



# REC Review



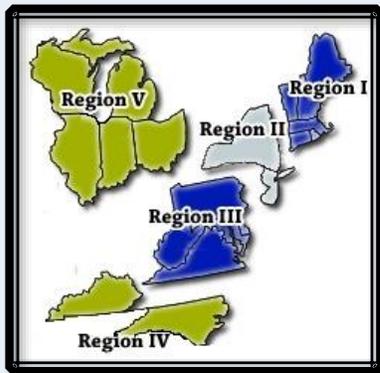
## of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

September 2021

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 [angela.s.jones1@navy.mil](mailto:angela.s.jones1@navy.mil).



NAVFAC MIDLANT DoD REC Map

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CLEARED  
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### SPOTLIGHT STORY

#### NAVSUP WSS Earned Secretary of Defense Environmental Award for Sustainability

The Department of Defense announced Naval Supply Systems Command Weapon Systems Support (NAVSUP WSS) in Mechanicsburg, Pennsylvania as the winner of the 2021 Secretary of Defense Environmental Award in the Sustainability Individual/Team category. NAVSUP WSS formed a multifunctional team to develop the Navy’s Enterprise Wide Hazardous Materials Standardization and Minimization of General Use Consumables project and conducted pilots to demonstrate that U.S. Navy installations could increase the purchase of more environmentally friendly hazardous materials substitutions using new tools and procedures. The team increased the number of Safer Choice products available for purchase by over 300 percent.

The team consisted of representatives from Naval Facilities Engineering Systems Command (NAVFAC) Environmental, NAVFAC Safety, NAVFAC Engineering and Expeditionary Warfare Center, Bureau of Medicine and Surgery, Commander Navy Installation Command Safety, and NAVSUP Fleet Logistics Centers. The team received additional support from NAVSUP Business Systems Center, who helped develop a Hazardous Material (HAZMAT) Management web tool to standardize HAZMAT data-management processes across the enterprise and provide NAVSUP customers with valuable access to Navy Enterprise Resource Planning data leveraging NAVSUP’s Navy Data Platform.

Each year since 1962, the Secretary of Defense has honored installations, teams and individuals for outstanding achievements in Department of Defense environmental programs. These accomplishments include outstanding conservation activities, innovative environmental practices, and partnerships that improve quality of life and promote efficiencies without compromising the department’s mission success.

For more information:

<https://www.dvidshub.net/news/399646/navsup-wss-earned-secretary-defense-environmental-award-sustainability>

# GENERAL INTEREST/FEDERAL NEWS

**Notice:** With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.

## GENERAL

**DoD Chesapeake Bay Program FY2020 Annual Progress Report** The DoD operates 138 installations and annexes in five states and the District of Columbia across over 400,000 acres of land in the Chesapeake Bay watershed. The FY2020 Annual Progress Report details the DoD's focus on aligning the military mission and the environment and partnership coordination to collaborate and share information to support the DoD Chesapeake Bay Program (CBP) mission in the Chesapeake Bay. In FY2020, more than 368 projects totaling over \$127.9 million were implemented that contributed to abundant life, clean water, engaged communities, and conserved lands. Nine installations have been recognized or received awards for their environmental work. Both documents, including an "At-A-Glance" APR leaflet with representative metrics and graphics can be found on the DoD CBP DENIX website here:

<https://www.denix.osd.mil/chesapeake/>

**Executive Order 14037 - Strengthening American Leadership in Clean Cars and Trucks** This executive order (EO) aims to bolster America's domestic market by setting a goal that 50 percent of all new passenger cars and light trucks sold in 2030 be zero-emission vehicles, including battery electric, plug-in hybrid electric, or fuel cell electric vehicles. EPA will establish new multi-pollutant emissions standards, including for greenhouse gas emissions, for light- and medium-duty vehicles beginning with model year 2027 and extending through and including at least model year 2030. The Department of Transportation (DOT) will establish new fuel economy standards for passenger cars and light-duty trucks beginning with model year 2027 and extending through and including at least model year 2030 and will establish new fuel efficiency standards for heavy-duty pickup trucks and vans beginning with model year 2028 and extending through and including at least model year 2030. The notice of proposed rulemaking should occur January 2022 and the final rulemaking by December 2022.

