

Central Region Review



U.S. Army Environmental Center
Central Regional Office
Kansas City, Missouri



★ JULY 2004 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative and regulatory developments in federal Regions 6 and 7. The *REVIEW* is prepared by Versar, Inc., in support of the Central Regional Environmental Office (CREO), to assist you in your compliance efforts. Current and past issues of this *REVIEW*, as well as regional updates and alerts, are available on the Internet at: <http://aec.army.mil/usaec/reo/creo00.html>. Please e-mail CREO.regulatory.specialist@nwk02.usace.army.mil or call (816) 983-3327 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

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We need your input to enhance the effectiveness of the Army's Environmental Legislative and Regulatory Analysis and Monitoring Program for states, which this publication supports. Should some regulation or legislation identified in this publication impact activities at your installation either positively or negatively, please contact your **Army REC** at the number listed above with your comments and concerns. **Thanks for helping us help you!**

The list of **Acronyms and Abbreviations** is listed on the AEC web site and DENIX. The address for each site can be found on the last page of this document.

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REGION 6 STATE ACTIVITY

Regulatory & Legislative Web Sites

Arkansas Department of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://legis.state.nm.us/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tnrcc.state.tx.us
Texas Legislature	http://www.capitol.state.tx.us/

Region 6 Homeland Security Information. FEMA Region VI, Ron Castleman, Regional Director, (940) 898-5399. Web page: <http://www.fema.gov/regions/vi/>

ARKANSAS

Legislative/Regulatory Activity

Note: State of Arkansas Legislature is not in regular session for 2004.

STATE OF ARKANSAS FINAL RULE

(UPDATE) AR Department Of Environmental Quality Final Regulations: Amendments To Surface Water Quality Standards And NPDES Regulations (Regulations 2 And 6). The Department has completed its triennial review of its water quality standards, which generated revisions to both Regulation 2 (Water Quality Standards for Surface Waters) and Regulation 6 (State Administration Of The National Pollutant Discharge Elimination System). The adopted changes to Regulation No. 2 include: (1) Correct typographical errors in sections dealing with Definitions, Designated Uses, Toxic Substances, and Mineral Quality; (2) Clarify the intent for watershed management activities regarding Extraordinary Resource Waters as listed in Sec. 2.203; (3) Provide for Commission re-evaluation of decisions removing one or more designated uses for waterbodies as provided in Sec. 2.306; (4) Add new Sec. 2.405 concerning Biological Integrity; (5) Modify Sec. 2.503 to establish turbidity limits during storm flow events; (6) Establish E.coli bacteria as an alternative indicator for fecal contamination and change the dates for the primary contact season under the Bacteria standard in Sec. 2.507; (7) Revise the phosphorus criteria in the Nutrients standard in Sec. 2.509; (8) Add new Sec. 2.512 to adopt the federal standard for Ammonia; and, (9) Modify the boundary between the Ouachita Mountains and Gulf Coastal Plain Ecoregions found in Appendix A of the regulation. The adopted changes to Regulation No. 6: (1) Add effluent limits for phosphorus in wastewater discharges in specified streams in the Illinois River Basin, Osage Creek Basin, Little Sugar Creek Basin and Spavinaw Creek Basin, as outlined in Sec. 6.401; (2) Clarify application requirements for construction and operation of wastewater facilities in Sec. 6.201 and Sec. 6.202; and, (3) Correct typographical errors. Regulation 6 was final, effective 16 April 2004 and Regulation 2 was final, effective 17 May 2004. *For additional information, please contact Doug Szenher at (501) 682-0915.*

(UPDATE) AR Department Of Environmental Quality Final Regulation: Adoption Of Federal Standards, 40 CFR Part 271 (Regulation 23). The Department has adopted amendments to Rule 23 to adopt the newly revised federal rules at 40 CFR Part 271 that set out the requirements for authorization of state hazardous waste programs. In addition, the amendments make technical corrections to four state-only provisions. The rule also incorporates federal MACT standard requirements from 40 CFR Part 63, Subpart EEE. The regulation 23 standards for hazardous waste incinerators, boilers and industrial furnaces will not apply if owners, operators or managers can demonstrate compliance with these federal MACT standards. The regulation became effective 6 December 2003. *For additional information, please contact Tom Ezell at (501) 682-0876.*

(UPDATE) **AR Department Of Environmental Quality Final Regulation: Amendments To Permit Fee Regulations (Regulation 9)**. The Department has adopted new general permit fees in the Water Permit fee provisions of Chapter 4 (Reg 9.404) of Regulation 9, including a \$200 general permit fee for Storm Water (MS4 Phase II), and a Sand and Gravel general permit fee of \$200. This is in order to fully implement EPA's Storm Water Regulations of 2003. The regulation also includes: (1) correction of typographical or grammatical errors; (2) clarification of the Department's permit fee system throughout Regulation 9, regarding the application of initial, annual, and modification fees; (3) clarification regarding permit renewals and whether fees will be associated with those renewals; (4) clarification regarding administrative permit amendments; and (5) "housekeeping" changes throughout the regulation, including the deletion of redundant or unnecessary language, and other changes to promote consistency. The regulation was final, effective 16 April 2004. *For additional information, please contact Jennifer Tucker (501) 682 0892.*

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Arkansas Homeland Security Information. Arkansas Department of Emergency Management, N. Wayne Ruthven, Director; David Maxwell, Deputy Director, (501) 730-9750 (main switchboard). Web page: http://www.state.ar.us/government_hs.php.

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LOUISIANA

Legislative/Regulatory Activity

The Louisiana state legislature adjourned on 21 June 2004.

STATE OF LOUISIANA LEGISLATION PASSED

(UPDATE) **Louisiana H.B. 668 - Environmental Administrative Procedures, Underground Storage Tanks.** The 19 May 2004 version removes authorization to store natural gas, liquid hydrocarbons, oil, sulfur, and other minerals in "other storage facilities", and defines "reservoir." It also specifies that the provisions of the Act are interpretive in nature and do not affect a substantive change in the law nor do they affect the rights of any lessee under any existing lease. The measure passed the House unanimously (98-0) and passed the Senate unanimously (96-0). The bill was signed by Governor Kathleen Blanco (D) 28 May 2004 and became effective upon signature of the Governor. The text is located at: http://www.legis.state.la.us/leg_docs/04RS/CVT6/OUT/0000KYOR.PDF. Sponsor: Representative Billy Montgomery (D)

STATE OF LOUISIANA PROPOSED LEGISLATION

(UPDATE) **Louisiana H.B. 885 - Wastewater.** H.B. 885 removes the requirement of a discharge permit for irrigation utilizing reclaimed water originating from a municipal wastewater treatment facility. Prospects for consideration are favorable. The sponsor is a member of the minority party, but is a member of the Committee of referral. The bill passed the House unanimously (101-0). The bill was reported from Committee on 25 May 2004. Prospects for consideration are favorable. The sponsor is a member of the minority party, but is a member of the Committee of referral. Committee sources indicate the measure was reported favorably from Committee and is expected to be considered by the full Chamber. The full document is located at http://www.legis.state.la.us/leg_docs/04RS/CVT1/OUT/0000L3YX.PDF. Sponsor: Representative Gary Beard (R)

(UPDATE) **Louisiana H.B. 1041 - Land Use.** This bill provides for advance notice to military installations of zoning actions by local governments. The bill passed the House on 20 April 2004 and was referred to the Senate Local and Municipal Affairs Committee on 22 April. This measure passed the House unanimously (100-0). The bill was reported from Committee 3 June. Prospects for Senate consideration are favorable. The sponsor is a member of the minority party and is not a member of the Committee of referral. The bill was sent to the Governor for signature on 20 June 2004. The full document is located at http://www.legis.state.la.us/leg_docs/04RS/CVT7/OUT/0000L4K1.PDF. Sponsor: Representative Jim Tucker (R)

(UPDATE) **Louisiana H.C.R. 80 - Land Use.** This bill approves the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2004-2005 and passed the House on 13 May 2004. It was referred to Senate Natural Resources Committee on 17 May and reported favorably from Committee on 20 May 2004. The bill passed the Senate on 27 May, enrolled and signed by Speaker of the House on 2 June, signed by President of the Senate on 2 June and presented to Secretary of State on 3 June 2004. Legislative sources indicate the Secretary of State will likely sign this measure. This signing will officially make the measure law. The text is located at: http://www.legis.state.la.us/leg_docs/04RS/CVT9/OUT/0000KXU9.PDF. Sponsor: Representative Wilfred Pierre (D)

(UPDATE) **Louisiana S.B. 310 - Takings, Eminent Domain.** S.B. 310 authorizes the Department of Natural Resources to expropriate by a declaration of taking for coastal wetlands conservation, management, preservation, enhancement, creation and restoration purposes and provides that when the state Department of Natural Resources cannot amicably acquire property needed for coastal wetlands conservation, management, preservation, enhancement, creation and restoration purposes, it may acquire the same by expropriation and may acquire the property prior to judgment in the trial court fixing the amount of compensation due to the owner of the property. Defines "property" as any type of interest in immovable property, including ownerships, servitudes, right-of-way, and other rights in or to immovable property. Prospects for consideration are favorable. The bill was amended and passed Senate 26 May. Referred to House Natural Resources Committee on 27 May. Prospects for House consideration are uncertain. The sponsor is a member of the Senate minority party and is not a member of the Committee of referral. House Committee sources indicate they have not yet reviewed the measure and are uncertain if the measure will be a priority. The text is located at http://www.legis.state.la.us/leg_docs/04RS/CVT1/OUT/0000L3IR.PDF. Sponsor: Senator Reggie Paul Dupre (D)

