The **Region 9 Western Review** publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the four states and territories in Federal Region 9, the *Western Review* gives early notice of legislative and regulatory activities relevant to DOD interests. The *Review* also helps installations meet ISO 14001 environmental management system requirements.

To read back issues of this or other Army Regional Environmental and Energy Office *Reviews*, or to receive a monthly copy of this electronic publication, send an email request.

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**GREAT AMERICAN DEFENSE COMMUNITIES**

In January, the Association of Defense Communities designated eight communities as “Great American Defense Communities,” a recognition of the unique contributions cities, counties and regions that host military installations make to improve quality of life for service members, veterans and their families.

The association launched the Great American Defense Communities initiative to showcase the efforts communities take to support installations and their personnel. The 2017 class, along with the neighboring installations, includes:

- Alamo – San Antonio region, Texas (Joint Base San Antonio);
- Charleston region, S.C. (Joint Base Charleston);
- Christian County, Ky. (Fort Campbell);
- Fort Hood – Central Texas region (Fort Hood);
- Hampton Roads, Va. (multiple installations);
- Maricopa County, Ariz. (Luke Air Force Base);
- Sierra Vista, Ariz. (Fort Huachuca); and
- Southeastern Connecticut Council of Governments (Naval Submarine Base New London, U.S. Coast Guard Academy and other Coast Guard and National Guard facilities).

This 2017 class was selected by a panel of defense community advocates and experts from dozens of nominees based on the broad range of efforts each area carries out on behalf of military personnel and their families, covering factors such as education, job opportunities, housing, family support during deployments and community appreciation.

Over the next six months, each community will host a local event recognizing its selection and celebrating the efforts of the individuals and organizations responsible for helping their communities gain the Great American Defense Communities designation.
AIR

MARICOPA: GASOLINE DELIVERY. Maricopa County Air Quality Department adopted revisions (page 127) to Rule 352, Gasoline Delivery Vessel Testing and Use. The revisions clarify the loading requirements for bulk terminals, bulk plants, and gasoline dispensing facilities; and update the rule to use current industry language and test methods. The revisions also address the requirements of the Arizona State Implementation Plan (SIP) for moderate nonattainment for the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS). The final rule, published 6 JAN 17, was effective 2 NOV 17.

MARICOPA: GASOLINE IN STATIONARY DISPENSING TANKS. The Maricopa County Air Quality Department adopted revisions (page 142) to Rule 353, Gasoline in Stationary Dispensing Tanks. The revisions align the local rule with industry standards, clarify storage and loading requirements of underground and above ground storage tanks, align local tank test methods with state and federal requirements, and clarify inspection requirements for gasoline dispensing facilities that receive gasoline less than once per week. The final rule (page 18), published 6 Jan 17, was effective 2 NOV 16.

MARICOPA COUNTY: FEES. The Maricopa County Air Quality Department reduced a limited number of fees in Rule 280. The department reduced fees in an effort to balance fee revenues with department expenses. The final rule was published 4 JAN 17.

MARICOPA COUNTY: HAZARDOUS AIR POLLUTANTS. The Maricopa County Air Quality Department adopted amendments (page 28) rescinding Rule 372, Maricopa County Hazardous Air Pollutants (HAPs) Program, and associated Appendix H, Procedures for Determining Ambient Air Concentrations for Hazardous Air Pollutants. The rule rescission is in response to a court decision that held that the state of Arizona does not have authority to regulate de minimis amounts of federal HAPs. A public hearing was held 2 FEB 17. A staff report is available here.

ARIZONA SIP: AJO AND MORENCI MAINTENANCE PLANS. EPA is approving the second 10-year maintenance plans for the Ajo and Morenci areas in Arizona for the 1971 sulfur dioxide (SO2) NAAQS, and correcting an error in the description of the Ajo SO2 maintenance area in the Code of Federal Regulations (82 FR 2239). Portions of the Ajo SO2 maintenance area will be identified as “cannot be classified.” The effective date is 21 MAR 17 (82 FR 8499).

ARIZONA SIP: PM AND FUGITIVE DUST IN PINAL. EPA is proposing to approve revisions to the Arizona state and Pinal County Air Quality Control District portions of the Arizona SIP (82 FR 2305). Pinal County revisions concern emissions of particulate matter (PM) from construction sites, agricultural activity, and other fugitive dust sources. Revisions to state rules address dust forecasts to PM maintenance and nonattainment areas, and state actions governing particulate emissions. Comments were due 8 FEB 17.
**Legislative Session: 9 Jan 17 through 17 Apr 17**

An * indicates the first time a bill appears in the 2017 Review.

<table>
<thead>
<tr>
<th>Arizona Bill Number, Sponsor, and Description</th>
<th>Bill Introduced</th>
<th>Passed 1st House</th>
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<td><strong>AIR / CLIMATE CHANGE</strong></td>
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<td><em>HB 2250</em></td>
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<td>Representative Don Shooter (R)</td>
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<td>Exempts certain certified emergency generators and DOD generators from state and county air quality emission standards.</td>
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<td><strong>ENERGY</strong></td>
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<td><em>SB 1032</em></td>
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<td>Senator John Kavanagh (R)</td>
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<td>Specifies that renewable energy include the use of hydroelectric power.</td>
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<td><em>SB 1309</em></td>
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<td>Senator Gail Griffin (R)</td>
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<td>Establishes the Renewable Energy Technology Environmental Impact Study Committee. Requires the committee to collect information on the environmental impacts of production and disposal of solar energy panels, the lifespan of solar energy panels, and opportunities to expand solar energy panel recycling or reuse in the state. Requires the committee to make recommendations to the governor and legislature related to the impact of renewable energy technology.</td>
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<td><em>SB 1247</em></td>
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<td>Senator Gail Griffin (R)</td>
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<td>Requires governmental holders of conservation easements to make an annual payment in lieu of property taxes to the local county. Specifies that the annual payment amount be equal to the property tax if the easement holder had not been a governmental entity.</td>
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<td><em>SB 1202</em></td>
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<td>Senator Gail Griffin (R)</td>
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<td>Consolidates the Office of the State Fire Marshall into the Department of Forestry and Fire Management, and makes conforming changes to state statute. Eliminates a requirement for the State Fire Marshall to compile and maintain a list of state and local rules governing hazardous material management.</td>
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<td><em>HB 2130</em></td>
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<td>Representative Russell Bowers (R)</td>
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<td>Requires the Department of Environmental Quality to submit an annual report on the state total maximum daily load program.</td>
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### Arizona Bill Number, Sponsor, and Description

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</table>
| **HB 2193**
Representative Regina Cobb (R)  
Establishes the Groundwater Resource Management and Land Credit Task Force. Authorizes the task force to establish a framework and criteria for a property development credit program to encourage appropriate donation, acquisition, and use of conservation areas to support the maintenance of groundwater and other ecological resources in exchange for development credits. | ✓ | | | ✓ |
| **SB 1165**
Senator Karen Fann (R)  
Amends an exemption to the general prohibition on drilling new wells in active management areas in cases citing cost considerations. Requires the landowner requesting an exemption provide supporting cost documentation. | | | | |

### Air

**On-Highway Heavy-Duty Vehicle In-Use Compliance Program.** The U.S. Environmental Protection Agency (EPA) is granting the California Air Resources Board (CARB) request for a waiver of Clean Air Act (CAA) preemption for its On-Highway Heavy-Duty Vehicle In-Use Compliance program, referred to as the In-Use Regulation (82 FR 4864). EPA is also confirming that CARB's amendments to its 2007 and Subsequent Model Year On-Highway Heavy-Duty Engines and Vehicles regulation, referred to as the 2007 Amendments, and CARB's amendments to its Truck Idling requirements, referred to as the Truck Idling Amendments, are within the scope of previous waivers issued by EPA. The In-Use Regulation establishes a manufacturer-run in-use compliance program using portable emission measurement systems. The 2007 Amendments specify the oxides of nitrogen (NOx) emission standard for heavy- and medium-duty diesel engines and provide manufacturers the option to certify chassis-certified diesel vehicles within the phase-in compliance provisions of the 2007 and Subsequent Model Year On-Highway Heavy-Duty Engines and Vehicles regulation. The Truck Idling Amendments exempt armored cars and workover rigs (a mobile self-propelled rig associated with oil or gas wells) from the new engine requirements of the preexisting California Truck Idling regulation. Petitions for review are due 20 MAR 27.

**Commercial Harbor Craft Regulations.** EPA is granting California authorization of its amendments to state Commercial Harbor Craft (CHC) regulations (82 FR 6500). EPA is also confirming that certain CHC amendments are within the scope of a prior EPA authorization. CARB's CHC amendments primarily subject diesel-fueled engines on certain harbor vessels to the in-use engine emission requirements of the original CHC regulations; allow CARB or EPA Tier 2 or higher tier certified nonroad engines to be used as auxiliary or propulsion engines in both new and in-use CHC vessels; and clarify requirements and address certain issues that have arisen during CARB's implementation of the original CHC regulations. Petitions for review are due 20 MAR 17.

**Nonroad Engine Pollution Control Standards: TRUs.** EPA is granting California’s request for authorization of amendments to its Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRUs) and TRU Generator Sets and Facilities Where TRUs Operate, collectively referred to as the 2011 TRU Amendments (82 FR 6525). The 2011 TRU Amendments primarily provide owners of TRU engines with certain flexibilities; clarify recordkeeping requirements for certain types of TRU engines; establish requirements for businesses that arrange, hire, contract, or dispatch the transport of goods in TRU-equipped trucks, trailers, or containers; and address other issues that arose during the initial implementation of the regulation. Petitions for review are due 20 MAR 17.
**Bay Area: New Source Review.** The Bay Area Air Quality Management District adopted amendments to Regulation 2, Rule 5, New Source Review of Toxic Air Contaminants (TACs), and adopted a negative declaration pursuant to the California Environmental Quality Act (CEQA). The revisions:

- Incorporate new and revised TAC emission rate trigger levels for health risk assessment requirements;
- Revise TAC emission calculation procedures for older modified sources and add net project health risk limits for projects including these older modified sources;
- Extend the related application period from two years to three years;
- Add exemptions from health risk assessment for sources with no increases in toxicity weighted emissions and for engines smaller than 50 brake-horsepower; and
- Update regulatory language for consistency with state guidelines.