<https://www.federalregister.gov/documents/2021/08/10/2021-17121/strengthening-american-leadership-in-clean-cars-and-trucks>

**Facility Regulatory Tour** FedCenter.gov's Facility Regulatory Tour is an activity-based guide designed to help Federal facility environmental managers meet their regulatory requirements. Take a virtual tour of the buildings and activities commonly found at federal facilities and find out what regulations apply where. It also provides information on green products, P2 opportunities and best practices related to a particular facility activity.

<https://www.fedcenter.gov/assistance/facilitytour/>

## AIR

**Air Pollution Training Institute - Public Training Site** The old Air Pollution Training Institute (APTI)-Learn System has been updated to the APTI-Learn Learning Management System. APTI-Learn website provides course content for air pollution training needs. A complete online course can be chosen from the course list.

<https://www.epa.gov/air-quality-data-and-tools/air-pollution-training-institute-public-training-site>

## NATURAL AND CULTURAL RESOURCES

**Moving to Hybrid Programs: A Discussion with Natural Resource Professionals (Web-based) September 23, 2021, 1:00 PM to 2:30 PM Eastern Daylight Time** This web-based training will consist of presenters from around the country who will share their personal experiences and lessons learned in moving their natural resource programs to a hybrid platform. They will cover various types of hybrid events, including meetings, trainings, workshops and large-scale conferences, and how to ensure accessibility.

[https://www.fedcenter.gov/Events/index.cfm?id=38319&pge\\_prg\\_id=33877&pge\\_id=1846](https://www.fedcenter.gov/Events/index.cfm?id=38319&pge_prg_id=33877&pge_id=1846)

## NEPA

**Basics of NEPA and Section 106 Integration (Web-based, On-Demand)** The Advisory Council of Historic Preservation (ACHP) offers online courses on Section 106 topics. Each course offers self-paced interactive presentations and downloadable reference documents. Courses of 30 minutes or more offer a certificate of completion and incorporate knowledge checks that let you apply your learning to case scenarios or quiz questions.

<https://www.achp.gov/training/elearning>

## TOXICS

**EPA Updates Safer Chemical Ingredients List** The U.S. Environmental Protection Agency (EPA) added 36 chemicals to the Safer Chemical Ingredients List (SCIL). The SCIL is a living list of chemicals, by functional-use class, that EPA's Safer Choice program has evaluated and determined meet Safer Choice criteria. Chemicals on the SCIL are among the safest for their functional use. The addition of chemicals to the SCIL enables further innovation in safer chemistry, which can promote environmental justice, bolster resilience to the impacts of climate change, and improve water quality. EPA is committed to updating the SCIL with safer chemicals on a regular basis. This SCIL is a resource that can be used by many different stakeholders. <https://www.fedcenter.gov/Announcements/index.cfm?id=38300>

## WATER

**Ambient Water Quality Criteria To Address Nutrient Pollution in Lakes and Reservoirs** The EPA announced the release of Ambient Water Quality Criteria to Address Nutrient Pollution in Lakes and Reservoirs. These national recommended criteria are models for total nitrogen and total phosphorus concentrations in lakes and reservoirs to protect three different designated uses, aquatic life, recreation, and drinking water source protection, from the adverse effects of nutrient pollution. These recommended criteria are based on stressor-response models, which link nutrient pollution stressors (nitrogen, phosphorus) to responses associated with protection of designated uses.