STATE OF LOUISIANA FINAL RULES

(UPDATE) **LA Department Of Environmental Quality Final Regulation: Incorporation By Reference Of Federal Air Regulations (AQ241) (LAC 33:III.507, 1432, 2160, 3003, 5116, 5122, 5311, And 5901).** The Department has incorporated by reference the federal regulations found at 40 CFR Parts 51, Appendix M, 60, 61, 63, 68, 70.6(a), and 93, Subpart A, 1 July 2003. The regulation sections affected were those that deal with: Part 70 operating permits; conformity to state or federal implementation of transportation plans, programs and projects; capture efficiency test procedures for the control of emission of organic compounds; standards of performance for new stationary sources; national emissions standards for hazardous air pollutants; and chemical accident prevention and minimization of consequences. The regulations were approved by the Legislative Oversight Committees on 4 May 2004 and were final, effective 20 May 2004. The text is located at http://www.deq.state.la.us/planning/regs/pdf/AQ241fin_w_tech_amend.pdf. For additional information, please contact Judith Schuerman at (225) 219-3550.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Louisiana Homeland Security Information. Louisiana Office of Homeland Security & Emergency Preparedness, MG Bennett C. Landreneau, Director; LTC William J. Doran III, Division Chief - Operations & Homeland Security, (225) 925-7344. Web page: <http://www.ohsep.louisiana.gov/agencyrelated/aboutagency.htm>.

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NEW MEXICO

Legislative/Regulatory Activity

STATE OF NEW MEXICO FINAL RULE

(UPDATE) **NM Albuquerque/Bernalillo Count Air Quality Control Board Final Regulation: Addition Of PM_{2.5} Definition And Incorporation By Reference Of Federal And State Ambient Air Quality Standards For Ozone, And Coarse And Fine Particulates (20.11.1 NMAC, 20.11.8 NMAC).** The Department's Air Quality Control Board has adopted an amendment to 20.11.1 NMAC to add a definition for the pollutant PM_{2.5} and to remove "Bernalillo County Air Quality Goals and Enforceable Ambient Air Quality Standards" from Part I. The Board has adopted a new regulation 20.11.8 that adopts by reference federal and state Ambient Air Quality Standards that incorporate the current federal ozone 8-hour standard, the PM_{2.5} (fine particulate) 24-hour and

annual standards, and the PM₁₀ (coarse particulate) 24-hour and annual standards. The Board will propose both the amended and new regulation for inclusion in the SIP. The regulation is final, effective 1 July 2004. The adopted regulations are available at: <http://www.nmcpr.state.nm.us/nmregister/xv/xv10/20.11.1amend.pdf> and <http://www.nmcpr.state.nm.us/nmregister/xv/xv10/20.11.8.pdf>. For additional information, please contact Dan Warren at (505) 768-2600.

STATE OF NEW MEXICO PROPOSED RULES

(NEW) NM Office Of The State Engineer Proposed Regulation 28 May 2004: Amendments To Active Water Resource Management Rules (NMAC 19.25.4). The Office has proposed new Active Water Resource Management (AWRM) regulations. The new regulations will allow the State Engineer to create water master districts and to appoint water masters to determine the distribution of waters in such districts. The new regulations will also provide guidance to the State Engineer on the determination of administrable water rights. The rules will implement long-standing statutory mechanisms at NMSA §72-3-1-5. The proposed regulation is available at <http://www.ose.state.nm.us/doing-business/ActiveWaterMgt/ActiveWaterMgt-2004-04-28.pdf>. The Office held a public hearing on 28 June 2004. For additional information, please contact Paul Wells (505) 827-6120.

(UPDATE) NM Office Of The State Engineer Proposed Regulation 28 May 2004: New Surface Water Administration Regulations (NMAC 19.26.2). The Office has proposed new surface water administration regulations. The proposed regulations implement existing statutes by establishing standards and procedures for the State Engineer to follow while administering the appropriation, allocation and use of surface water in the state. The proposed regulations set out application procedures for permits to appropriate surface water. The proposed regulations also set out application procedures for permits to change existing surface water rights. Additionally, the proposed regulations establish procedures for the change of ownership of a surface water right, and for the lease of a surface water right. The proposed regulation is available at <http://www.ose.state.nm.us/doing-business/Surface-Regs/SurfaceRulesRegs-2004-04-22.pdf>. The Office held a hearing on the proposed regulations 21 June 2004. For additional information, please contact Paul Wells (505) 827-6120.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) NM Environment Department Departmental Discussion: Plans For State Delegation For The NPDES Permit Program. The Department is discussing its plans to seek state delegation for the National Pollution Discharge System (NPDES) permit program from EPA. The NPDES permit program is authorized by the federal Clean Water Act to control water pollution through regulation of point sources that discharge pollutants into waters of the United States. Delegation of the program will allow New Mexico to take authority over the quality of its water resources rather than deferring to the federal government. The Department held a public meeting 24 May 2004. For additional information, please contact Marcy Leavitt at (505) 827-2918.

(UPDATE) NM Environment Department Water Quality Planning Draft Report: 2004 Integrated 303(d)/305(b) List Of Assessed Surface Waters. The Department has drafted a 2004 Integrated Clean Water Act 303(d)/305(b) List of Assessed Surface Waters. The list identifies waterbodies throughout the state that have been found to violate the surface water quality standards and are therefore considered "impaired" or "water quality limited." Once waterbodies are included on this list, the Department is then required to develop a TMDL to establish quantified goals for water quality conditions that may then determine what actions are needed to restore or protect the health of the waterbody. Copies of the final draft Integrated List as amended and the response to comments will be available to the public upon request 10 days prior to next regularly scheduled Water Quality Control Commission (WQCC) meeting where Surface Water Quality Board (SWQB) plans to request approval of the final Integrated List. The draft 2004 report is available at: <http://www.nmenv.state.nm.us/wqcc/303d-305b/2004/2ndDraft/DRAFT2004-2006Integrated303d-305bList.pdf>. The Record of Decision and Explanatory notes are available at the following links: http://www.nmenv.state.nm.us/wqcc/303d-305b/2004/2ndDraft/DRAFT2004-2006_303dROD.pdf and http://www.nmenv.state.nm.us/wqcc/303d-305b/2004/2ndDraft/ExplanatoryNotes-DRAFT_2004-2006_303d-305blist.pdf. For additional information, please contact Lynette Guevara at (505) 827-2904.

New Mexico Homeland Security Information. New Mexico Office of Homeland Security, Annette Sobel, Director and Brigadier General, NMANG (annette.sobel@state.nm.us); Chris Berkheimer, Deputy Director (Chris.berkheimer@state.nm.us), (505) 476-0267. Web page: <http://www.governor.state.nm.us/homelandsecurity/index.html>.

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The following legislation was reported on but "died upon adjournment", 28 May 2004:

Oklahoma H.B. 1874 – Asbestos.

Oklahoma H.B. 1875 – Groundwater.

Oklahoma S.B. 903 - Water Use, Groundwater, Growth Management.

Oklahoma S.B. 1270 - Environmental Administrative Procedures, Pollution Prevention, Groundwater.

STATE OF OKLAHOMA LEGISLATION PASSED

Oklahoma H.B. 2574 - Underground Storage Tanks, Natural Gas Gathering And Processing.

The final version expands the Underground Facilities Damage Prevention Act to include oil and natural gas pipelines subject to the Hazardous Liquid Transportation System Safety Act and natural gas pipelines under Corporation Commission jurisdiction. The final version was signed by Governor Brad Henry (D) on 7 June 2004.

The bill can be accessed at http://www2.lsb.state.ok.us/2003-04HB/hb2574_engr.rtf. Sponsor: Representative Larry Rice (D)

STATE OF OKLAHOMA FINAL RULES

(UPDATE) OK Department Of Environmental Quality Final And Proposed Regulations: Revisions To The Hazardous Waste Regulations Through The Adoption Of Federal Amendments (OAC 252:205-3-1, 205-3-2, 205-21-5).

The Department has adopted amendments to 252:205, Subchapter 3 that adopt by reference the federal hazardous waste regulations found in 40 CFR revised as of 1 July 2003. This amends the rules that were adopted by reference in January 2003, regarding zinc fertilizers made from recycled hazardous secondary materials; national treatment variances for radioactively contaminated batteries; and standards for hazardous air pollutants for hazardous waste combustors. The Department has proposed amendments to Federal delisting rules previously adopted by reference. This rulemaking will add a new Subchapter 25 to the Department rules to implement the delisting program in Oklahoma. A proposed new Appendix D adds a new application fee to the basic fee for delisting applications. A new Appendix E will require that the application include, the facility name, location and delisted waste, upon completion of the delisting process. A draft rule is available at <http://www.deq.state.ok.us/lpdnew/Draft%20Rules/Haz%20Waste/205RuleforDelisting.pdf>. The Subchapter 3 portion of the amendments became final, effective 11 June 2004. *For additional information, please contact Gail Hamill at (405) 702 5100.*

(UPDATE) OK Water Resource Board Final Regulation: Triennial Review Of Water Quality Standards (OAC 785: 45, 46).