The final rule was effective 7 DEC 16. For more information, visit the district website.

**Bay Area: PM Emissions.** The Bay Area Air Quality Management District is proposing a suite of amendments and additions to Regulation 6, which governs PM emissions from commercial and industrial sources. The amendments and additions:

- Amend Rule 1: General Requirements;
- Adopt new Regulation 6: General Provisions, Definitions and Test Methods;
- Adopt new Regulation 6, Rule 6: Prohibition of Trackout;
- Adopt new Regulation 6, Rule 7: Roofing Asphalt; and
- Adopt new Regulation 6, Rule 8: Bulk Material Storage and Handling.

A series of public workshops was held in January and early February. Comments are due 3 MAR 17. A report on the development of the new and amended rules is available here.

**Mojave Desert Ozone Attainment Plan.** The Mojave Desert Air Quality Management District released its Ozone Attainment Plan for the Western Mojave nonattainment area and a draft staff report. The area is in nonattainment for the 2008 8-hour primary and secondary ozone NAAQS. The plan is intended to satisfy planning requirements under this standard. When adopted, the plan will supersede and update all previous federal ozone attainment plans. The district will consider adopting the plan on 27 FEB 17.

**San Diego: New Asbestos Rule.** The San Diego Air Pollution Control District is proposing to adopt new local Rule 1206, Asbestos Removal, Renovation, and Demolition. The proposed new draft rule more clearly defines terminology, establishes specific facility survey requirements to initially determine the presence or absence of asbestos, clarifies when a renovation or demolition is regulated, details notification and communication requirements with the district, and specifies work practice and waste handling requirements to limit asbestos emissions from building renovation and demolition activities. More specifically, proposed new draft Rule 1206 would:

- Lower the rule applicability threshold of asbestos to be removed, stripped, or disturbed at a facility from 160 to 100 square feet;
- Require asbestos containing and covered pipes to be measured in square feet instead of linear feet;
- Require a facility survey to determine the presence or absence of asbestos;
- Require a copy of the facility survey be maintained on the jobsite and submitted along with the initial notification form;
• Clarify specific timing of notifications submitted to the district;
• Provide updated and clarified definitions of terminology used in the rule;
• Specify test methods used to identify the presence of asbestos; and
• Update and clarify notification requirements.

A public workshop is scheduled for 23 FEB 17. Comments are due 17 MAR 17. For more information, click here.

SAN DIEGO: FEES. The San Diego Air Pollution Control District is proposing to adjust flat and hourly fees specified in local Rule 40, Permit and Other Fees, and local Rule 42, Hearing Board Fees. The fees, which are used to cover the costs of the county air pollution control program, have not been updated in several years. A public workshop to discuss proposed fees was held in January.

SANTA BARBARA: 2017 REGULATORY UPDATES. The Santa Barbara Air Pollution Control District published a list of regulatory measures scheduled for consideration in 2017.

VENTURA COUNTY: FEES. The Ventura County Air Pollution Control District is proposing to amend local Rule 42, Fees. The district is proposing a 2.5 percent permit renewal fee increase, rounded to the nearest whole dollar, effective 1 JUL 17. The district estimates that for most permit holders, adoption of this proposal will result in a fee increase of $14 per year. A public workshop was held 2 FEB 17. An advisory committee meeting is scheduled for 28 FEB 16. A staff report on the fee increase is available here. Rulemaking information is available here.

VENTURA COUNTY: NOX REDUCTIONS FROM MISCELLANEOUS SOURCES. The Ventura County Air Pollution Control District adopted a new rule to reduce NOx and carbon monoxide emissions from dryers, furnaces, incinerators, kilns, and ovens having a rated heat input of five million British thermal units per hour. Rule 74.34, NOx Reductions from Miscellaneous Sources, will implement the so-called “All Feasible Measures,” which the district will rely upon to attain the state ozone ambient air quality standard. As initially proposed, the new rule was modeled on the South Coast Air Quality Management District Rule 1147; however, the final rule was changed substantially in response to public comment. The final rule was filed 13 DEC 16.

MARIPOSA COUNTY ATTAINMENT DESIGNATION. EPA determined that the Mariposa County Moderate Nonattainment Area attained the 2008 8-hour ozone NAAQS (81 FR 93624). The effective date is 21 MAR 17 (82 FR 8499).

CALIFORNIA SIP: GREAT BASIN, OWENS LAKE. EPA is proposing to approve a revision to the Great Basin Unified Air Pollution Control District portion of the California SIP (81 FR 95473). The revision concerns PM emissions at Owens Lake, Calif. The agency is approving a local rule that regulates these emissions. The effective date is 21 MAR 17 (82 FR 8499).

CALIFORNIA SIP: GREAT BASIN. EPA is approving a revision to the Great Basin Unified Air Pollution Control District portion of the California SIP (81 FR 95473). The revision concerns PM emissions at Owens Lake, Calif. The effective date is 21 MAR 17 (82 FR 8499).

CALIFORNIA SIP: SOUTH COAST. EPA is approving revisions to the South Coast Air Quality Management District portion of the California SIP (81 FR 95472). The revisions concern emissions of NOx from soil and water remediation units, ovens, dryers, dehydrators, heaters, kilns, calciners, furnaces, crematories, incinerators, heated pots, cookers, roasters, smokers, fryers, closed and open heated tanks and evaporators, distillation units, afterburners, degassing units, vapor incinerators, catalytic or thermal oxidizers, and other combustion equipment. The effective date is 21 MAR 17 (82 FR 8499).

CLIMATE CHANGE

2017 CLIMATE CHANGE SCOPING PLAN UPDATE. CARB released the 2017 Climate Change Scoping Plan Update for public comment. The 2017 update builds on the framework described by the 2008 initial framework and the 2014 update by outlining priorities and recommendations for the state to achieve its long-term climate objective of reducing GHG
Mandatory Reporting of GHG Emissions. CARB is proposing to amend its regulation for the mandatory reporting of GHG emissions, Title 17 California Code of Regulation Section 95100. The amendments are intended to clarify procedures for changes to calculation methods, reporting and cessation criteria, and recordkeeping and retention requirements. Other amendments would update global warming potential values, beginning with 2021 data reported in 2022, add a requirement for facilities to provide a facility schematic diagram, modify definitions, and make housekeeping corrections. In response to public comments, in December, CARB released modified rule text. A public workshop is scheduled for 14 FEB 17. The workshop will cover proposed changes to the regulation in response to comments received and further discussion of the proposed mandatory reporting verification deadline, other verification requirements, and electric power entity reporting issues. Interested parties may attend in person or via webcast. For additional details on the proposed amendments, view the staff report, or visit the rulemaking website.

Short-Lived Climate Pollutants: Methane Emissions. In September 2016 California Governor Brown signed Senate Bill (SB) 1383, establishing methane emission reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants in various sectors of California’s economy. SB 1383 codifies CARB’s Short-Lived Climate Pollutant Strategy. As it pertains to CalRecycle, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. The bill provides CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets, and establishes an additional target that not less than 20 percent of edible food that is currently disposed of is instead recovered for human consumption by 2025. In January, CalRecycle announced it plans to begin a rulemaking to implement the reduction targets and has invited comment from stakeholders. CalRecycle is hosting a series of public workshops to provide an opportunity for informal stakeholder feedback on the development of regulations related to the implementation of SB 1383. The first two workshops are scheduled for 14 and 16 FEB 17. For more information, click here.

Advance Clean Cars. CARB released a report on the Advanced Clean Cars Midterm Review and its recommendations for three elements of the advance clean cars program for public comment. The review provides a staff assessment of the appropriateness of the 2022 through 2025 model year light duty and medium duty passenger vehicle GHG emission standards, the feasibility and timing of the 1 milligram per mile (1 mg/mi) PM standard for light-duty vehicles under the Low Emission Vehicle III program, and the Zero Emission Vehicle (ZEV) technology trends and appropriateness of the ZEV regulation. Comments are due 20 MAR 17. A public hearing is scheduled for 23 MAR 17. For more information about the clean cars program, including about the midterm review, click here.

California Motor Vehicle Pollution Control Standards. EPA is granting California’s request for a waiver of CAA preemption for its GHG emission regulation for the new 2014 and subsequent model year on-road medium- and heavy-duty engines and vehicles, more commonly referred to as the California Phase 1 GHG Regulation (81 FR 95982). This regulation establishes requirements applicable to new motor vehicles with a gross vehicle weight rating exceeding 8,500 pounds and engines that power such motor vehicles, except for medium-duty passenger vehicles that are subject to California’s Low Emission Vehicle Program. This regulation generally aligns California’s GHG emission standards and test procedures with the federal GHG emission standards and test procedures that EPA adopted in 2011. Petitions for review are due 27 FEB 17.

Hazardous Material

Transport of Radioactive Material. The California Department of Transportation adopted amendments (page 6) related to designated routes for the transportation of Highway Route Controlled Quantity shipments of radioactive materials. The final rule added 35.6 miles of highway sections into designated routes for highway commercial vehicles.
transporting subject radioactive materials to and from the Long Beach/Los Angeles Ports. The final rule is effective (page 29) 1 APR 17.

**NATURAL RESOURCES**

**BAY DELTA PLAN.** The Bureau of Reclamation, in coordination with the California Department of Water Resources, prepared a Final Environmental Impact Report/Final Environmental Impact Statement (Final EIR/EIS) for the Bay Delta Conservation Plan/California WaterFix (81 FR 96485). The California Department of Water Resources is proposing to implement a strategy to help restore ecological functions of the Delta and improve water supply reliability in the state of California. The California Waterfix strategy focuses on a new water conveyance facility, habitat restoration measures necessary to minimize or avoid project effects, and a revised set of conservation measures. Compliance with the Endangered Species Act would be achieved through Section 7 consultation. The next step is for the Bureau of Reclamation to issue a Record of Decision (ROD). For more information, click here.

**CALIFORNIA COASTAL NATIONAL MONUMENT.** In January, President Obama enlarged the California Coastal National Monument by approximately 6,230 acres (82 FR 6131). The monument was expanded to protect six areas known as Trinidad Head, Waluplh-Lighthouse Ranch, Lost Coast Headlands, Cotoni-Coast Dairies, Piedras Blancas, and Orange County Rocks and Islands.