<https://www.federalregister.gov/documents/2021/08/13/2021-17357/ambient-water-quality-criteria-to-address-nutrient-pollution-in-lakes-and-reservoirs>

# REGION I



**Note: The Connecticut Legislature convened January 6, 2021 and adjourned on June 3, 2021.**

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



**Note: The Maine Legislature convened on December 2, 2020 and will adjourn on June 17, 2022.**

## ***PROPOSED REGULATION***

**Maine Stationary Generators** The purpose of this regulation is to ensure that the operation of new stationary generators does not negatively impact air quality or public health in the vicinity of a facility operating such a generator. The standards and requirements proposed are based on standards and requirements in Federal and State regulations applicable to similar equipment when used in other applications.

<https://www.maine.gov/dep/rules/index.html#5365467>



**Note: The Massachusetts Legislature convened on January 6, 2021 and will adjourn on January 2, 2023.**

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



# NEW HAMPSHIRE

**Note: The New Hampshire Legislature convened on January 6, 2021 and adjourned on June 30, 2021.**

## **FINAL LEGISLATION**

**New Hampshire SB 146** This bill adopted legislation relative to establishing the coastal program administered by the department of environmental services; establishing a statewide solid waste disposal reduction goal; the prevention of zoonotic disease transmission; tidal waters; establishing a surcharge on certain saltwater licenses and establishing a fund for derelict fishing gear and coastal cleanup; public use of coastal shorelands; and addressing impacts to other water users from new sources of water for community water systems. Signed August 8, 2021.

[http://gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2021&id=252&txtFormat=pdf&v=current](http://gencourt.state.nh.us/bill_status/billText.aspx?sy=2021&id=252&txtFormat=pdf&v=current)

## **PROPOSED REGULATION**

### **New Hampshire Requirements for Alteration of Terrain Permits and Consultation with NH Fish and Game**

**Department** The Department of Environmental Services has proposed rulemaking that eliminates the requirement that every applicant perform a study and provide a report performed by a wildlife biologist. The proposal adopts a new requirement in Env-Wq 1503.33 that requires an applicant to request consultation with the NH Fish and Game Department (NHF&G) whenever the Natural Heritage Bureau database records identify threatened or endangered species in the vicinity of the proposed project and also if NHDES receives evidence, verified by NHF&G, of any state or federally listed threatened or endangered wildlife species in the vicinity of the project.

<https://www.des.nh.gov/news-and-media/notice-rulemaking-env-wq-1500-requirements-alteration-terrain-permits-and>



# RHODE ISLAND

**Note: The Rhode Island Legislature convened on January 5, 2021 and adjourned on June 30, 2021.**

## **PROPOSED REGULATION**

**Rhode Island Lead Inspections** The Department of Health has proposed rulemaking to include all lead inspection rules and regulations originally found in the Lead Poisoning Prevention regulation.

<https://rules.sos.ri.gov/promulgations/part/216-50-15-5>

**Rhode Island Lead Safe Work Practices** The Department of Health has proposed rulemaking related to lead safe work practices. It also includes alignment with new EPA and Housing and Urban Development standards and procedures regarding Lead Hazard Mitigation and Certificates of Lead Conformance.

<https://rules.sos.ri.gov/promulgations/part/216-50-15-12>



## VERMONT

**Note: The Vermont Legislature convened on January 6, 2021 and will adjourn on May 28, 2022.**

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

## REGION II



## NEW JERSEY

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

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



## NEW YORK

**Note: The New York State Legislature convened on January 6, 2021 and will adjourn on January 1, 2023.**

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

## REGION III



## DISTRICT OF COLUMBIA

**Note: The Council of the District of Columbia convened January 2, 2021 and will adjourn on December 31, 2022.**

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



## DELAWARE

**Note: The Delaware General Assembly convened on January 12, 2021 and will adjourn on June 30, 2022.**

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



## MARYLAND

**Note: The Maryland General Assembly convened on January 13, 2021 and adjourned on April 12, 2021.**

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



## PENNSYLVANIA

**Note: The Pennsylvania General Assembly convened on January 5, 2021 and will adjourn on November 30, 2022.**

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



## VIRGINIA

**Note: The Virginia General Assembly convened on January 13, 2021 and adjourned on February 8, 2021. A special session was held from February 10, 2021 to March 1, 2021.**