The Board has adopted amendments to Chapters 45 and 46 of Oklahoma's Water Quality Standards. In Chapter 45, language relating to thermal discharges was deleted from OAC 785:45-3-2, as it duplicates language in OAC 785:45-5-12(f)(2). New section OAC 785:45-5-9 combines the various narrative criteria moved from numerous other Sections in OAC 785:45. The new section includes narrative criteria for: minerals previously in 785:45-5-13(e), nutrients previously in 785:45-5-19(c)(2)(A), solids previously in 785:45-5-19(c)(3), and taste and odor previously in 785:45-5-19(c)(4). OAC 785:45-5-16 is also amended, adding language to address the presence of multiple indicators of bacteria including coliform, E. coli, and enterococci. Several provisions throughout OAC 785:45 were amended to correct grammatical and other errors and to update citations. Chapter 46, OAC 785:46-15-1 is amended to add language to address an evolution of terminology relating to use support. The CFR and EPA guidance documents employ the terms "water quality limited segments", "not attained", and "impaired" interchangeably with the language "not supported" and "partially supported". OAC 785:46-15-5 is amended to provide special rules for determining beneficial use support in wadable streams in the Central Oklahoma - Texas Plains ecoregion. OAC 785:46-15-5 also is amended to add language (a) addressing naturally occurring conditions in the context of dissolved oxygen, (b) expanding the citation to the criteria for toxic substances, and (c) for assessing

impacts from oil and grease, regarding the beneficial use of Fish and Wildlife Propagation. OAC 785:46-15-6 is amended to address the presence of multiple indicators of bacteria, including coliform, *E. coli*, and enterococci. OAC 785:46-15-7 is amended to assess impacts from oil and grease regarding the beneficial use of Public and Private Water Supply. New Sections 785:46-15-11, 785:46-15-12 and 785:46-15-13 were added to provide use assessment support protocol rules for the beneficial uses of Hydroelectric Power Generation, Industrial and Municipal Process and Cooling Water, and Navigation. Finally, several provisions throughout OAC 785:46 were amended to correct grammatical and other errors and to update citations. The regulations are final, effective 1 July 2004. *For additional information, please contact Derek Smithee at (405) 530-8800.*

STATE OF OKLAHOMA PROPOSED RULE

(UPDATE) OK Department Of Environmental Quality Proposed Regulation: Clarification Of Requirements For Lead-Based Training Programs (OAC 252:110-9-1, 110-9-3, 110-9-4, 110-9-6, 110-11-4, 110-11-6). The Department has proposed amendments to the regulations that govern lead-based paint accreditation and certification requirements. The Department intends for the amendments to clarify the requirements for accredited lead-based paint training programs and to clarify lead-based paint certification requirements. The amendments will add new language that requires lead-based paint training courses to include a hands-on training activity and a review of the Department's lead-based paint regulations. The amendments also add language that requires training instructors to provide evidence of certification. The amendments will also set out certification renewal criteria for Department approved instructors. The Air Quality Council will consider these amendments for adoption at its 2 July 2004 meeting. The text can be found at [http://www.deq.state.ok.us/AQDnew/proposedrules/apr04/lbp110\(3-11-04\).pdf](http://www.deq.state.ok.us/AQDnew/proposedrules/apr04/lbp110(3-11-04).pdf). *For additional information, please contact Cheryl Bradley at (405) 702-4171.*

(UPDATE) OK Department Of Environmental Quality Proposed Regulation: Administrative Changes To Permits For Part 70 Sources Regulations (252:100-8-2, 100-8-4, 100-8-6, 100-8-6.1, 100-8-6.3, 100-8-7). The Department has proposed administrative revisions to the regulations governing permits for Part 70 sources. The revisions will include minor textual changes to section 252:100-8-6. Also, the revisions will correct references contained in section 252:100-8-2, paragraph 252:100-8-4(b)(10), paragraph 252:100-8-6.1(b)(2), subsection 100-8-6.3(a) and section 252:100-8-7. The references will now refer to Chapter 252:4 that replaced Chapter 252:2. The proposed revisions are available at: <http://www.deq.state.ok.us/mainlinks/eqbinfo/04prules/604-100-8-REG.pdf>. The Air Quality Council approved the revisions at a 14 April 2004 hearing. The Environmental Quality Board was scheduled to review the revisions for adoption at a 22 June 2004 meeting. *For additional information, please contact Max Price at (404) 702-4177.*

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) OK Department Of Environmental Quality Departmental Discussion: Amendments To The State (Air) Toxics Program (OAC 252:100-41). The Department is discussing possible updates to the State Toxics program in Chapter 41. The Department plans amendments that will partition existing Subchapter 41 into two subchapters. The amendments would clarify and modify the state-only requirements for emissions from stationary sources, and relocate these requirements into a new Subchapter 42. Subchapter 41 would contain the federal requirements for Hazardous Air Pollutants and Asbestos. The Department anticipated that it might take steps to start the review process in July 2004. Staff anticipates publication of a proposed regulation in the OK Register in the middle of June 2004. The Air Quality Council is scheduled to review the proposal at their 21 July 2004 meeting. *For additional information, please contact Dawson Lasseter at (405) 702-4100.*

Oklahoma Homeland Security Information. Oklahoma Office of Homeland Security, Bob A. Ricks, Director; CPT Kerry Pettingill, Deputy Director, (405) 425-7296. Web page: <http://www.youroklahoma.com/agencies/contact.php?page=191>. Web page: www.youroklahoma.com/homelandsecurity.

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Note: The Texas legislature is not in regular session in 2004.

STATE OF TEXAS FINAL RULE

(UPDATE) **TX Commission On Environmental Quality Final Regulation: Repeal Of The Groundwater Management Area Designations, 2003-014-294-WT (30 TAC 294).** The Commission has repealed the Groundwater Management Area Designations under Chapter 294, Subchapters, A, B, and F because the program authority was transferred to the Texas Water Development Board (TWDB) by recent legislation. TWDB adopted rules and designations to implement the program on 13 November 2002. This repeal has no effect on existing groundwater conservation districts or on landowners filing petitions with the TCEQ for groundwater conservation district creation. Chapter 294 has been renamed Priority Groundwater Management Areas to accurately reflect the content of the chapter due to the repeals. The Commission adopted the regulation on 12 May 2004. The regulation is final, effective 3 June 2004. The text can be found at: http://www.tnrcc.state.tx.us/oprd/rule_lib/adoptions/03014294_ado.pdf. For additional information, please contact Emily Barrett at (512) 239-3546.

STATE OF TEXAS PROPOSED RULE

(UPDATE) **TX Commission On Environmental Quality Proposed Regulation Published 30 January 2004: Permits By Rule Study Phase I (2003-030-106-AI) (30 TAC 106).** The Commission is proposing to amend and repeal several permits by rule (PBR), specifically those that affect trench burners, small to medium size law enforcement agencies, concrete batch plants, non-profit organizations, and water and soil remediation facilities. The proposal would eliminate the concrete batch plant permit by rule (PBR); reduce PBR registration fees for nonprofit organizations; specify that the fee does not apply to a certification submitted solely for the purpose of federally enforceable limit certifications; reduce fees for reviews associated with the remediation of sites claiming registration related to waste processes and remediation; exempt remediation projects from registration fees; specify that additional fees are not required for resubmittals of PBRs due to insufficient information or updates to recently submitted PBR registrations; eliminate the PBR for single-chambered incinerators; allow law enforcement agencies to use a PBR to incinerate confiscated illegal drug evidence; identify all of the general and specific design requirements for incinerators under the PBR, including temperature, residence time, and burn rate; require a compliance demonstration when destroying confiscated drugs; eliminate the PBR for direct flame incinerators; correct citations and cross-references, reduce registration requirements, establish a notification procedure, and update technical requirements for aboveground air curtain incinerators and trench burners, including the requirement that air curtain incinerators must be operated at least 300 feet from the closest property line; allow traditional trenches equipped with fan manifolds to circulate combustion air and allow for new aboveground units that have equivalent parameters; allow permanent facilities to be authorized under the PBR if categorized as a municipal solid waste or noncommercial industrial site; and provide for a rapid authorization mechanism for remediation projects at gasoline stations and dry cleaning facilities, and establish technical requirements for all facilities performing remediation activities. The Commission met on 14 January 2003 to discuss the draft. A public hearing was held in Austin, Texas on 26 February 2004. Written comments were due 1 March 2004. Written and oral comments were also accepted at the hearing. The Commission adopted the rule on 9 June 2004. The rule has a tentative effective date of 30 June 2004. The text can be viewed at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03030106_pro.pdf. For additional information, please contact Debra Barber at (512) 239-0412.

(UPDATE) **TX Commission On Environmental Quality Proposed Regulation: Emissions Reductions For Portable Fuel Containers (2004-033-115-AI) (30 TAC 115).** The Commission has proposed portable fuel container regulations. The regulations will set emissions reduction criteria for portable fuel containers sold in Texas after 1 January 2006. The regulations will limit emissions of volatile organic compounds (VOCs) through the use of portable fuel containers designed to minimize spillage and fugitive evaporative emissions. The regulations will also specify performance standards, testing requirements, and labeling requirements for portable fuel containers manufactured on or after 1 January 2006, for sale in Texas. The proposal is available at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/04033115_pro.pdf. The Commission will hold public hearings on the proposal 2, 3 and 5 August 2004. Comments are due 9 August 2004. For additional information, please Joseph Thomas (512) 239-4580.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) TX Commission On Environmental Quality Departmental Discussion: Municipal Designation Settings For Groundwater (30 TAC 39, 281, 352). The Commission began the process of developing regulations to implement House Bill 3152 from the 78th Legislature, effective 1 September 2003. The Commission was to establish regulations that allowed for applications for a Municipal Setting Designation (MSD). Under certain conditions, the Commission may grant an MSD where groundwater is contaminated but not used as potable water. Designation of an area as an MSD may result in lower costs for site investigation and remediation. The Commission held an informative stakeholder meeting 2 June 2004. The Commission plans to ask permission to propose rules in summer 2004 and anticipates adoption of the rules before January 2005. More information about this rulemaking is available at <http://www.tnrcc.state.tx.us/permitting/msd.html>. For additional information, please contact Chet Clark at (512) 908-2218.