**CASCADE-SISKIYOU NATIONAL MONUMENT.** In January, President Obama enlarged the Cascade-Siskiyou National Monument in California and Oregon by approximately 48,000 acres (82 FR 6145). The monument was expanded to include Horseshoe Ranch, the Jenny Creek watershed, the Grizzly Peak area, Lost Lake, the Rogue Valley foothills, the Southern Cascades area, and the area surrounding Surveyor Mountain. Nothing in the proclamation will preclude low-level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the reserved lands.

**TOXICS**

**PESTICIDES EMISSION INVENTORY REPORT: VOC EMISSIONS.** The California Department of Pesticides is requesting public comment on the draft annual volatile organic compound (VOC) emissions inventory report. The report is based on pesticide use data reported to the department from 1 MAY to 31 OCT 15 for the Sacramento Metro, San Joaquin Valley, South Coast, Southeast Desert, and Ventura ozone nonattainment areas. Comments are due 24 FEB 17.

**WATER**

**PROPOSITION 65: MALATHION NSRL.** COEHHA is proposing (page 11) to adopt a Proposition 65 No Significant Risk Level (NSRL) of 180 micrograms per day for malathion. Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual. For carcinogens, an exemption from the warning requirement is provided when the exposure for can be demonstrated to produce no significant risk. Comments are due 6 MAR 17. For more information, click here.

**PROPOSITION 65: UPDATED CHEMICAL LIST.** COEHHA released an updated list of chemicals (page 40) known to the state to cause cancer or reproductive toxicity.

**DROUGHT RESTRICTIONS.** The California Water Resources Control Board is proposing to extend the emergency urban water conservation regulations that were adopted in May 2016 and scheduled to expire February 2017. The board is proposing to continue the existing stress test approach and revisit it if updated conditions warrant. Water suppliers would be allowed to re-submit stress test data with up-to-date information if significant changes, such as new supplies, or changing reservoir conditions, have occurred. The board is also proposing to continue all other aspects of the existing emergency regulation, including:
• Monthly reporting on water production and local enforcement action;
• Prohibited water uses, such as no irrigation during and for 48 hours after rain; and
• Ability to issue Informational and Conservation Orders.

In addition, the board is proposing to add enforcement authority against municipalities that issue fines or citations for brown lawns in violation of statute. As drought conditions warrant, the board will consider updating emergency drought regulations in May or June 2017. To view a 2015 report published by the California Department of Water Resources on issues associated with declaring a drought, click here.

**WATER RIGHTS: FEES.** The California Water Resources Control Board adopted (page 11) an emergency rulemaking to correct an error discovered in the per-acre-foot charge formula for approximately 12,437 water rights holders for the 2016-17 Fiscal Year (FY) billing cycle. The emergency regulation authorizes a credit in the amount of any overage billed in FY 2016-17 to the annual billing invoice amount for FY 2017-18 for each fee payor who received an incorrectly calculated bill.

**DRINKING WATER FEES.** The California Water Resources Control Board is proposing to adopt a new drinking water fee regulation for public water systems. The fee regulation, developed in accordance with Senate Bill 83 (2015), is intended to reimburse the board for costs it incurs in administering the Safe Drinking Water Act. Comments were due 8 FEB 17. For more information, click here.

**WATER QUALITY STANDARDS VARIANCE POLICY.** The California Water Resources Control Board is considering whether to adopt a water quality standards variance policy, and has scheduled a public scoping meeting to solicit public input. The variance policy would authorize the state regional water boards to adopt a water quality standards variance, consistent with federal regulation. If adopted, the variance policy will be included in a proposal to establish statewide numeric bacteria objectives for the water contact recreation beneficial use and implementing provisions. The combined proposals will be included in a statewide water quality control plan titled, “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Establishing Bacteria Provisions and a Variance Policy.” An informational document about the proposal is available here. To view the bacterial objectives website, click here.

**LEGISLATIVE SESSION: 5 DEC 16 THROUGH 30 NOV 17**

An * indicates the first time a bill appears in the 2017 Western Review.

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<td>*AB 151 Assemblywoman Autumn Burke (D)</td>
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<td>Addresses greenhouse gas cap and trade. Authorizes the use of market-based compliance mechanisms. Establishes a system of market-based declining annual aggregate emissions limits for sources or categories of sources that emit greenhouse gases, applicable from 1 JAN 12 to 31 DEC 20.</td>
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<td>*AB 188 Assemblyman Rudy Salas (D)</td>
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<td>Allows for the voluntary retirement of passenger vehicles and light-duty and medium-duty trucks that are high polluters.</td>
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**ENERGY**

**LAND USE**
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<td><em>AB 190</em> Assemblyman Marc Steinorth (R)</td>
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<td>Addresses agency review of development projects. Requires a lead agency to approve or disapprove the design of a project within 30 days of the application being deemed complete.</td>
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<td><strong>OTHER</strong></td>
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<tr>
<td><em>AB 247</em> Assemblyman Jimmy Gomez (D)</td>
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<td>Requires the Office of Environmental Health Hazard Assessment convene a lead advisory task force to review and advise state and local entities regarding policies and procedures to reduce childhood lead poisoning in the state.</td>
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<td><strong>WASTE</strong></td>
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<td><em>AB 245</em> Assemblyman Jimmy Gomez (D)</td>
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<td>Addresses financial responsibility for permitted hazardous waste facilities. Requires the Department of Toxic Substances Control to review permitted hazardous waste facility financial assurances every five years. Requires the facilities to update and adopt adequate financial assurances, based on the review. Authorizes the department to require permitted facilities to fund corrective action cost estimates or to enter into a schedule of compliance for assurances of financial responsibility for completing a corrective action.</td>
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<td><em>AB 249</em> Assemblywoman Cristina Garcia (D)</td>
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<td>Increases administrative and civil penalties for violations of hazardous waste laws.</td>
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<td><strong>WATER</strong></td>
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<td><em>AB 196</em> Assemblyman Frank Bigelow (R)</td>
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<td>Authorizes the use of Greenhouse Gas Reduction Fund for water supply repairs.</td>
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### Natural Resources

**MARIANAS TRENCH MARINE NATIONAL MONUMENT NORTHERN ISLANDS SUBMERGED LANDS TRANSFER.** The U.S. Fish and Wildlife Service (FWS) released the finding of no significant impact (FONSI) and final environmental assessment for the Marianas Trench Marine National Monument Northern Islands Submerged Lands Transfer to the Commonwealth of the Northern Mariana Islands (CNMI) ([82 FR 3349](https://www.federalregister.gov/documents/2017/02/14/2017-03249/final-environmental-assessment)). As a result of the FONSI, the U.S. Department of Interior conveyed certain submerged lands within the monument from the United States to CNMI, effective 21 DEC 16.

### Water

**WATER PLAN.** The Hawaii Department of Water Resource Management is proposing to modify the Hawaii Water Plan. The proposed modifications are to the State Water Projects Plan (SWPP), which identifies future water demands and
strategies for state infrastructure. This update of the SWPP focuses on the water needs of the Department of Hawaiian Homelands. A series of public hearings were held throughout January. Comments were due 2 FEB 17.

**Legislative Session: 18 Jan 17 through 3 May 17**

An * indicates the first time a bill appears in the 2017 *Western Review*.

