitions; in residual waste, further providing for disposal, processing and storage of residual waste and providing for exempt special wastes; and making editorial changes.

<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2019&ind=0&body=H&type=B&bn=2927>

Pennsylvania SB 619 An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, in general provisions and public policy, further providing for definitions; and, in other pollutions and potential pollution, providing for notice of discharge endangering health or the environment.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2019&sessInd=0&billBody=S&billTyp=B&billNbr=0619&pn=2125>

OTHER ACTIONS AND OPPORTUNITIES

Pennsylvania Governor’s Award for Environmental Excellence - October 13, 2020 through December 21, 2020

The Governor’s Award for Environmental Excellence is open to any Pennsylvania business, farm, government agency, educational institution, non-profit organization and individual that has created, or participated in, the development of a project that promotes environmental stewardship in Pennsylvania.

<https://www.dep.pa.gov/About/Awards/EnvironmentalExcellence/Pages/default.aspx>



Note: The Virginia General Assembly convened a special session on 18 August 2020 and adjourned on 30 October 2020. Next session begins 13 January 2021.

OTHER ACTIONS AND OPPORTUNITIES

Virginia Storage Tank Program Technical Manual, Volume 1: Regulatory and Statutory Framework for Storage Tank Cleanups The Storage Tank Program Technical outlines and discusses procedures used by DEQ staff following the release of petroleum into the environment. Volume 1 provides a general regulatory and statutory framework for petroleum cleanups in Virginia. Also, this guidance contains definitions that are utilized throughout the program. This document replaces Guidance Document LPR-SRR-2016-1 Volume 1: Regulatory and Statutory Framework for Storage Tank Cleanups, Fifth Edition, issued March 23, 2016. New UST Regulations that became effective January 1, 2018, resulted in changes to some of the program definitions and this guidance is being updated to reflect those changes. The comment period closed December 9, 2020.

<https://www.townhall.virginia.gov/L/GDocForum.cfm?GDocForumID=415>



WEST VIRGINIA

Note: The West Virginia Legislature convened on 8 January 2020 and adjourned on 7 March 2020. Next session begins 13 January 2021.

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

REGION IV



NORTH CAROLINA

Note: The North Carolina General Assembly convened on 9 January 2019 and adjourned on 3 September 2020. Next session begins 13 January 2021.

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



KENTUCKY

Note: The Kentucky Legislature convened on 7 January 2019 and adjourned on 15 April 2020. Next session begins 5 January 2021.

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

REGION V



ILLINOIS

Note: The Illinois General Assembly convened a special session on 20 May 2020 and adjourned on 23 May 2020. Next session begins 13 January 2021.

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



INDIANA

Note: The Indiana General Assembly convened on 6 January 2020 and adjourned on 11 March 2020. Next session begins 1 January 2021.

PROPOSED RULES

Indiana Section 401 Water Quality Certification for the U.S. Army Corps of Engineer's 2020 Nationwide Permits

The Department of Environmental Management has issued notice of an opportunity to comment regarding proposed Section 401 Water Quality Certification for the U.S. Army Corps of Engineer's 2020 Nationwide Permits (NWP's) in the State of Indiana. The purpose of the notice is to inform the public of the General and Specific Conditions IDEM is proposing to place on the NWP's to ensure compliance with Indiana's Water Quality Standards. The agency is also soliciting comments and information on any impacts to water quality related to certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341). The comment period closed November 30, 2020.

https://www.in.gov/idem/files/notice_20201130_nwp_2020-822-00-jwr-a.pdf



MICHIGAN

Note: The Michigan Legislature convened on 9 January 2019 and will adjourn on 31 December 2020.

PROPOSED LEGISLATION

Michigan SB 1072 Would prohibit the manufacture, sale, or distribution of packaging containing PFAS.

<http://www.legislature.mi.gov/documents/2019-2020/billintroduced/Senate/pdf/2020-SIB-1072.pdf>

Michigan SB 1208 Would require a warning label for polyfluoroalkyl substances (PFAS) in consumer products and packaging.

<http://www.legislature.mi.gov/documents/2019-2020/billintroduced/Senate/pdf/2020-SIB-1208.pdf>



Note: The Ohio General Assembly convened on 7 January 2019 and will adjourn on 31 December 2020.

FINAL RULES

Ohio Standards for Solid Waste Management Districts (Citation: 3745-27-90) The Environmental Protection Agency has adopted rulemaking regarding the reduction and recycling goals established in the state solid waste management plan as required by Revised Code section 3734.50. Effective date: December 1, 2020.

https://epa.ohio.gov/portals/34/document/currentrule/pubnot_final_swmd.pdf

https://epa.ohio.gov/portals/34/document/currentrule/3745-27-90_current.pdf



Note: The Wisconsin Legislature convened a special session on 31 August 2020 and adjourned on 30 October 2020. Next session begins 4 January 2021.

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

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