(UPDATE) TX Commission For Environmental Quality Departmental Discussion: Technical Corrections To Fugitive VOC Emission Rules (2004-052-115-AI) (30 TAC 115.352, 115.354-115.357, 115.359). The Commission is discussing making technical corrections to the rules that govern fugitive Volatile Organic Compound (VOC) emissions. The technical corrections would include minor corrections to the language of the rule. Based on the request of an industry group, the Commission also plans to propose language that would remove some of the general VOC rules to the sections of the regulations that pertain to Highly Reactive Volatile Organic Compounds (HRVOC). The rulemaking would also remove certain record-keeping requirements from the general volatile organic fugitive emissions rules. A draft copy of the recommended rulemaking is available at http://www.tceq.state.tx.us/assets/public/policy/epi/sip/sipdocs/2004-05-HGB/rules/04052115_pro.pdf. The Commission has established a tentative schedule for this rulemaking. The originally proposed schedule was altered. The revised proposed schedule is as follows: Approval for proposal: 23 June 2004; Public hearings 2,3 and 5 August; Comments due 9 August 2004. For additional information, please contact Alan Henderson (512) 239-1510.

(UPDATE) TX Commission On Environmental Quality Departmental Discussion: Voluntary Registry Of Greenhouse Gas Reductions. The Commission is discussing the development of a voluntary registry for reporting greenhouse gas reductions. Staff reports that the registry would be used for educational purposes in conjunction with the pollution prevention program as examples of reductions. Staff states that nothing would be established through regulation and that reporting would be completely voluntary. For additional information, please contact David Schanbacher (512) at 239-1228.

Texas Homeland Security Information. Texas Division of Emergency Management, Jack Colley, State Coordinator (512) 424-2443 (jack.colley@txdps.state.tx.us); Steve Vaughn, Asst State Coordinator (steve.vaughn@txdps.state.tx.us), (512) 424-2434. Web page: <http://www.txdps.state.tx.us/dem/>.

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REGION 7 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Iowa Department of Natural Resources (IDNR)	http://www.state.ia.us/dnr/
Iowa General Assembly	http://www.legis.state.ia.us/
Kansas Department of Health and Environment (KDHE)	http://www.kdhe.state.ks.us
Kansas Legislature	http://www.kslegislature.org/cgi-bin/index.cgi
Missouri Department of Natural Resources (MDNR)	http://www.dnr.state.mo.us/homednr.htm
Missouri General Assembly	http://www.moga.state.mo.us/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://www.unicam.state.ne.us/

Region 7 Homeland Security Information. FEMA Region VII (Kansas City), Dick Hainje, Director, (816) 283-7061. Web page: <http://www.fema.gov/regions/vii/index.shtm>.

STATE OF IOWA FINAL RULE

(UPDATE) **IA Department Of Natural Resources Final Regulation Published 14 April 2004 and 12 May 2004: Amendment To Chapter 61 And 62, Water Quality Standards.** The Department adopted an amendment to the water quality standards. The changes include the following: (1) numerical water quality criteria for chloride for the protection of aquatic life and general uses are being established; (2) the current total dissolved solids (TDS) numerical criterion of 750 mg/l is being replaced with a site-specific approach for establishing discharge limits for dissolved solids; (3) the current B(LW) Lakes and Wetlands use designation will be replaced with separate designations for each of the two types of water bodies – lakes and wetlands; (4) several lakes and wetlands will be added to the rule-referenced document “Surface Water Classification”; (5) all the waterbodies currently designated as Class B(WW) warmwater and Class B(CW) coldwater and those being re-designated as Class B(L) lakes in the rule-referenced document “Surface Water Classification” will be designated as Class A2 secondary contact recreational waters; (6) several streams will be added as Class B(LR) streams, two Class B(WW) streams will be re-designated as B(LR) streams, and corrections to stream locations will be made in the rule-referenced document “Surface Water Classification”; (7) the rule-referenced document “Protected Flows for Selected Stream Segments” was amended to add several streams and correct the locations and protected flows of several other streams for consistency with the document “Surface Water Classification”. At the 15 March 2004 meeting, the Environmental Protection Commission (EPC) acted to terminate rule-making efforts for chloride and TDS that appeared as Items 3 and 4 in the Notice of Intended Action. The rule was disapproved at the 15 March EPC meeting. The Commission held a special electronic public meeting 12 April to vote on whether or not to rescind the 15 March decision to disapprove the rule. The Commission adopted the rules with recommendations. The rule was effective 19 May and the TDS rules were effective 16 June 2004. The document can be viewed at <http://www.iowadnr.com/epc/04apr12/1.pdf>. For additional information, please contact Ralph Turkle at (515) 281-7025.

STATE OF IOWA PROPOSED RULES

(UPDATE) **IA Department Of Natural Resources Proposed Regulation: Water Quality Standards (567 IAC 61).** The Department is proposing a rulemaking to amend the cold-water aquatic life use designation and to adopt a protocol for assessing and designating water bodies for cold water aquatic life uses. The proposal splits the current cold water use designation into two use designations, Class B(CW1) and Class B(CW2). The purpose of the split is to reflect the type or extent of uses by cold-water aquatic species. In addition, it is proposed to incorporate language providing additional protection to the groundwater sources such as bank seeps and small springs directly contributing to proposed Class B(CW1) waters. Included in the proposed modifications to the standards are associated revisions to the ammonia nitrogen and dissolved oxygen criteria applicable to each proposed Cold Water use designation. The rule is to be discussed for final adoption at the 21 June 2004 Environmental Protection Commission meeting. For additional information, please contact Chuck Corell at (515) 281-8448.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) **IA Department Of Natural Resources Departmental Discussion: Land Application Of Biodegradable Solid Waste (567 IAC 121).** As part of Executive Order No. #8, the Department is revising and updating their rules on the land application of biodegradable solid waste. The revision will consolidate the rules into a new chapter. Revisions will include modern standards for the protection of groundwater, surface water, soil, and crop productivity and safety. The Department hopes that this will provide a less expensive alternative to landfilling. For additional information, please contact Jeff Myrom at (515) 281-3302.

(UPDATE) **IA Department Of Natural Resources Departmental Discussion: 2004 303(d)List.** The Department is drafting their 2004 303(d) list of impaired waters. Under section 303(d), states, territories, and authorized tribes are required to develop lists of impaired waters. These impaired waters do not meet water quality standards that states, territories, and authorized tribes have set for them, even after point sources of pollution have installed the minimum required levels of pollution control technology. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop TMDLs for these waters. The Department hoped to have

a draft ready for public comment by mid-April 2004. Staff is now hoping for a draft by mid-July 2004. *For additional information, please contact Chris Van Gorp at (515) 281-4791.*

(UPDATE) IA Department of Natural Resources draft regulation: Amendment to Chapter 22 “Controlling Pollution” and Chapter 23 “Emission Standards for Contaminants” (567 IAC 22, 23).

The Department has drafted regulations to amend Chapter 22 “Controlling Pollution” and Chapter 23 “Emission Standards for Contaminants”. The revisions will also include amendments to Chapter 25 “Measurement of Emissions”. The amendments will: (1) Modify two existing exemptions from construction permitting to allow for the burning of untreated seeds, pellets, and other vegetative materials in residential heating units; (2) Makes date modifications to reference the most recent date for which changes to 40 Code of Federal Regulations, Part 60, 61, and 63, were published; (3) Rescind sub-rule 22.2(3); (4) Adopt by reference 15 recently promulgated federal NESHAPS; and (5) Make minor corrections and updates to the rules. The revisions to Chapter 25 will provide clarification that the maintenance of records of continuous monitors, reporting of continuous monitoring information, exemptions from continuous monitoring requirements, and requests for extensions of time to install monitoring equipment are applicable to all owners and operators who are required to install continuous monitors, not just owners or operators of coal-fired steam generating units or sulfuric acid plants. The rule was introduced at the 17 May 2004 Environmental Protection Commission meeting. The Department requested permission to proceed with the rulemaking process and publish a Notice of Intended Action at the Environmental Protection Commission meeting 21 June. Approval was granted, and a public hearing will be held 23 August with comments due 27 August 2004. The documents are at <http://www.iowadnr.com/epc/04may17/17.pdf> and <http://www.iowadnr.com/epc/04jun21/17.pdf>. *For additional information, please contact Jim McGraw at (515) 242-5167.*

EPA Approves Majority Of Iowa’s Water Quality Standards. EPA has approved most of the revised Iowa water quality standards adopted by the state 19 May 2003. Those approved revisions now can be implemented under the Clean Water Act. The Iowa Department of Natural Resources (IDNR) submitted the 2003 revised Iowa Water Quality Standards to EPA for review and approval 23 October 2003, as part of the state’s ongoing triennial review process. States are required to conduct a review of their water quality standards no less frequently than every three years and submit new or revised standards to EPA. These requirements are detailed in Section 303(c) of the Clean Water Act. The approved standards include E. coli as the bacteria indicator, as well as supporting criteria to protect recreational uses in Iowa’s lakes and streams. EPA disapproved one provision concerning a proposed “high flow exclusion” because EPA believes it is insufficient to protect designated recreational uses for the state’s water bodies. This provision would have exempted certain streams and rivers from bacteria criteria during undefined high flow events. *For additional information, please call (913) 551-7003.*

Iowa Homeland Security Information. Iowa Homeland Security, Emergency Management Division, Ellen M. Gordon, Administrator and Iowa Homeland Security Advisor, (515) 281-3231. Web page: <http://www.iowahomelandsecurity.org/>.