### ***FINAL REGULATION***

**Virginia 2021 Amendment and Reissuance of General Permit Regulation** The Department of Environmental Quality has adopted rules to amend and reissue the existing general permit which expires on December 31, 2021. The general permit governs facilities holding individual Virginia Pollutant Discharge Elimination System (VPDES) permits that discharge or propose to discharge total nitrogen or total phosphorus to the Chesapeake Bay or its tributaries. Effective January 1, 2022.

<http://register.dls.virginia.gov/details.aspx?id=9760>

**Virginia Water Protection Permit Regulation** The Department of Environmental Quality has adopted amendments to the Virginia Water Protection Permit Program regulations in order to implement House Bill 1983 (Chapter 265 of the 2021 Special Session I Acts of Assembly). The bill provides that when a Virginia Water Protection (VWP) permit applicant is required to purchase wetland or stream mitigation bank credits, but no credits are available (i) in any mitigation provider's primary service area or (ii) at a cost of less than 200 percent of the price of credits available from a fund dedicated to achieving no net loss of wetland acreage and functions, the applicant may purchase or use credits from a mitigation provider's secondary service area. Effective September 29, 2021.

<http://register.dls.virginia.gov/details.aspx?id=9802>

### **PROPOSED REGULATION**

**VPDES General Permit for Potable Water Treatment Plants** The State Water Control Board has proposed rulemaking amendments to establish permitting requirements for discharges from potable water treatment plants to protect the health, safety, and welfare of citizens. The existing general permit expires on June 30, 2023, and must be reissued to cover existing and new potable water treatment plants.

<http://register.dls.virginia.gov/details.aspx?id=9753>



**Note: The West Virginia Legislature convened on February 10, 2021 and adjourned April 10, 2021.**

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

## **REGION IV**



**Note: The North Carolina General Assembly convened on January 13, 2021 and will adjourn on June 30, 2022.**

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



**Note: The Kentucky Legislature convened on January 5, 2021 and adjourned on March 30, 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 on January 13, 2021 and will adjourn on January 11, 2023.**

#### **FINAL LEGISLATION**

**Illinois HB 3739** This act created the Lead Service Line (LSL) Replacement and Notification Act and establishes the LSL Replacement Fund and Lead in ADrinking Water Protection Fee. This act also requires LSL replacement plans and set LSL replacement requirements. Effective January 1, 2022.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB3739lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=3739&print=true>

**Illinois SB 561** This act created the per- and polyfluoroalkyl substances (PFAS) Reduction Act that would prohibit the use of aqueous film forming foam (AFFF) that contains intentionally added PFAS for training or testing. Effective August 6, 2021.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200SB0561lv&SessionID=110&GA=102&DocTypeID=SB&DocNum=561&print=true>



### INDIANA

**Note: The Indiana General Assembly convened on January 4, 2021 and adjourned on April 23, 2021.**

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



### MICHIGAN

**Note: The Michigan Legislature convened on January 13, 2021 and will adjourn on December 31, 2022.**

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



**Note: The Ohio General Assembly convened on January 4, 2021 and will adjourn on December 31, 2022.**

***FINAL REGULATION***

**Ohio Radiation Control** The Department of Health has adopted rulemaking regarding requirements for the possession and use of radioactive material for medical use. Effective August 15, 2021.

<https://codes.ohio.gov/ohio-administrative-code/rule-3701:1-58-104>



**Note: The Wisconsin Legislature convened on January 4, 2021 and will adjourn on December 31, 2022.**

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

## MEET THE REC STAFF

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## SUBSCRIBE

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