<table>
<thead>
<tr>
<th>Hawaii Bill Number, Sponsor, and Description</th>
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<td><strong>AIR/CLIMATE CHANGE</strong></td>
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<td><em>HB 1259</em></td>
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<td><em>Representative Henry J.C. Aquino (D)</em></td>
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<td>Establishes a clean vehicle transportation fee to be paid from a tax on fuel sales. Established the Zero Emissions Vehicle Infrastructure Special Fund, to be funded from a percentage of the clean vehicle transportation fee. Expedites the development of electric charging and hydrogen fueling infrastructure throughout the state and provides rebates for the purchase of new zero emission vehicles within the state so long as funds are available.</td>
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<td><strong>ENERGY</strong></td>
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<td><em>HB 821</em></td>
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<td><em>Representative Bob McDermott (R)</em></td>
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<td>Requires the Public Utilities Commission to establish policies and procedures related to retail wheeling to enable independent power producers to sell electricity directly to end users.</td>
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<td><em>HB 1336</em></td>
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<td><em>Representative Mark Jun Hashem (D)</em></td>
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<td>Requires a study be conducted in cooperation with the United States Army Corps of Engineers on the merits of acquiring Lake Wilson Dam and spillway to upgrade the dam and develop pumped-storage hydroelectricity. Appropriates funds. Companion bill is SB 1207.</td>
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<td><em>SB 1207</em></td>
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<td><em>Donovan Dela Cruz (D)</em></td>
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<td>Requires a study be conducted in cooperation with the United States Army Corps of Engineers on the merits of acquiring Lake Wilson Dam and spillway to upgrade the dam and develop pumped-storage hydroelectricity. Appropriates funds. Companion bill is HB 1336.</td>
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<td><strong>LAND USE</strong></td>
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<td><em>SB 583</em></td>
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<td><em>Senator Will Espero (D)</em></td>
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<td>Allows counties to approve district boundary amendments involving land areas up to 100 acres, rather than 15 acres, except lands in a conservation district or delineated as important agricultural lands.</td>
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<td><strong>NATURAL RESOURCES</strong></td>
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<td><em>HB 427</em></td>
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<td><em>Representative Justin H. Woodson (D)</em></td>
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<td>Establishes a dark night skies protection advisory committee to assist the University of Hawaii in developing a statewide dark night skies protection strategy. Companion bill is SB 140.</td>
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| **HB 454**  
*Representative Lynn DeCoite (D)*  
Authorizes departments that are members of the invasive species council to require landowners with land that contains invasive species to control or eradicate the invasive species if the landowner does not permit the department to enter the land. Imposes fines for noncompliance. |                 |                  |                  | ✓      |
| **HB 816**  
*Representative Sean Quinlan (D)*  
Addresses incidental take. Requires the Department of Land and Natural Resources to evaluate the impact of incidental take permits on threatened and endangered species and include any findings in the annual report. Specifies that the evaluation should address impact to individual species and the cumulative effect on all species. Companion bill is SB 699. |                 |                  |                  | ✓      |
| **HB 1013**  
*Representative Joseph Souki (D)*  
Restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority, administratively attached to the Department of Agriculture, to coordinate implementation of the Hawaii Interagency Biosecurity Plan and to improve coordination of the state's invasive species prevention, early detection, rapid response, control, enforcement, and outreach programs. Companion bill is SB 879. |                 |                  |                  | ✓      |
| **HB 1159**  
*Representative Joseph Souki (D)*  
Establishes a dark night skies protection advisory committee to assist the University of Hawaii in the development of a statewide dark night skies protection strategy to preserve dark night skies and reduce light pollution. Companion bill is SB 1025. |                 |                  |                  | ✓      |
| **HB 1243**  
*Representative Jarrett Keohokalole (D)*  
Requires the Department of Land and Natural Resources to develop a hotline intake training program. Appropriates funds to man the hotline. |                 |                  |                  | ✓      |
| **HB 1293**  
*Representative Sean Quinlan (D)*  
Requires the Department of Land and Natural Resources to develop an intake and dispatch training program to receive and respond to information and reports. Appropriates funds to man intake and dispatch services. |                 |                  |                  | ✓      |
| **HB 1301**  
*Representative Lynn DeCoite (D)*  
Establishes liability for introduction of invasive species. Establishes that an entity responsible for invasive species introduction is financially responsible for eradication of that invasive species. |                 |                  |                  | ✓      |
| **HB 1359**  
*Representative Joseph Souki (D)*  
Allows each county to enact and enforce ordinances necessary to prevent, investigate, control, or eradicate invasive species on any public or private premises within the limits of the county. |                 |                  |                  | ✓      |
| **SB 140**  
*Senator Kaiali‘i Kahele (D)*  
Establishes a dark night skies protection advisory committee to assist the University of Hawaii in developing a statewide dark night skies protection strategy. Companion bill is HB 427. |                 |                  |                  | ✓      |
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| **SB 570**  
*Senator Will Espero (D)*  
Requires an environmental assessment for any proposed use or development of property greater than 100 acres in size. Requires the assessment to include the results of a minimum five-day search for endangered or threatened species. | ✔ | | | |
| **SB 699**  
*Senator Gil Riviere (D)*  
Addresses incidental take. Requires the Department of Land and Natural Resources to evaluate the impact of incidental take permits on threatened and endangered species and include any findings in the annual report. Specifies that the evaluation should address impact to individual species and the cumulative effect on all species. Companion bill is HB 816. | | ✔ | | |
| **SB 879**  
*Senator Ronald Kouchi (D)*  
Restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority, administratively attached to the Department of Agriculture, to coordinate implementation of the Hawaii Interagency Biosecurity Plan and to improve coordination of the state’s invasive species prevention, early detection, rapid response, control, enforcement, and outreach programs. Companion bill is HB 1013. | | | ✔ | |
| **SB 1025**  
*Senator Ronald Kouchi (D)*  
Establishes a dark night skies protection advisory committee to assist the university of Hawaii in the development of a statewide dark night skies protection strategy to preserve dark night skies and reduce light pollution. Companion bill is HB 1159. | | | ✔ | |
| **SB 1179**  
*Senator Gil Riviere (D)*  
Requires the Department of Land and Natural Resources to develop a hotline intake training program to respond to information and reports. Requires the hotline to provide 24-hour service. Appropriates funds to upgrade and man the hotline. | | | ✔ | |
| **OTHER** | | | | |
| **HB 7**  
*Representative Roy M. Takumi (D)*  
Addresses fireworks. Increases maximum fines for violations of the fireworks control law. Establishes a program to inspect shipping containers for illegal explosives. Establishes a fee on all shipping containers to fund the inspection program. Companion bill is SB 598. | | | ✔ | |
| **HB 253**  
*Representative Richard Creagan (D)*  
Prohibits the use of pesticides containing the active ingredient chlorpyrifos. Companion bill is SB 844. | | | | |
| **HB 790**  
*Representative Chris Kalani Lee (D)*  
Establishes disclosure and public notification requirements for outdoor application of pesticides in various sensitive areas or by large-scale, outdoor commercial agricultural operations. | | | ✔ | |
| **HB 1282**  
*Representative Chris Kalani Lee (D)*  
Prohibits the application of neonicotinoid insecticides and glyphosate herbicides after 31 DEC 19, without a license or permit from the state or federal government. | | | ✔ | |
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<tr>
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</table>
| **SB 19**
*Senator Joshua B. Green (D)*
Requires the Department of Agriculture to establish a mandatory disclosure program for pesticide use by all persons or entities under certain circumstances. | ✓ | | | |
| **SB 29**
*Senator Joshua B. Green (D)*
Establishes pesticide buffer zones for sensitive areas beginning on 1 JUL 18. Establishes penalties for violations. | ✓ | | | |
| **SB 598**
*Senator Will Espero (D)*
Addresses fireworks. Increases maximum fines for violations of the fireworks control law. Establishes a program to inspect shipping containers for illegal explosives. Establishes a fee on all shipping containers to fund the inspection program. Companion bill is HB 7. | ✓ | | | |
| **SB 774**
*Senator Mike Gabbard (D)*
Increases the Hawaii Emergency Planning and Community Right-to-Know Act Tier II filing fee from $100 to $200 to provide needed preparedness resources to local area planning committees. | ✓ | | | |
| **SB 810**
*Senator Russell Ruderman (D)*
Prohibits application of neonicotinoid insecticides without a permit to protect honeybees and other pollinating animals. | ✓ | | | |
| **SB 844**
*Senator Russell Ruderman (D)*
Prohibits the use of pesticides containing the active ingredient chlorpyrifos. Companion bill is HB 253. | | | | |
| **WASTE** | | | | |
| **HB 184**
*Scott K. Saiki (D)*
Mandates the recommendations made to the Department of Health regarding advance disposal fee glass containers and glass recycling. Requires the department to report on its implementation of the recommendations to the Legislature. Companion bill is SB 301 | ✓ | | | |
| **SB 301**
*Senator Karl Rhoads (D)*
Mandates the recommendations made to the Department of Health regarding advance disposal fee glass containers and glass recycling. Requires the department to report on its implementation of the recommendations to the Legislature. Companion bill is HB 184. | ✓ | | | |
| **WATER** | | | | |
| **HB 1191**
*Representative Joseph Souki (D)*
Amends the definition of water pollutant in state water quality regulations. Excludes locally sourced sand that meets certain conditions from the definition of “pollutant.” Companion bill is SB 415. | ✓ | | | |
| **HB 1417**
*Representative Ryan I. Yamane (D)*
Requires the Hawaii Emergency Management Agency to develop a post-disaster fresh drinking water security plan and submit a report to the legislature in 2018. Appropriates funds. | ✓ | | | |
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| **SB 415**
Senator Gilbert S.C. Keith-Agaran (D)
Amends the definition of water pollutant in state water quality regulations. Excludes locally sourced sand that meets certain conditions from the definition of “pollutant.” Companion bill is HB 1191. | ✓ | ✓ | ✓ | ✓ |
| **SB 1259**
Senator Mike Gabbard (D)
Requires the Department of Health to adopt rules for underground storage tanks and tank systems to conform to certain federal regulations. Adds requirements for field-constructed underground storage tanks and tank systems. | ✓ | ✓ | ✓ | ✓ |

In addition, Guam’s legislative session began 15 JAN 16 and adjourns 31 DEC 18.

No significant legislative actions to report.

**ANNUAL LIST HAZARDOUS WASTE FACILITY LIST.** The Nevada Division of Environmental Protection (NDEP) announced it has compiled a list of all approved permit modifications for hazardous waste management facilities permitted under the Resource Conservation and Recovery Act. The list is available for inspection at the NDEP office in Carson City, Nev.

**LEGISLATIVE SESSION: 6 FEB 17 THROUGH 6 JUN 17 (ESTIMATED)**

No significant legislative actions to report.

**Federal Activity**

**MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES: REGULATORY FREEZE PENDING REVIEW.** The Assistant to the President and Chief of Staff issued a memorandum on 20 JAN 17 with the presidential directive to send no regulation to the Office of the Federal Register until a department or agency head appointed or designated by the president reviews and approves the regulation. Executive departments and agencies are to postpone the effective date for 60 days from the date of the memorandum for regulations that have been published in the Federal Register but have not taken effect. The delayed effective date may lead to additional notice and comment on the rulemaking. The Director or Acting Director of the Office of Management and Budget (OMB) may allow exceptions to the directive for emergency situations or other urgent circumstances relating to health, safety, financial, or national security matters. OMB published a notice on the memorandum in the Federal Register (82 FR 8346) on 24 JAN 17.

The proposed and final rules described below may or may not be affected by the regulatory freeze.

**EPA FINAL RULE DELAYING EFFECTIVE DATES FOR 30 REGULATIONS.** EPA issued a final rule delaying implementation of 30 regulations that were published in the Federal Register between 28 OCT 16 and 17 JAN 17 (82 FR 8499). The final rule identifies the specific regulations affected and gives all of them the new effective date of 21 MAR 17.
COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS: FEDERAL PLAN. EPA is proposing a federal plan for existing commercial and industrial solid waste incineration (CISWI) units in states that do not have an approved state plan implementing EPA’s Emission Guidelines (82 FR 3554). The federal plan includes the same elements required for state plans, including identification of legal authority and mechanisms for implementation; inventory of CISWI units; emissions inventory; compliance schedules; emissions and operating limits; operator training and qualification; testing, monitoring, recordkeeping, and reporting; public hearing; and progress reporting. Comments are due 27 FEB 17.

OZONE MODELING DATA FOR USE IN STATE IMPLEMENTATION PLANS. EPA is providing notice that preliminary interstate ozone transport modeling data and associated methods relative to the 2015 ozone NAAQS are available for public review and comment (82 FR 1733). This information is being provided to help states develop SIPs to address the requirements of the CAA for the 2015 ozone NAAQS. Information available includes:

- Emission inventories for 2011 and 2023, supporting data used to develop those emission inventories, methods and data used to process emission inventories into a form that can be used for air quality modeling; and
- Air quality modeling results for 2011 and 2023, base period (i.e., 2009-2013) average and maximum ozone design value concentrations, projected 2023 average and maximum ozone design value concentrations, and projected 2023 ozone contributions from state-specific anthropogenic emissions and other contribution categories to ozone concentrations at individual ozone monitoring sites.