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KANSAS

Legislative/Regulatory Activity

The Kansas state legislature adjourned on 27 May 2004.

STATE OF KANSAS PROPOSED RULES

(UPDATE) KS Department Of Health And Environment Draft Regulation: Consumer Confidence Reports. The Department has drafted amendments to the drinking water regulations to adopt the federal consumer confidence reports regulations. While water systems are free to enhance their reports in any useful way, each report must provide consumers with the following fundamental information about their drinking water: (1) the lake, river, aquifer, or other source of the drinking water; (2) a brief summary of the susceptibility to contamination of the local drinking water source, based on the source water assessments that states are completing over the next five years; (3) how to get a copy of the water system's complete source water assessment; (4) the level (or range of levels) of any contaminant found in local drinking water, as well as EPA's health-based standard (maximum contaminant level) for comparison; (5) the likely source of that contaminant in the local drinking water supply; (6) the potential health effects of any contaminant detected in violation of an EPA health standard, and an accounting of the system's actions to restore safe drinking water; (7) the water system's compliance with other drinking water-related rules; (8) an educational statement for vulnerable populations about avoiding Cryptosporidium; (9) educational information on

nitrate, arsenic, or lead in areas where these contaminants are detected above 50% of EPA's standard; and (10) phone numbers of additional sources of information, including the water system and EPA's Safe Drinking Water Hotline (800-426-4791). A public hearing is scheduled for 23 July 2004 with written comments due on that day. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: Public Notification Rule.

The Department has drafted an amendment to adopt the federal public notification rule. Public water systems must notify their customers when they violate EPA or the state drinking water standards (including monitoring requirements) or otherwise provide drinking water that may pose a risk to consumers' health. EPA revised the existing Public Notification rule to better tailor the form, manner, and timing of the notices to the relative risk to health. A public hearing is scheduled for 23 July 2004 with written comments due on that day. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: Stage 1 Disinfectant And Disinfectant Byproducts Rule.

The Department has drafted a rulemaking to adopt the federal rule on disinfectants and disinfectant byproducts. The Stage 1 Disinfectants and Disinfection Byproducts Rule (D/DBP) applies to all community and non-transient non-community water systems that treat their water with a chemical disinfectant for either primary or residual treatment. The rule establishes maximum residual disinfectant level goals (MRDLGs) and maximum residual disinfectant levels (MRDLs) for three chemical disinfectants - chlorine, chloramine and chlorine dioxide. It also establishes maximum contaminant level goals (MCLGs) and maximum contaminant levels (MCLs) for total trihalomethanes, haloacetic acids, chlorite and bromate. A public hearing is scheduled for 23 July 2004 with written comments due on that day. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: Arsenic In Drinking

Water. The Department has drafted an amendment to the arsenic in drinking water regulations to adopt the federal rule. EPA adopted a new standard for arsenic in drinking water at 10 ppb, replacing the old standard of 50 ppb. The rule became effective on February 22, 2002. Public water systems must implement the rule by January 2006. A public hearing is scheduled for 23 July 2004 with written comments due on that day. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: Filter Backwash

Recycling Rule. The Department has drafted an amendment to adopt the federal Filter Backwash Recycling Rule (FBRR). The FBRR is required by the Safe Drinking Water Act as one method of reducing the risks posed to consumers by microbial contaminants that may be present in public drinking water supplies. A public hearing is scheduled for 23 July 2004 with written comments due on that day. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: Long Term 1 Enhanced

Surface Water Treatment Rule. The Department has drafted an amendment to adopt the federal rule on the Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR). The purpose of the LT1ESWTR is to improve control of microbial pathogens, specifically the protozoan *Cryptosporidium*, in drinking water, and address risk trade-offs with disinfection byproducts. The LT1ESWTR applies to all public water systems that: (1) use surface water or ground water under the direct influence of surface water (GWUDI); and (2) serve fewer than 10,000 persons. A public hearing is scheduled for 23 July 2004 with written comments due on that day. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: 2004 Surface Water

Register. The Department is drafting the 2004 Surface Water Register. Four hundred twenty-seven stream segments and 45 lakes have been evaluated by a use attainability analysis (UAA) to determine the appropriate recreational use designation. The text can be viewed at http://www.kdhe.state.ks.us/befs/notice_of_intent.html. *For additional information, please contact Ricquelle Landis at (785) 296-6603.*

(UPDATE) KS Department Of Health And Environment Proposed Regulation: Municipal,

Commercial, And Industrial Wastewater Lagoon Liner Requirements. The Department is proposing regulations addressing municipal, commercial, and industrial wastewater lagoon liner requirements. The Department's goal is to develop and promulgate groundwater protection practices for sensitive groundwater areas in the state and specifically to address the Equus Beds Aquifer. These regulations will address: (1) the design, construction, and

operation of wastewater lagoons that serve municipal, commercial, and industrial facilities; (2) convert current policies regarding industrial wastewater pond liners into regulations that will make them an enforceable part of the Minimum Standards of Design for Water Pollution Control Facilities-1978; (3) update provisions to the Minimum Standards of Design for Water Pollution Control Facilities to reflect current technology and recent information regarding the effectiveness of earthen lagoons for the containment and treatment of wastewater; and (4) provide uniformity in regard to the Department's approach to design, construction, and use of wastewater lagoon systems serving municipal, commercial, and industrial facilities. The proposed regulation is at <http://www.kdhe.state.ks.us/indust/ProposedLinerRegs.htm>. Public hearings are scheduled for 19, 25 and 26 August 2004. Written comments are due on 26 August 2004. For additional information, please contact Dorothy Geisler at (785) 296-5545.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Kansas Homeland Security Information. Kansas Emergency Management and Homeland Security, MG Tod M. Bunting, Director and Kansas Adjutant General, (785) 274-1911. Web page: <http://www.accesskansas.org/kdem/>.

KDHE Water Security Links. The Kansas Department of Health and Environment, Bureau of Water has provided links regarding water utility security and bio-terrorism information on the following web page: <http://www.kdhe.state.ks.us/water/security.html>.

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MISSOURI

Legislative/Regulatory Activity

The Missouri state legislature adjourned on 30 May 2004.

STATE OF MISSOURI PROPOSED RULE

(UPDATE) MO Department Of Natural Resources Proposed Regulation Published 15 June 2004: Amendments To Emissions Fees (2641) (10 CSR 10-6.110). The Department has proposed an amendment to the rule that governs emissions fees. The Department plans on promulgating the amendment in order to collect the annual fee that all facilities that emit air pollutants are required to pay. The emissions fee proposed for the calendar year 2004 is \$33.00 per ton of regulated air pollutant (which is a \$1 decrease from 2003). The Department will hold a hearing on the regulation 22 July 2004. Comments are due 29 July 2004. The proposed amendments start on page 976 of the 15 June 2004 issue of the MO Register, available at <http://www.sos.mo.gov/adrules/moreg/current/2004/v29n12/v29n12b.pdf>. For additional information, please contact Ron Jeffries at (573) 751-7817.

(UPDATE) MO Department Of Natural Resources Proposed Regulation Published 15 June 2004: Adoption Of Federal New Source Review Rules (2677) (10 CSR 010-6.060). The Department has proposed a rulemaking to adopt the provisions of the federal New Source Review (NSR) improvement final rule in attainment areas. The amendments to the regulation will add definitions for baseline area, baseline concentration and minor source baseline date. The amendments will incorporate the requirements of 40 CFR 51.166 by reference. The amendments will also change language in section 9 of 010-6.060 that exempts electric utility steam generating units from hazardous air permit requirements to specify that such exemptions only apply to those units listed on the source category list. The Department will hold a public hearing on the regulation 22 July 2004. Comments are due 29 July 2004. The proposed amendments start on page 974 of the MO Register, available at <http://www.sos.mo.gov/adrules/moreg/current/2004/v29n12/v29n12b.pdf>. For additional information, please contact Shaen Rooney at (573) 751-4817.

(UPDATE) MO Department Of Natural Resources Proposed Regulation Published 15 June 2004: Amendments To Prohibit Emissions Reductions Credits From Projects That Take Advantage Of The New Source Review Improvement Rule's Pollution Control Project Exclusion (2678) (10 CSR 010-6.410). The Department has proposed amendments to its emissions banking and trading regulation. The amendments will prohibit the generation of emission reduction credits from projects that take advantage of the Pollution Control Project Exclusion from the 31 December 2002 New Source Review improvement rule. The Pollution Control Project Exclusion may be sought when a project is installed at an existing source where it reduces the

emissions rate of one air pollutant while increasing emissions of a different, "collateral" pollutant. The Department will hold a public hearing 22 July 2004. Comments are due on 29 July 2004. The proposal starts on page 985 of the 15 June 2004 issue of the MO Register, available at <http://www.sos.mo.gov/adrules/moreg/current/2004/v29n12/v29n12b.pdf>. For additional information, please contact Shaen Rooney at (573) 751-4817.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) MO Department Of Natural Resources Departmental Discussion: Risk-Based Remediation Of Groundwater (10 CSR 20-7.040). The Department is discussing a rule to codify the criteria and standards to be used in risk-based groundwater cleanup projects, as authorized in section 644.143 RSMo. This rule is intended to complement federal and state laws and regulations. Any person conducting a groundwater cleanup under the authority of any state environmental statute would follow the process contained in this rule. This rule further defines the procedures that are presently allowed under the Missouri Water Quality Standards 10 CSR 20-7.031(5)(D). Unless site-specific alternative groundwater cleanup standards are established through these procedures, the values in Table A or other parts of the Missouri Water Quality Standards remain the cleanup standards for groundwater. Alternative standards may be established to reflect site-specific, risk-based exposure conditions, institutional controls, continuing monitoring, and other aspects of remedial action plans described below. The procedures in this rule will be phased into current operations under existing authority. The Department has a tentative date of 1 October 2004 for filing a proposed rulemaking with the Secretary of State. For additional information, please contact John Madras at (573) 751-1123.

(UPDATE) MO Department Of Natural Resources Final List And Proposed Methodology: Development Of 2002 303(D) List And Methodology (10 CSR 20-7.050). The Department has adopted the 2002 section 303(d) list, identifying waters that have insufficient water quality treatment requirements and do not meet all applicable water quality standards. The Department has adopted a new listing methodology document describing in detail how the Department plans to evaluate data to determine whether or not a stream or lake should be placed on the list. During review of the proposed 2002 303(d) List, the Missouri Clean Water Commission directed staff to develop a rulemaking to codify the methodology prior to promulgating the 303(d) List as rule. The methodology used for developing the 303(d) List is required to be submitted to USEPA. This rulemaking will allow staff to meet the directive of the Missouri Clean Water Commission to codify the existing methodology. Notice of the Clean Water Commission's adoption of the rule was published in the 15 June 2004 issue of the MO Register. The rule will become effective 30 days after publication in the Code of State Regulations. The methodology can be viewed at <http://www.sos.mo.gov/adrules/moreg/previous/2003/v28n24/v28n24b.pdf> (page 2240). For additional information, please contact John Ford at (573) 751-7428.

(UPDATE) MO Department Of Natural Resources Departmental Discussion: 2003 Triennial Review Of Water Quality Standards. The Department is working on a 2003 triennial review of Missouri's water quality standards. During the triennial review, amendment of all of the state's water quality standards is considered. The Department is discussing: (1) the addition of whole-body contact recreation use to all classified waters in the state; (2) removal of the high flow exemption for fecal coliform bacteria; (3) adoption of the total recoverable method to measure compliance with drinking water standards; (4) adoption of the 1999 USEPA ammonia criteria; (5) development of dissolved oxygen standards based on waterbody type; and (6) permitting issues in national outstanding resource waters. Originally, the staff reported that they were working on the 2003 triennial review and the document that was going to be available for public review in July 2004. Staff now reports that there has been some delay with the gathering of information for the required regulatory impact report that will probably push back publication of a draft document until the end of August 2004. For additional information, please contact Stacia Bax at (573) 526-1445.

Missouri Homeland Security Information. Missouri Office of Homeland Security, Tim Daniel, Director; Center for Emergency Response and Terrorism, Pam Walker, Director, (573) 522-3007. Web page: <http://www.homelandsecurity.mo.gov/>. Web page: <http://ready.missouri.gov/>.

STATE OF NEBRASKA PROPOSED RULES

(NEW) NE Department Of Environmental Quality Draft Regulation: Update To Regulations For Discharge Permitting To Adopt Federal Standards (Title 119). The Department has issued a draft regulation to update wastewater discharge permitting with federal standards. The draft rules would apply to facilities that discharge to surface water and industrial facilities that discharge to Publicly Owned Treatment Works. The rule changes would combine Title 119, Title 121 and Title 127 into a new Title 119. The draft rules update the current rules by adopting federal regulation language, by adding federal storm water regulation updates, by adopting by reference federal sewage sludge language, and by authorizing the land application of effluent and sewage sludge. The Department held public meetings to discuss the rough draft from 21 June 2004 through 25 June 2004. Comments on the draft are due 1 August 2004. The Department plans to propose the changes at the Environmental Quality Council Meeting 19 October – 20 October 2004. A link to the rough draft of the new Title 119 is available on the home page of the Nebraska DEQ website at <http://www.deq.state.ne.us>. For additional information, please contact Rudy Fiedler at (402) 471-2186.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) NE Department Of Environmental Quality Final Report: 2004 303(D) List Of Waterbody Assessments. The Department has finalized its 2004 Surface Water Quality Integrated report. The Department prepared the report to comply with its obligation to identify waters not attaining assigned beneficial uses under 303(d) of the Clean Water Act. In addition to preparing this list, the state prepared a report detailing the status of all waters under 305(b) of the Clean Water Act. The Department has prepared its report in compliance with the Clean Water Act requirements and for its own water quality management planning purposes (i.e. future monitoring, TMDL development, and best management practice implementation). The EPA approved the report on 29 April 2004. For additional information, please contact Pat O'Brien at (402) 471-3382.

Recycling Directory Now Available Online. The 2003-2004 Nebraska Recycling Resource Directory is now available on line. The Directory provides a wide array of useful recycling information, including recycling locations by county. Hard copies of the directory can also be obtained from NDEQ by sending an e-mail request to moreinfo@ndeq.state.ne.us or by accessing <http://www.deq.state.ne.us/> and following the link for Recycling Directory.

Homeland Security Information. Nebraska Emergency Management Agency (NEMA) MG Roger P. Lempke, Director and State Adjutant General (roger.lempke@nema.state.ne.us); Al Berndt, Assistant Director, (402) 471-7410 (al.berndt@nema.state.ne.us). Web page: <http://www.nebema.org/>.

FEDERAL ACTIONS

EPA FINAL RULES

Approval and Promulgation of Implementation Plans for Texas; Approval of Section 179B Demonstration of Attainment, Volatile Organic Compounds and Nitrogen Oxides Motor Vehicle Emissions Budgets for Conformity for the El Paso Ozone Non-attainment Area. The EPA is approving, through direct final action, a revision to the Texas State Implementation Plan (SIP), submitted to show attainment of the one-hour ozone National Ambient Air Quality Standard (NAAQS) in the El Paso ozone non-attainment area, but for emissions emanating from outside of the United States. The EPA is also approving the El Paso area's Volatile Organic Compounds (VOCs) and Nitrogen Oxides (NO_x) emissions budgets. The State submitted the revisions to satisfy sections 179B and other Part D requirements of the Federal Clean Air Act (CAA). This rule is effective on 9 August 2004, without further notice, unless EPA receives adverse comment by 12 July 2004. If EPA receives such comment, EPA will publish a timely withdrawal in the Federal Register informing the public

that this rule will not take effect. For more details, please visit <http://www.epa.gov/fedrgstr/EPA-AIR/2004/June/Day-10/a13175.htm>.

Clean Air Nonroad Diesel - Final Rule. EPA's Clean Air Nonroad Diesel Rule was signed on 11 May 2004. This rule focuses on emission levels from construction, agricultural and industrial diesel-powered equipment. Another purpose for this rule was to remove 99 percent of the sulfur in diesel fuel by 2010. Standards for new engines will be phased in starting with the smallest engines in 2008 until all but the very largest diesel engines meet both NO_x and PM standards in 2014. Some of the largest engines, 750+ horsepower, will have one additional year to meet the emissions standards. Additionally, this rule takes the first step toward proposing new emission standards for diesel engines used in locomotives and marine vessels by issuing an advance notice of proposed rulemaking. Standards being considered would apply to new marine diesels and both new and existing diesel locomotives. For more detailed information, please go to <http://www.epa.gov/nonroad-diesel/>.

AEC Comment: The rule currently exempts military fuels (e.g., JP-5, JP-8, and F76) if they are used in tactical military motor vehicles or nonroad engines, or equipment that have a national security exemption. Additionally, these fuels also are exempt if they are used in tactical military vehicles, engines or equipment that are not covered by a national security exemption but, for national security reasons (such as the need to be ready for immediate deployment overseas), these vehicles, engines, and equipment need to be fueled on the same fuel as vehicles, equipment, or engines with a national security exemption. AEC's EL-RAMP program has been monitoring this rule. For any questions, please contact one of the AEC Media Managers at (410-436-1205), (410-436-1213) or (410-436-1214).

Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage. On 30 October 2003, the Research and Special Programs Administration (RSPA) published a final rule (68 FR 61905) to clarify the applicability of the Hazardous Materials Regulations to loading, unloading, and storage operations. RSPA is delaying the effective date of the final rule from 1 October 2004 to 1 January 2005. For more details, please visit <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-12130.htm>. For additional information, please contact the AEC Media Manager at (410) 436-1265.