PROTECTION OF VISIBILITY IN SIPs. EPA finalized revisions to SIP requirements for protection of visibility in mandatory Class I Federal areas (82 FR 3078). The revisions clarify the relationship between long-term strategies and reasonable progress goals in SIPs and the long-term strategy obligation of all states; modify requirements for SIP revisions and periodic progress reports; make changes to reasonably attributable visibility impairment federal implementation plans; and provide states with additional flexibility regarding impacts on visibility. EPA also made a one-time adjustment to the due date for the next periodic comprehensive SIP revisions by extending the existing deadline to 31 JUL 21.

HAPs TO INCLUDE N-PROPYL BROMIDE. EPA is proposing to add n-propyl bromide, also referred to as 1-bromopropane, to the list of HAPs (82 FR 2354). The agency is acting in response to petitions it received from the Halogenated Solvents Industry Alliance and the New York State Department of Environmental Conservation. According to an EPA evaluation, the petitions contained sufficient information to support a determination that emissions and ambient concentrations of 1-bromopropane may reasonably be anticipated to cause adverse health effects. 1-bromopropane is a solvent used in vapor and immersion degreasing operations, adhesive spray applications, dry cleaning, and solvent sprays used in aircraft maintenance. Comments are due 10 MAR 17.

ACCIDENTAL RELEASE PREVENTION REQUIREMENTS: RISK MANAGEMENT PROGRAMS. EPA adopted final amendments to federal Risk Management Program regulations, which apply to stationary sources that hold specific regulated substances in excess of threshold quantities (82 FR 4594). The facilities are required to assess their potential release impacts, take steps to prevent releases, plan for emergency response to releases, and summarize this information in a risk management plan submitted to EPA. In this rulemaking, the agency made several changes to the accident prevention program requirements, enhanced emergency response requirements, and made improvements to the public availability of chemical hazard information. The effective date is 21 MAR 17 (82 FR 8499).

AIR QUALITY MODELS. EPA adopted final revisions to the Guideline on Air Quality Models (82 FR 5182). The purpose of the guidelines is to promote consistency in the use of modeling within the air quality management process. EPA changed the preferred status of and removed several air quality models from appendix A of the guideline. EPA also updated and reorganized the guideline to streamline the compliance assessment process. The effective date is 21 MAR 17 (82 FR 8499).
PROPOSED CONSENT DECREE: PERIODIC REVIEW OF AIR QUALITY CRITERIA AND NAAQS. EPA is giving notice of a proposed consent decree to address a lawsuit alleging EPA failed to complete periodic reviews of the air quality criteria and the primary NAAQS for sulfur oxides (SOx) and NOx and to make revisions to existing standards or promulgate new NAAQS, as appropriate (82 FR 4866). The consent decree would establish deadlines for EPA to take specified actions. Comments are due 16 FEB 17.

CLEAN UP

SUBSURFACE INTRUSION COMPONENT TO HAZARD RANKING SYSTEM. EPA added a subsurface intrusion (SsI) component to the Hazard Ranking System (HRS), which is the principal mechanism that EPA uses to evaluate sites for placement on the National Priorities List (NPL) (82 FR 2760). The addition of an SsI component to the HRS expands the number of available options for EPA and states to evaluate threats to public health from releases of hazardous substances, pollutants, or contaminants. According to EPA, this final rule will not affect the status of sites currently on or proposed to the NPL. Consistent with requirements in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as Superfund, sites listed or proposed for listing will not be re-evaluated for an SsI pathway. The effective date is 21 MAR 17 (82 FR 8499).

BROWNFIELDS FUNDING. EPA plans to make available approximately $13 million to provide supplemental funds to Revolving Loan Fund capitalization grants previously awarded competitively under CERCLA (82 FR 6548). EPA will consider awarding supplemental funding only to grantees who have demonstrated an ability to deliver programmatic results by making at least one loan or subgrant.

CLIMATE CHANGE

GHG EMISSIONS FROM ELECTRIC GENERATING UNITS: DENIAL OF RECONSIDERATION. EPA received 38 petitions for reconsideration of the final Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units. The agency is providing notice that it denied the petitions for reconsideration except to the extent they raise topics concerning biomass and waste-to-energy, and it is deferring action on the petitions to the extent they raised those topics (82 FR 4864). EPA also received 22 petitions for an administrative stay of this rule. The agency is providing notice that it denied these petitions. The notice of denial for reconsideration and administrative stay was published 17 JAN 17.

ENERGY

QUADRENNIAL ENERGY REVIEW. The U.S. Department of Energy (DOE) released the second installment of the Quadrennial Energy Review (QER 1.2). The QER, released in cycles, provides an integrated view of and recommendations for federal energy policy in the context of economic, environmental, occupational, security, and health and safety priorities. The first installment, QER 1.1, focused on the nation’s energy infrastructure. The second installment, QER 1.2, focuses on transforming the nation's electricity system, analyzing trends and issues confronting the nation’s electricity sector out to 2040, and examining the entire electricity supply chain from generation to end use. Within the context of three overarching national goals, recommendations in QER 1.2 are intended to enhance economic competitiveness, promote environmental responsibility, and provide for the nation’s security. The report builds on analysis and recommendations in QER 1.1 on improving energy transmission, distribution, and storage infrastructures.

REFORM OF GENERATOR INTERCONNECTION PROCEDURES AND AGREEMENTS. The Federal Energy Regulatory Commission (FERC) is proposing to revise its regulations and the pro forma Large Generator Interconnection Procedures (LGIP) and pro forma Large Generator Interconnection Agreement (LGIA) (82 FR 4464). The proposed revisions are intended to ensure that the generator interconnection process is just and reasonable and not unduly discriminatory or preferential. Specifically, FERC is proposing 14 revisions that focus on improving aspects of the pro forma LGIP and LGIA, the pro forma Open Access Transmission Tariff, and the commission's regulations. The proposed revisions fall into three broad
categories and are intended to improve certainty in the interconnection process, improve transparency by providing more information to interconnection customers, and enhance interconnection processes. Comments are due 14 MAR 17.

**Hydropower in Undeveloped Stream Reaches.** The Water Power Technologies Office, Office of Energy Efficiency and Renewable Energy, extended the public comment period on its 2016 request for information on challenges and opportunities associated with hydropower development in undeveloped stream-reaches (82 FR 5549). The public comment period was extended to 10 FEB 17.

**Energy Efficiency Standards for Federal Low-Rise Residential Buildings.** DOE published a final rule updating the federal energy efficiency performance standards for the construction of new federal low-rise residential buildings (82 FR 2857). The final rule updates the definition of federal building to include privatized military family housing and leased buildings. The rule updates the baseline federal residential standard to the 2015 International Energy Conservation Code (IECC), effective 13 MAR 17. The 2015 IECC includes explicit mechanical ventilation requirements for new homes. DOE believes the primary impact of this change will be to require agencies to use the newest residential ventilation standards. The rule also updates the methodology used in the 30 percent savings calculation. The final rule applies to new federal low-rise residential buildings for which design for construction begins on or after 10 JAN 18.

**Land Use**

**Climate Smart Brownfields Manual.** EPA released an online Climate Smart Brownfields Manual for communities that want to consider climate change as they assess, clean up, or redevelop brownfield sites. The manual provides guidance on best practices for climate change mitigation, adaptation, and resilience at all stages of brownfields work, from planning to redevelopment. In addition, the manual contains case studies and links to additional resources that communities can use as they develop brownfields project plans.

**Sage-grouse Habitat Protection.** BLM is proposing to withdraw approximately 10 million acres of public and National Forest System lands from location and entry under U.S. mining laws to protect the greater sage-grouse and its habitat (81 FR 96478). The amendment adds 387,981 acres in Nevada and refines the proposed withdrawal boundaries in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming. In addition, this notice announces the release of the draft Environmental Impact Statement (EIS) for public review, which analyzes and discloses the impacts of the proposed withdrawal. Comments are due 28 MAR 17. Public meetings are scheduled for February 2017.

**Miscellaneous**

**Reducing Regulation and Controlling Regulatory Costs.** President Trump issued an Executive Order (EO) on Reducing Regulation and Controlling Regulatory Costs. For FY 2017, which is in progress, unless prohibited by law, the EO requires agencies that propose or promulgate a new rule to identify at least two regulations to be repealed. For FY 2017, the EO specifies that any new incremental costs associated with new regulation be offset by the elimination of existing costs associated at least with prior regulations, to the extent permitted by law. The EO requires the Director of OMB to issue guidance that addresses processes for standardizing the measurement and estimation of regulatory costs. Agencies will be required to submit cost estimates to the OMB.

**Consolidated Rules of Practice.** EPA revised its Consolidated Rules of Practice governing the administrative assessment of civil penalties and various other administrative adjudicatory hearings (82 FR 2230). The revisions simplify the administrative processing of cases by removing inconsistencies, codifying electronic filing and service procedures, and streamlining the procedures in cases initiated at EPA Headquarters. The effective date is 21 MAR 17 (82 FR 8499).

**Natural Resources**

**New Categories of Special Use Permits Related to Desalination Facilities.** The National Oceanic and Atmospheric Administration is requesting public comment on whether the Office of National Marine Sanctuaries should
adopt two new special use permit (SUP) categories (82 FR 3751). The two new SUP categories are the continued presence of a pipeline transporting seawater to or from a desalination facility, and the use of sediment to filter seawater for desalination. While most current desalination activity in sanctuaries is occurring in California, the SUP categories are intended to apply across the national marine sanctuary system. Comments are due 13 FEB 17.

**EXPEDITING ENVIRONMENTAL REVIEWS AND APPROVALS FOR HIGH PRIORITY INFRASTRUCTURE PROJECTS.** President Trump issued EO 13766, which calls for expedited environmental reviews of high priority infrastructure projects. High priority infrastructure projects may be identified in one of three ways: by a request from the governor of a state, by a request from the head of any executive department or agency, or by the chairman of the White House Council on Environmental Quality (CEQ). Within 30 days after a request is made, the CEQ will decide whether an infrastructure project qualifies as a high priority infrastructure project. The EO requires CEQ to coordinate with the head of the relevant agency to establish expedited procedures and deadlines for completion of environmental reviews and approvals for identified high priority projects.

**CANDIDATE CONSERVATION AGREEMENTS WITH ASSURANCES.** FWS revised regulations concerning enhancement-of-survival permits associated with Candidate Conservation Agreements with Assurances (81 FR 95053). FWS added the term “net conservation benefit” to the Candidate Conservation Agreements with Assurances regulations, and eliminated references to “other necessary properties” to clarify the level of conservation effort required for each agreement. The effective date of this rule and an associated policy is 21 MAR 17 (82 FR 8501).

**GAO REPORT: CASE STUDY OF EFFECTIVENESS OF COMPENSATORY MITIGATION STRATEGIES.** The Government Accountability Office (GAO) released a report that evaluates FWS implementation of compensatory mitigation strategies, using FWS’s American Burying Beetle Conservation Efforts as the study subject (GAO 17-154). FWS signed an interagency agreement with the U.S. Army Corps of Engineers (USACE) in February 2016 to modify its Regulatory In-lieu fee and Bank Information Tracking System, referred to as RIBITS, to enable FWS to track its in-lieu fee programs. However, GAO found that FWS has not obligated funds for the necessary modifications or developed a timetable.

**GOLD BUTTE NATIONAL MONUMENT.** President Obama issued a proclamation in December 2016 establishing the Gold Butte National Monument in Nevada, encompassing approximately 296,937 acres of federal land (82 FR 1149). The BLM will manage the land within the boundary of the monument.

**SUSTAINABILITY**

**FEDERAL PROCUREMENT.** The U.S. Department of Agriculture (USDA) is proposing to amend the Guidelines for Designating Biobased Products for Federal Procurement (82 FR 4206). The amendments would designate 12 product categories composed of intermediate ingredient and feedstock materials within which biobased products would be afforded procurement preference by federal agencies and their contractors. USDA is also proposing minimum biobased contents for each of these product categories. Comments are due 14 MAR 17.

**GAO REPORT ON BUILDING DESIGN STANDARDS.** According to GAO, extreme weather cost the federal government more than $320 billion over the last decade for repairs to federal infrastructure, among other fixes. Costs may rise as the climate continues to change. GAO’s prior work has found that using the best available climate information, including forward-looking projections, can help manage climate-related risks. In its evaluation on building design standards, GAO found that standards-developing organizations generally have not used forward-looking climate information—such as projected rainfall rates—in design standards, building codes, and voluntary certifications and instead have relied on historical observations (GAO 17-3). Further, GAO found that some organizations periodically update climate information in standards, codes, and certifications, but others do not. GAO recommends that the National Institute of Standards and Technology, in consultation with the U.S. Global Change Research Program and the Federal Emergency Management Agency’s Mitigation Framework Leadership Group, convene an ongoing government-wide effort to provide forward-looking climate information to standards organizations. The Department of Commerce neither agreed nor disagreed with GAO’s recommendation.
**Threatened and Endangered Species**

**Civil Penalties.** FWS issued a final rule adjusting for inflation the statutory civil monetary penalties that may be assessed for violations of service-administered statutes and their implementing regulations (82 FR 6307). The final rule was effective 19 JAN 17.

**Proposed Delisting of Lesser Long-Nosed Bat.** FWS is proposing to remove the lesser long-nosed bat (Leptonycteris curasoae yerbabuenae) from the federal list of threatened and endangered species due to recovery (82 FR 1665). This notice of proposed delisting also serves as a 12-month finding on a petition to reclassify the species from endangered to threatened. The species is known or believed to occur in Arizona, New Mexico, and Mexico. Comments on the proposed delisting are due 7 MAR 17.

**Proposed Delisting of Hidden Lake Bluecurls.** FWS is proposing to remove hidden lake bluecurls (Trichostema austromontanum ssp. compactum) from the federal list of threatened species (82 FR 1296). The plant species is found in Riverside County, California. Comments are due 21 FEB 17.

**Oceanic Whitetip Shark.** In response to a petition, the National Marine Fisheries Service (NMFS) conducted a comprehensive status review for the oceanic whitetip shark (Carcharhinus longimanus) and determined that listing the species as threatened is warranted (81 FR 96304). The service is requesting public comment on the proposed determination to list the species, the development of protective regulations, and the designation of critical habitat. Oceanic whitetip sharks are found worldwide in warm tropical and subtropical waters between 20° North and 20° South latitude, but can be found up to about 30° North and South latitude during seasonal movements to higher latitudes in the summer months. Comments are due 29 MAR 17.

**Toxics**

**Protecting Bees from Pesticides.** In January, EPA released a final Policy to Mitigate the Acute Risk to Bees from Pesticide Products. The policy recommends changes to labels for pesticides that pose an acute risk to bees, while reducing potential impacts on growers. The agency will use its Tier I acute risk assessment to determine which products trigger concerns about pollinator risk. EPA also continues to support the development of managed pollinator protection plans by states and tribes to reduce pesticide exposure to bees. For more information, click here.

**Application of Restricted Use Pesticides.** EPA updated an existing rule concerning the application of restricted use pesticides (RUPs) (82 FR 952). The final rule is intended to improve the competency of certified applicators of RUPs, increase protection for noncertified applicators using RUPs under the direct supervision of a certified applicator through enhanced pesticide safety training and standards, and establish a minimum age requirement for certified and noncertified applicators using RUPs under the direct supervision of a certified applicator. The effective date is 21 MAR 17 (82 FR 8499).

**TSCA Notifications.** Recent amendments to the Toxic Substances Control Act (TSCA) require EPA to designate chemical substances on the TSCA Chemical Substance Inventory as either active or inactive in U.S. commerce (82 FR 4255). The agency is proposing to require a retrospective electronic notification of chemical substances on the TSCA Inventory that were manufactured or imported for non-exempt commercial purposes during the 10-year time period ending 21 JUN 16. EPA is also proposing to establish procedures for forward-looking electronic notification of chemical substances on the TSCA Inventory that are designated as inactive, if and when the manufacturing or processing of such chemical substances for non-exempt commercial purposes is expected to resume. EPA is proposing procedures for how notifications will be submitted, the details of the notification requirements, exemptions from such requirements, and handling claims of confidentiality. Comments are 14 MAR 17.

**Prioritization of Chemicals for Risk Evaluation Under TSCA.** EPA is proposing to establish a risk-based screening process and criteria to identify chemical substances as either High-Priority Substances for risk evaluation, or Low-Priority...
Substances for which risk evaluations are not warranted at the time (82 FR 4825). EPA will select candidate chemical substances for prioritization and screen high priority chemicals against several factors. Comments are due 20 MAR 17.

**Chemical Risk Evaluation Process Under TSCA.** As required under TSCA, EPA is proposing to establish a process for conducting risk evaluations to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment (82 FR 7562). Risk evaluation is the second step, after prioritization, in a new process of existing chemical substance review and management established under recent amendments to TSCA. This proposed rule identifies the steps of a risk evaluation process including scope, hazard assessment, exposure assessment, risk characterization, and finally a risk determination. EPA is proposing that this process be used for the first 10 chemical substances to be evaluated. Comments are due 20 MAR 17.

**Risk Evaluation Scoping Efforts for 10 Chemical Substances Under TSCA.** EPA scheduled a public meeting to help establish the scope of risk evaluations under development for the 10 chemical substances designated in December 2016 for risk evaluations under TSCA (82 FR 6545). Specifically, EPA is requesting comment on the conditions of use for the 10 chemical substances, which it will use as it develops the scoping documents for the TSCA risk evaluations. The meeting is scheduled 14 FEB 17.

**Proposed Ban on TCE in Vapor Degreasing.** EPA is proposing to prohibit the use of trichloroethylene (TCE) in vapor degreasing and spot cleaning in dry cleaning facilities, and to impose prohibitions on its manufacture or import, processing, and distribution in commerce (82 FR 7432). EPA is also proposing to require manufacturers, processors, and distributors, except for retailers of TCE, to provide downstream notification of the prohibitions throughout the supply chain and to require limited recordkeeping. Comments are due 20 MAR 17.

**Proposed Ban on Methylene Chloride and N-Methylpyrrolidone.** EPA is proposing to prohibit most uses of methylene chloride and N-methylpyrrolidone (NMP) (82 FR 7464). For methylene chloride, the agency is proposing to prohibit the manufacture or import, processing, and distribution in commerce of methylene chloride for consumer and most types of commercial paint and coating removal. The rulemaking also prohibits the use of methylene chloride in these commercial activities. For national security, the proposal includes an initial 10-year exemption for certain critical coating removal uses. For NMP, EPA is proposing to prohibit the manufacture or import, processing, distribution, and use for commercial paint and coating removal. The agency is proposing a 10-year exemption for national security uses. As an alternate proposal, the agency is proposing that commercial users of NMP adopt a suite of practices to protect worker safety, and that manufacturers reformulate their products to reduce the percent by weight of the compound. The alternate proposal to reduce the percent by weight of NMP in paint removal compounds would allow DOD and contractors performing work for DOD to use products containing higher concentrations of NMP. Comments are due 19 APR 17.

**Category 3 Radioactive Material Regulations.** In October 2016, the Nuclear Regulatory Commission (NRC) directed its staff to evaluate whether it is necessary to revise NRC regulations governing radioactive material source protection and accountability, focusing on Category 3 sources. As part of the evaluation, NRC is seeking input from licensees to inform its assessment of potential revisions to regulations or processes requiring Category 3 source protection and accountability (82 FR 2399). According to the NRC, Category 3 sources are typically used in practices such as fixed industrial gauges involving high activity sources (such as level, dredger, conveyor, and spinning pipe gauges) and well logging. If not safely managed, Category 3 sources could cause permanent injury to a person who handled them or was otherwise in contact with them for some hours. Comments are due 10 MAR 17.

**Beryllium.** The Occupational Safety and Health Administration (OSHA) amended existing standards for occupational exposure to beryllium and beryllium compounds (82 FR 2470). OSHA has determined that employees exposed to beryllium at the previous permissible exposure level (PEL) face a significant risk of material impairment to their health through increased risk of developing chronic beryllium disease and lung cancer. The final rule sets the 8-hour PEL of 0.2 micrograms of beryllium per cubic meter of air (μg/m³) and an action level of 0.1 μg/m³ as an 8-hour time-weighted average, and establishes a short term exposure level (STEL) of 2.0 μg/m³ as determined over a sampling period of 15
minutes. In addition, the final rule specifies a suite of requirements for employers. The final rule is effective 10 MAR 17. For more information, click here.