EPA PROPOSED RULES

Proposed Rule to Extend Deadlines Under the Spill Prevention, Control, and Countermeasures (SPCC) Rule, Oil Pollution Prevention and Response; Non-Transportation-Related Onshore and Offshore Facilities. The EPA is proposing to extend, by twelve months, certain upcoming compliance dates for the July 2002 Spill Prevention Control and Countermeasure (SPCC or Plan) amendments. The dates affected by today's proposal would extend the date for a facility to amend its Plan to 17 August 2005 and extend the date for a facility to implement that amended Plan in a manner that complies with the newly amended requirements to 18 February 2006 (or, in the case of facilities becoming operational after 16 August 2002, prepare and implement a Plan that complies with the newly amended requirements). In light of a recent partial settlement of litigation involving the July 2002 amendments, EPA is proposing this extension to, among other things, provide sufficient time for the regulated community to undertake the actions necessary to update (or prepare) their plans. The proposed extension is also intended to alleviate the need for individual extension requests. For more information about the revised rule, please go to <http://www.epa.gov/oilspill/spccrule.htm> and/or <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-13684.htm>. For additional information, please contact the AEC Media Manager at (410) 436-7069.

Supplemental Proposal for the Rule To Reduce Interstate Transport of Fine Particulate Matter and Ozone (Clean Air Interstate Rule). This action is a supplemental notice of proposed rulemaking (SNPR) to EPA's 30 January 2004 (69 FR 4566) notice of proposed rulemaking (NPR). The NPR requires certain states to submit State implementation plan (SIP) measures to ensure that emissions reductions are achieved as needed to mitigate transport of fine particulate matter (PM_{2.5}) and/or ozone pollution and its main precursors - emissions of sulfur dioxide (SO₂) and oxides of nitrogen (NO_x) - across State boundaries. This action includes proposed rule language and supplemental information for the January 2004 proposal, consisting of further discussion on establishing State-level emissions budgets, proposed State reporting requirements and SIP approvability criteria, proposed model cap-and-trade rules, and a more thorough discussion of how this proposal interacts with existing Clean Air Act (CAA) programs and requirements. The EPA intends to produce a final rule by the end of calendar year 2004. For more details, please visit <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-11923.htm>. For additional information, please contact the AEC Media Manager at (410) 436-1213.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

USACE Issues New Engineer Regulation for FUDS Program. The U.S. Army Corps of Engineers is now using a new Engineer Regulation to manage the Formerly Used Defense Sites (FUDS) Program. Engineer Regulation 200-3-1 on FUDS Program Policy replaces guidance, formerly called the FUDS Manual. The new ER incorporates many changes and recommendations from the Department of Defense's Management Guidance for the Defense Environmental Response Program, EPA and the Association of States and Territorial Solid Waste Management Officials. The new ER:

- Addresses many recommendations from Government Accounting Office audit reports;
- Adds new checklists to Inventory Project Report preparation as well as generic notification guidance on new properties;
- Further acknowledges the role of the lead regulatory agency as a key member of the FUDS project team;
- Incorporates the latest FUDS policy initiatives including the development of statewide management action plans;
- Adds the Preliminary Assessment phase to the FUDS determination process where potential toxic substances or military munitions projects are identified at eligible FUDS properties;
- Emphasizes public involvement in FUDS response actions.

ER 200-3-1 can be found at <http://www.usace.army.mil/inet/usace-docs/eng-regs/er200-3-1/toc.htm>.

Revision of FRTR Screening Matrix Now Available. A new updated version of the Fourth Federal Remediation Technologies Roundtable (FRTR) Screening Matrix and Reference Guide is under construction and should be available later this year. The Screening Matrix and Reference Guide are products of a cooperative effort between the member agencies of the Federal Remediation Technologies Roundtable (FRTR) that include all three branches of the armed forces, the Department of Defense, the Department of the Interior, the Department of Energy, NASA and the EPA. This year the screening matrix rating system is being updated to be more user friendly and easily understood. Cost estimates of selected technologies are being conducted using a RACER analysis to provide project managers with cost information to assist in making remediation technology decisions. The FRTR Screening Matrix and Reference Guide is used to screen and evaluate potential cleanup technologies for contaminated installations and waste sites in order to assist remedial project managers in selecting a suitable alternative. To help remedial project managers (RPMs) sort through large volumes of interrelated and overlapping information and then to evaluate alternative technologies, the FRTR has been maintaining the Remediation Technology Screening Matrix and Reference Guide. This document combines the unique features of several agency publications into a single guide, and focuses primarily on demonstrated technologies while incorporating cost and performance data to the maximum extent available. It allows the RPM to pursue questions based on contamination problems as well as specific technology issues. Since the Guide is based on information gathered from the FRTR member agencies, the Screening Matrix and Reference Guide is relevant to RPMs from all military services, industry, and the academic community. For more information visit the FRTR website at <http://www.frtr.gov/>

Technologies for Treating MtBE and Other Fuel Oxygenates (EPA 542-R-04-009). This report, published by the EPA Office of Superfund Remediation and Technology Innovation, provides an overview of the treatment technologies used to remediate groundwater, soil and drinking water contaminated with MtBE and other fuel oxygenates. The report summarizes available cost and performance information for eight treatment technologies, examples of where they have been used and additional sources of information. The document can be accessed at: <http://clu-in.org/techpubs.htm>

The DNAPL Remediation Challenge: Is There a Case for Source Depletion? (EPA/600/R-03/143).

This report is the product of an independent expert panel funded by the U.S. EPA Office of Research and Development. At many hazardous waste sites contaminants reside in the subsurface as separate dense non-aqueous phase liquids (DNAPL), which serve as persistent sources of dissolved phase contamination and are a major impediment to successful and cost-effective cleanup of sites. Commonly used pump-and-treat remediation systems have not been effective in removing DNAPL from these subsurface source areas or in restoring down-gradient contaminated groundwater to desired levels of cleanliness. Field-scale research has demonstrated that a high

percentage of the DNAPL mass can be removed by implementing aggressive in-situ technologies such as thermal or chemical flooding. These studies have shown that while a significant fraction of the DNAPL mass can be efficiently removed in a short period, the efficiency of DNAPL extraction often decays exponentially with increasing mass removal. As a result, there is currently no consensus in the academic, technical and regulatory communities on the ecological or environmental benefits of DNAPL source treatment or on the appropriate metrics for quantifying these benefits. To provide technical guidance regarding these critical environmental issues the EPA convened a panel of national and international scientists and practitioners to conduct a critical, independent review of DNAPL remediation issues. To view or download the document, please go to <http://www.epa.gov/ada/download/reports/600R03143/600R03143.pdf>.

Fish Tissue Data Available. EPA's Office of Water has released second-year data from the National Study of Chemical Residues in Lake Fish Tissue, a national four-year study to assess the condition of lakes and reservoirs in the lower 48 states. The study will provide the first national estimate for 268 persistent, bioaccumulative, and toxic (PBT) chemicals and will help us track reductions of these chemicals in freshwater fish. EPA is analyzing the fish samples for mercury, arsenic, polychlorinated biphenyls (PCBs), and dioxins/furans, along with many pesticides and other organic chemicals, such as phenols and chlorobenzenes. Chemical analysis of all fish samples should be complete by the end of 2004. EPA plans to finish statistical analysis of the cumulative four-year fish tissue data set in 2005 and produce a final report in 2006. More information about the fish tissue study can be obtained at <http://www.epa.gov/waterscience/fishstudy>.

U.S. FISH AND WILDLIFE SERVICE

Migratory Bird Permits; Take of Migratory Birds by Department of Defense, Proposed Rule. The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, or possessing of migratory birds unless permitted by regulations promulgated by the Secretary of the Interior. While some courts have held that the MBTA does not apply to Federal agencies, in July 2000, the United States Court of Appeals for the District of Columbia Circuit ruled that the prohibitions of the MBTA do apply to Federal agencies, and that a Federal agency's taking and killing of migratory birds without a permit violated the MBTA. On 13 March 2002, the United States District Court for the District of Columbia ruled that military training exercises of the Department of the Navy that incidentally take migratory birds without a permit violate the MBTA. On 2 December 2002, the President signed the 2003 National Defense Authorization Act. Section 315 of the Authorization Act provides that, not later than one year after its enactment, the Secretary of the Interior (Secretary) shall exercise her authority under section 704(a) of the MBTA to prescribe regulations to exempt the Armed Forces for the incidental taking of migratory birds during military readiness activities authorized by the Secretary of Defense or the Secretary of the military department concerned. The Authorization Act further requires the Secretary to promulgate such regulations with the concurrence of the Secretary of Defense. This proposed rule has been developed in coordination and cooperation with the Department of Defense and the Secretary of Defense concurs with the requirements herein. Current regulations authorize permits for take of migratory birds for activities such as scientific research, education, and depredation control. However, these regulations do not expressly address the issuance of permits for incidental take. As directed by section 315 of the Authorization Act, the USFWS is proposing this rule to authorize such take, with limitations, that result from Department of Defense military readiness activities. If the Department of Defense determines that a proposed or an ongoing military readiness activity may result in a significant adverse effect on the sustainability of a population of a migratory bird species of concern, then they must confer and cooperate with the U.S. Fish and Wildlife Service (Service) to develop appropriate and reasonable-conservation measures to minimize or mitigate identified significant adverse effects. The Secretary of the Interior will retain the power to withdraw or suspend the authorization for particular activities in appropriate circumstances. For additional information, please go to <http://migratorybirds.fws.gov/>.