**SIGNIFICANT NEW USE RULES WITHDRAWN.** EPA withdrew direct final significant new use rules (SNURs) for two nanomaterials that were the subject of pre-manufacture notices (82 FR 6277). The substances included a bimodal mixture of multi-walled carbon nanotubes and other classes of generic carbon nanotubes. The direct final rules were withdrawn because the agency received adverse comment. EPA intends to publish new SNURs for the substances. The direct final rule was withdrawn effective 19 JAN 17.

**WASTE**

**Radioactive Waste Disposal: Consent-based Siting Process.** DOE is designing a consent-based siting process to establish an integrated waste management system to transport, store, and dispose of commercial spent nuclear fuel and high-level radioactive waste (82 FR 4333). The department is seeking input on the draft document, Consent-Based Siting Process for Consolidated Storage and Disposal Facilities for Spent Nuclear Fuel and High-Level Radioactive Wastes. Comments are due 14 APR 17. For more information on consent-based siting, click here.

**WATER**

**Nationwide Permits.** USACE is reissuing 50 existing nationwide permits (NWPs) with some modifications, two new NWPs, and one new general condition (82 FR 1860). The NWPs authorize activities that have no more than minimal individual and cumulative adverse environmental effects. The NWPs authorize a variety of activities, such as aids to navigation, utility line crossings, erosion control activities, road crossings, stream and wetland restoration activities, residential developments, mining activities, commercial shellfish aquaculture activities, and agricultural activities. The two new NWPs authorize the removal of low-head dams and the construction and maintenance of living shorelines. The NWPs are in effect from 19 MAR 17 to 18 MAR 22. For more information on USACE NWPs, click here, or visit regulations.gov (Docket ID COE-2015-0017).

**Review of National Primary Drinking Water Regulations.** EPA completed a review of existing national primary drinking water regulations (NPDWRs) to determine whether any need to be revised (82 FR 3518). EPA evaluated current information for regulated contaminants to determine if there is new information on health effects, treatment technologies, analytical methods, occurrence and exposure, implementation and/or other factors that provide a health or technical basis to support a regulatory revision that will improve or strengthen public health protection. Based on the results of the review, EPA determined that eight NPDWRs are candidates for regulatory revision. The eight NPDWRs are included in the Stage 1 and the Stage 2 Disinfectants and Disinfection Byproducts Rules, the Surface Water Treatment Rule, the Interim Enhanced Surface Water Treatment Rule, and the Long Term 1 Enhanced Surface Water Treatment Rule. In addition, the agency identified 12 other NPDWRs that were or continue to be addressed in recently completed, ongoing, or pending regulatory actions. EPA thus excluded those 12 NPDWRs from detailed review. Completion of the review does not represent a final regulatory decision, but rather the initiation of a process that will determine whether a rulemaking should be initiated to revise a NPDWR. Comments are due 13 MAR 17.

**Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water.** EPA is proposing to make conforming changes to existing drinking water regulations based on the Reduction of Lead in Drinking Water Act of 2011 and the Community Fire Safety Act of 2013 (82 FR 4805). The amendments are intended to assure that individuals purchasing, installing, or inspecting potable water systems can identify lead free plumbing materials. Specifically, EPA is proposing to establish labeling requirements to differentiate plumbing products that meet the lead free requirements from those that are exempt from the lead free requirements and to require manufacturers to certify compliance with the lead free requirements. Comments are due 17 APR 17.

**Request for Peer Reviewers and Public Comment: Lead in Drinking Water.** EPA released materials that relate to the expert external peer review of documents intended to support EPA’s Safe Drinking Water Act assessment of lead in
drinking water (82 FR 6546). EPA is inviting the public to nominate scientific experts to be considered as peer reviewers for the contract-managed peer review. The agency is also requesting public comment on the draft report, Proposed Modeling Approaches for a Health Based Benchmark for Lead in Drinking Water, and the draft charge questions for the expert peer review panel. Nominations for expert peer review were due 21 FEB 17. Comments on the draft report and panel charge questions are due 6 MAR 17.

**PROTECTION ACTION GUIDE FOR DRINKING WATER AFTER A RADIOLOGICAL INCIDENT.** EPA amended chapter 4 of the 2016 Protection Action Guidelines (PAG) Manual to incorporate guidance for radiation protection decisions concerning drinking water (82 FR 6498). The drinking water PAG manual is a guidance document, intended for use by federal, state, and local emergency management officials in the unlikely event of significant radiological contamination incidents, such as a disaster at a nuclear power plant, a radiological dispersal device or an improvised nuclear device, and for a duration of weeks to months but not longer than one year.

**GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITY.** All 10 EPA regions are issuing the 2017 National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges from construction activities to waters of the U.S., also referred to as the 2017 Construction General Permit, or CGP (82 FR 6534). The permit, effective 16 FEB 17, provides coverage to eligible operators in all areas of the country where EPA is the NPDES permitting authority. The final 2017 CGP is substantially similar to the 2012 CGP. It includes effluent limitations and requirements for self-inspections, corrective actions, staff training, development of a stormwater pollution prevention plan (SWPPP), and permit conditions applicable to construction sites in specific states, Indian country lands, and territories. Additionally, the appendices provide forms for the submittal of a Notice of Intent, Notice of Termination, Low Erosivity Waiver, and step-by-step procedures for determining eligibility with respect to the protection of threatened and endangered species and historic properties, and for complying with the permit's natural buffer requirements. For more information about the 2017 CGP, including a copy of the permit, click here.

**Department of Defense Activity**

**UNIFORM NATIONAL DISCHARGE STANDARDS FOR VESSELS OF ARMED FORCES.** DOD and EPA issued final discharge performance standards for 11 discharges incidental to the normal operation of a vessel of the Armed Forces into the navigable waters of the United States, the territorial seas, and the contiguous zone (82 FR 3173). The rule applies in both fresh and marine waters and can include bodies of water such as rivers, lakes, and oceans. The 11 discharges addressed by the final rule are: aqueous film-forming foam (AFFF), chain locker effluent, distillation and reverse osmosis brine, elevator pit effluent, gas turbine water wash, non-oily machinery wastewater, photographic laboratory drains, seawater cooling overboard discharge, seawater piping biofouling prevention, small boat engine wet exhaust, and welldeck discharges. The final rule was effective 10 FEB 17.

**SUSTAINABLE ACQUISITION.** DOD, the General Services Administration, and the National Aeronautics and Space Administration are proposing to revise the Federal Acquisition Regulation to implement policy that will improve agencies' environmental performance and federal sustainability (82 FR 5490). The proposed rule promotes the acquisition of sustainable products, services, and construction methods in order to reduce energy and water consumption, reliance on natural resources, and enhance pollution prevention within the federal government. Comments are due 20 MAR 17.

**FEDERAL POLICY FOR PROTECTION OF HUMAN SUBJECTS.** DOD and other federal agencies adopted revisions to the Federal Policy for the Protection of Human Subjects, originally promulgated as a Common Rule in 1991 (82 FR 7149). The final rule is intended to better protect human subjects involved in research, while facilitating valuable research and reducing burden, delay, and ambiguity for investigators. The revisions are an effort to modernize, simplify, and enhance the current system of oversight. The final rule was effective 19 JAN 17.
**GAO REPORT ON BRAC REPORTING.** The Government Accountability Office (GAO) was tasked to update its 2007 report on the environmental cleanup and transfer of installations closed under the Base Realignment and Closure (BRAC) program. GAO found that DOD captured and reported more comprehensive cost information in its environmental cost reporting for installations closed under BRAC since 2007 (GAO 17-151). DOD used a variety of methods since 2007 to continue to make progress in transfers of unneeded BRAC property. However, installation officials stated that they continue to face challenges, such as navigating multiple regulatory agencies or disposing of radiological contamination, and that these challenges increase the time it takes to clean up and transfer property. Installation officials stated that they periodically reach out to officials at other installations and across services for help in learning how to expedite or resolve challenges, but that there is no formal mechanism within DOD to capture and share this type of information. Installation officials further said that a system to capture lessons learned would be helpful. GAO recommends that DOD include in future reports to Congress that the cleanup of emerging contaminants will increase cleanup costs, estimate such costs, and share best practices on mitigating cleanup and property transfer challenges. DOD concurred with GAO’s recommendations.

**DOD MICROGRIDS, RENEWABLE POWER, AND ENERGY EFFICIENCY INVESTMENTS.** A report by the nonprofit science and technology organization Noblis Inc. and commissioned by the Pew Charitable Trusts says the DOD could "save hundreds of millions of dollars annually and boost energy security by installing more microgrids and renewable power systems, and increasing energy efficiency on military bases." The report, Power Begins at Home, is available [here](#).

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**Professional Development**

**DOD TRAINING SOURCES**

**US ARMY CORPS OF ENGINEERS PROSPECT TRAINING.** USACE released the [FY17 PROSPECT](#) (i.e., Proponent-Sponsored Engineer Corps Training) program. Courses are open to federal, state, county, and city employees and contractors. There are different registration processes for each entity. Please refer to the [course catalog](#) and list of classes and schedule for details. Environmental courses include, but are not limited to:

- Environmental Regulations Practical Application Course (Course Control Number (CCN) 398)
- CERCLA/RCRA Process (CCN 356)
- Hazardous Waste Manifesting & DOT Certification (CCN 223)
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429)
- Radioactive Waste Transport (CCN 441)
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Environmental Remediation Technologies (CCN 395)
- Environmental Laws and Regulations (CCN 170)

**NAVY AND ISEERB ENVIRONMENTAL TRAINING.** The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule is available. Course topics include environmental overview and management, law planning and sustainability, pollution prevention, restoration, conservation, supplemental and Internet/computer-based training, and more.

**AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING.** The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charges. Travel costs are borne by the student.
**Defense and Federal Environmental Training/Awareness.** The Army offers numerous environmental training courses (classroom and online). Explore training opportunities on the U.S. Army Environmental Command [website](#), which has links to training provided by DOD organizations.

**Federal Training Sources**

**Federal Facilities Environmental Stewardship and Compliance Assistance Center.** FedCenter.gov is the federal government’s home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information in the following areas:

- Program development (e.g., environmental management systems, green procurement program);
- Federal and state regulatory requirements for various facility activities;
- Regulatory Watch for information on new or changed laws or regulations;
- Pollution prevention opportunities and best management practices;
- EPA enforcement notices;
- Links to state environmental programs;
- Access to [environmental assistance](#);
- Access to free, FedCenter-sponsored courses:
  1. [Environmental Compliance for Federal Laboratories](#) (FedCenter membership required);
  2. [Environmental Management Systems](#) (FedCenter membership required);
  3. [Underground Storage Tanks](#) (FedCenter membership required);
- Environmental conferences, meetings, training, and workshop information;
- Applicable laws and Executive Orders; and
- Industry sector-specific newsletters.

FedCenter also provides member assistance services such as:

- Collaboration tools for workgroups,
- Environmental reporting tools, and
- Daily newsletter and subscription services.

**Sustainable Acquisition for Federal Agencies (Online).** The two-hour [course](#) provides staff involved in specifying and purchasing with a thorough introduction to compliance requirements, processes, and tools for procuring sustainable products and services. Participants will receive specific guidance in how to meet executive order and Federal Acquisition Regulation requirements and understand how sustainable acquisition benefits their agency, community, and the environment.

**Biobased Product Training Series (Online).** The U.S. Department of Agriculture (USDA) offers a series of [on-demand web-based training modules](#) on biobased products and the BioPreferred® Program:

- **Fundamentals: Biobased Products and the BioPreferred® Program.** This short course provides an introduction to biobased products and the USDA BioPreferred® program. Learn to distinguish biobased products from non-biobased products; describe the two primary parts of the BioPreferred® program; list federal agency responsibilities for the mandatory federal purchasing of biobased products; and, explain the basics of the voluntary labeling initiative for biobased products. On-demand training, 37 minutes.

- **Sustainable Acquisition: Biobased Requirements in the New Executive Order 13693.** Get the latest on the requirements for mandatory federal purchasing of biobased products. On-demand seminar, 90 minutes:
  - BioPreferred related implementing instructions for Executive Order 13693;
  - Planning for Federal Sustainability in the Next Decade, Demonstrating Progress in Meeting BioPreferred Requirements
  - It Matters: recent report on the impact of biobased products on the U.S. economy and jobs
• **Contracting Officer Role in Contractor Reporting of Biobased Product Purchases.** Learn how to correctly enter information in the Federal Procurement Data System. As required by law, federal contractors must report their biobased product purchases. YouTube video, five minutes.

• **BioPreferred® Training for USDA Acquisition Community.** This training provides detail on the mandatory requirements for federal agencies to purchase biobased products in categories identified by USDA. YouTube video, 18 minutes.

• **From Awareness to Action: The BioPreferred® Federal Procurement Preference Program.** This seminar will introduce the viewer to the BioPreferred® Federal Procurement Preference Program. Federal contractors will gain an understanding of their responsibilities for giving procurement preference to biobased products and how doing so will advance important national goals. On-demand seminar, 60 minutes.

• **Products in Operations, Maintenance, and Cleaning.** After an overview of the BioPreferred® Federal Procurement Preference Program, this seminar will focus on biobased products for operations, maintenance, and cleaning including success stories and best practices. On-demand seminar, 60 minutes.

**REPI Webinar Series (Online).** DOD’s REPI program offers webinars on best practices, tutorials, and knowledge sharing on partnerships that support the military mission and accelerate the pace and rate of land conservation. Archived webinars are available on demand.

**SERDP and ESTCP Webinar Series (Online).** The DOD environmental research and development funding programs (SERDP and ESTCP) launched a webinar series to promote the transfer of innovative, cost-effective and sustainable solutions developed using SERDP and ESTCP funding. Live webinars are offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars feature two 30-minute presentations and interactive question and answer sessions on topics targeted for DOD and DOE audiences. Prior presentations are archived for viewing any time.

- Energy and Water
- Weapon Systems and Platforms
- Environmental Restoration
- Hydroecology of Intermittent and Ephemeral Streams - Will Landscape Connectivity Sustain Aquatic Organisms in a Changing Climate?
- Decision Support Tools for Munitions Response Performance Prediction and Risk Assessment
- Monitoring and Risk Assessment of Environmental Risks Posed by Munitions Constituents in Aquatic Systems
- 1,4-Dioxane Impacts and Innovative Cleanup Technologies at DOD Contaminated Sites
- Novel Coatings Systems for Use as High Performance Chemical Resistant Powder Topcoats

**FEMP eTraining Courses (Online).** The Federal Energy Management Program (FEMP) offers interactive, online eTraining courses to help federal agencies develop core competencies and comply with energy-efficiency and renewable-energy water-management and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide to host these comprehensive, FEMP-developed eTraining courses. Promotional materials are available to help federal agencies encourage the completion of FEMP’s eTraining courses. For more information about FEMP eTraining courses, contact Beverly Dyer, (202) 586-7753. The following courses are available:

- Advanced Electric Metering in Federal Facilities (3.5 hours, .40 CEUs)
- Building Automation Systems for Existing Federal Facilities (3.5 hours, .40 CEUs)
- Commissioning for Existing Federal Buildings (4.5 hours, .50 CEUs)
- Energy-Efficient Federal Purchasing (4.5 hours, .50 CEUs)
- Energy Savings Performance Contracting (8.5 hours, .90 CEUs)
- Federal On-Site Renewable Power Purchase Agreements (2.5 hours, .30 CEUs)
• **Launching a Utility Energy Services Contract (UESC): Getting to Yes!** (3 hours, .40 CEUs)
• **Managing Water Assessment in Federal Facilities** (3.5 hours, .40 CEUs)
• **Measurement and Verification in ESPCs** (3 hours, .40 CEUs)
• **Planning an Energy Assessment for Federal Facilities** (4 hours, .50 CEUs)
• **Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities** (3.5 hours, .40 CEUs)
• **Sustainable Institutional Change for Federal Facility Managers** (3 hours, .40 CEUs)
• **Utility Service Contracts and Energy Project Incentive Funds** (90 minutes)

**2016 GUIDING PRINCIPLES FOR SUSTAINABLE FEDERAL BUILDINGS (ONLINE).** This FEMP training series provides updated guidance for complying with the 2016 Guiding Principles for Sustainable Federal Buildings. The series consists of five on-demand courses:

• **2016 Guiding Principle I: Employ Integrated Design Principles and Introduction** (1.5 hours, .2 CEUs)
• **2016 Guiding Principle II: Optimize Energy Performance** (1 hour, .1 CEU)
• **2016 Guiding Principle III: Protect and Conserve Water** (1 hour, .1 CEU)
• **2016 Guiding Principle IV: Enhance Indoor Environmental Quality** (1 hour, .1 CEU)
• **2016 Guiding Principle V: Reduce Environmental Impact of Materials and Guiding Principle VI - Assess and Consider Climate Change Risks** (1.5 hours, .2 CEUs)

**ENERGY STAR WEBCASTS (ONLINE)**

• **Federal Guiding Principles Checklist.** This webcast shows federal energy and sustainability professionals how to use the ENERGY STAR® measurement and tracking tool, Portfolio Manager, to help ensure compliance with the Guiding Principles for High Performance Sustainable Buildings required by Executive Orders 13423 and 13514. The focus is on the Guiding Principles for Sustainable Existing Buildings.

• **Portfolio Manager 101.** This webcast demonstrates the core functionality of EPA’s Energy Star Portfolio Manager Tool. Attendees will learn to navigate the new Portfolio Manager, add a property and enter details, enter energy and water consumption data, share properties, generate performance reports to assess progress, and respond to data requests.

• **Portfolio Manager 201.** This webcast will explore advanced functionalities of EPA’s Energy Star Portfolio Manager Tool, including managing and tracking changes to property uses over time; using spreadsheet templates to update property data; setting goals and targets to plan energy improvements for properties; generating and using custom reports; and using the Sustainable Buildings Checklist.

**CLEAN AIR ACT GENERAL CONFORMITY TRAINING MODULES.** The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state’s plans to meet national standards for air quality. The training from EPA covers all aspects of the rule and is divided into four modules:

• The Basics, for top agency managers and the general public: Module I provides an overview of the program purpose, regulation content, program design, legal requirements, and relationship to other environmental programs.

• The Key Concepts, for program managers and others who need a working knowledge of the program: Module II provides information on determining applicability of regulations to federal actions, requirements for determining conformity, and the review process for a determination.

• All The Details, for individuals responsible for preparing the determination: Module III contains detailed information on evaluating conformity including emission calculations, requirements for associated programs and special situations.
• State and tribal requirements and responsibilities, for state, tribal, and local air quality managers: Module IV provides information on state and tribal requirements and responsibilities in evaluation of conformity for federal actions.

**WATER MANAGEMENT BASICS (ONLINE).** This FEMP course provides a concise introduction to comprehensive water management, to include key topic areas of basic water management terminology, history of federal water mandates, current Executive Order 13693 provisions, best practices associated with comprehensive water management, and proven water conservation financing mechanisms and strategies. The three-module course offers a thorough overview of water management in the federal context:

- Module One: Introduction to Federal Water Management
- Module Two: Introduction to Comprehensive Water Management
- Module Three: Financing and Launching Water Management Projects

**CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES (ONLINE).** This U.S. Geological Survey webinar series was developed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the United States. Video recordings with closed captioning are made available one to two weeks after each presentation.

**EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY (ONLINE).** Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of live and archived webinars. Building on the familiar concept of Reducing, Reusing, Recycling, sustainable materials management is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

**ITRC INTERNET BASED TRAINING (ONLINE).** The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA’s Technology Innovation and Field Services Division, ITRC delivers training courses to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents. Visit the site often to view upcoming Internet-based training events.

**SUSTAINABLE ACQUISITION TRAINING RESOURCES (ONLINE).** The interagency federal Sustainable Acquisition & Materials Management Practices Workgroup compiled a spreadsheet of sustainable acquisition training resources developed or hosted by federal agencies that are available to government employees, businesses, and non-governmental organizations.
How the Regional Offices Work for You

The Army Regional Environmental and Energy Offices’ close cooperation between the military and regional policymakers helps to resolve issues before they become laws and regulations.

The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services’ interests are represented.

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