AEC Comment: The proposed rule would allow members of the Armed Forces, DoD contractors or their agents to take migratory birds during authorized military readiness activities. Installations must continue to obtain MBTA permit for scientific collecting, control of birds causing damage to DoD property, or any other activity that is addressed by U.S. Fish and Wildlife Service's (USFWS) existing permit regulations. Authorization of take under this proposed rule would apply to military readiness activities to include (a) all training and operations of the Armed Forces that relate to combat, and (b) the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use. If DoD determines that a proposed or an ongoing military readiness activity may result in a significant adverse effect on the sustainability of a population of a migratory bird species of concern, then they must confer and cooperate with the USFWS to develop measures to minimize or mitigate the significant adverse effects. DoD is to use the NEPA process to determine whether any ongoing or proposed military readiness activity is likely to have such significant adverse effects. The Secretary of Interior retains the authority to withdraw authorization of take with respect to any specific military readiness activity under certain circumstances. USFWS

states they will make every effort to work with the DoD in advance of a potential determination to withdraw take authorization to resolve migratory bird take concerns and avoid withdrawal. Migratory bird conservation relative to activities other than military readiness activities will be addressed separately in a Memorandum of Understanding (MOU) developed in accordance with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. For additional information, please contact the AEC Media Manager at 410-436-1564.

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REGIONAL MEETINGS

Southwest Strategy Border Task Team Meeting. This meeting is scheduled for **8 July 2004** in **Nogales, Arizona**. For additional information, please contact the Project Manager at (816) 983-3451.

Southwest Strategy Agency Coordinators Meeting. This meeting is scheduled for **14-15 July 2004** in **Phoenix, Arizona**. For additional information, please contact the Project Manager at (816) 983-3451.

Southwest Strategy Tribal Relations Support Team. This meeting is scheduled for **20-21 July 2004** in **Santa Fe, New Mexico**. For additional information, please contact the Project Manager at (816) 983-3451.

Missouri Environmental Conference at the Lake. This meeting is scheduled for **28-30 July 2004** in **Lake of the Ozarks, Missouri**. For additional information, please contact the Army REC at (816) 983-3445.

Texas Air Work Group Meeting. This meeting is scheduled for **21-22 July 2004** in **Austin, Texas** and will include a tour of Fort Hood. For additional information, please contact the Army REC at (816) 983-3450.

Southwest Strategy Regional Environmental Coordinator's Meeting. This meeting is scheduled for **21-22 September 2004** in **Albuquerque, NM**. For additional information, please contact the Southwest Strategy Coordination Office at (505) 248-6882.

EPA Region 7 Greening the Government Conference. This conference is scheduled for **19-20 October 2004** in **Kansas City, Missouri** and is sponsored by the EPA, General Services Administration, and the Kansas City Federal Executive Board. For additional information call the Army REC at (816) 983-3445 or go to <http://www.epa.gov/R&swpp/fallconf>.

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TRAINING COURSES AND WORKSHOPS

USACE PROSPECT Training. The USACE Prospect program provides job-related training through technical, professional, managerial and leadership courses to meet the unique needs of the USACE and other government agencies. The courses are open to all federal agencies. The current fiscal year schedule of classes is available at <http://pdsc.usace.army.mil/courseschedule.asp>. To register, please contact the USACE Registrar at (256) 895-7425 or 7421.

Historic Preservation Law and Section 106 Compliance Course. This course emphasizes legal compliance through the use of actual case studies. Course content includes the stewardship role, use of historic properties, and communications with related oversight agencies. This is an ISEERB-approved course. The course is scheduled for **20-22 July 2004** in **Annapolis, Maryland**. For further information, please visit <https://www.cecos.navy.mil>.

Thirteenth Annual ITAM Workshop: "Bridging the Army's Land Challenges". This Workshop is a forum for the scientific exchange of technologies, ideas, experiences and lessons learned that relate to the application of Integrated Training Area Management (ITAM) on military training and testing land. Topics to be covered include:

- Land Rehabilitation and Maintenance (LRAM)
- Land Condition Trend Analysis (LCTA)
- Environmental Awareness (EA)

- Training Requirements Integration (TRI) (including training/range operations)
- Geographical Information System (GIS)

The Workshop will be held in **San Francisco, California** on **12-16 August 2004**. For additional information, please visit <http://srp.army.mil/public/workshop/13th/workshop.jsp> or call (757) 878-3090/5085 or fax (757) 878-0934.

AFCEE Technology Transfer Workshop, 2004. The AFCEE Technology Transfer Workshop in 2004 has changed from its usual spring time offering to be co-located with the 9th Annual Joint Services Environmental Management (JSEM) Conference and Exhibition (formerly the P2&HWM Conference) on **16-19 August 2004** in **San Antonio, Texas**. The AFCEE Technology Transfer Workshop in 2004 continues to be Air Force-focused, providing attendees with the tools to support the DoD readiness mission through environmental stewardship. The Workshop will highlight the latest technologies with proven case studies, presented by today's leading experts. The 2004 AFCEE Technology Transfer Workshop will focus on performance-based management, the new thrust within the Air Force Restoration Program. Concurrent technical sessions will be offered as well as a plenary session and short course offerings. Attendance at the 2004 AFCEE Technology Transfer Workshop is open to the defense and commercial sectors and other individuals interested in the Workshop agenda. Attendees of the Workshop will register through the JSEM web site. All Workshop attendees, whether government, industry, or otherwise, will be required to pay the applicable registration fee. However, paid registration will allow Workshop attendees access to all provisions of the JSEM Conference as indicated by the JSEM Conference web site at <http://www.jsemconference.com/index.htm>.

ITRC Training in Remediation Technologies. The Interstate Technical Regulatory Council (ITRC) is offering three training opportunities at the Midwestern States Risk Assessment Symposium. On **23-24 August 2004** in **Indianapolis, Indiana**, ITRC will present *Phytotechnologies - Mechanisms and Actions and Accelerated In Situ Bioremediation of Chlorinated Solvents* classes, and the afternoon of the 24th there will be a two-hour presentation of *The Triad Approach: A New Paradigm for Environmental Project Management*. For additional information, please go to <http://www.spea.indiana.edu/msras/> or <http://www.spea.indiana.edu/msras/RegistrationPage.htm> to register.

Advanced Risk Communication Workshop. The CHPPM is presenting this Advanced course that builds on basic understanding and skills learned in the Introductory course, providing the participant with hands-on experience in applying the steps of the process, on camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. When completed, the participant will understand:

- The steps required to plan, develop, implement and evaluate strategic risk communication plans;
- Approaches and techniques for effectively engaging the media; and
- Complexities of addressing current issues impacting the military mission.

The Advanced Health Risk Communication workshops scheduled for 2004 will be held on **24-26 August** in **San Antonio, Texas** For more information, please call (410) 436-8147 or visit <http://www.chppm.com/>.

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CONFERENCES AND SYMPOSIUMS

National Environmental Monitoring Conference. NEMC provides the principal forum for addressing policy and technical issues affecting monitoring in all environmental media (i.e., water, air, soil, and wastes) and across all environmental programs. This conference, to be held on **19-22 July 2004** in **Washington, DC**, is organized by EPA and others. The focus will be on new approaches for analyzing for conventional and emerging pollutants in water, soil, and air as well as homeland security issues as they apply to environmental monitoring for terrorism agents. Conference information, including on-line registration forms and exhibitor registration information, can be viewed at <http://www.nemc.us/>.

2004 Environmental Conference at the Lake. The Missouri Chamber of Commerce and Industry and The Missouri Bar will be hosting the 12th Annual Environmental Conference at the Lake on **28-30 July 2004**. This year's event will be held at Tan-Tar-A Resort and Spa, **Osage Beach, Missouri**. Mike Leavitt, Administrator of the U.S. Environmental Protection Agency, has been invited to give the conference's keynote address. An explorer from the Lewis and Clark exhibition will join conference attendees for lunch on Thursday and an exhibit and demonstration from the World Bird Sanctuary will highlight Thursday afternoon. For more information, please go to

<http://www.mochamber.com/mocchw/hw.dll?page&file=sitedoc58> or contact the Missouri Chamber director of conference development, at (573) 634-3511.

KDHE Non-point Source Seminar. The Kansas Department of Health & Environment, Bureau of Water, Watershed Management Section is conducting a seminar with various non-point source pollution control projects and local environmental protection programs. The purpose of the seminar is to facilitate communication of project results and activities among all parties interested in non-point source pollution control. These projects have been selected from the area of the seminar location. The seminar will be held on **5 August 2004** in **Salina, Kansas**. For additional information please e-mail nps@kdhe.state.ks.us or call 785-296-4195.

9th Annual Joint Services Environmental Management Conference & Exhibition (formerly P2&HWM Conference & Exhibition). The conference, formerly known as the Joint Services Pollution Prevention & Hazardous Waste Management Conference & Exhibition, has been renamed. The new conference name is the Joint Services Environmental Management Conference & Exhibition (JSEM) and is co-hosted by the Army Environmental Center (AEC) and the Air Force Center for Environmental Excellence (AFCEE). The conference will be held **16-19 August 2004** at the Henry B. Gonzalez Convention Center **San Antonio, Texas** and it's theme is "Sustaining the Force: Optimizing Readiness Through the Prevention of Pollution". For any additional information or questions regarding the conference, please contact the NDIA at jseminfo@ndia.org. The conference web site is <http://www.jsemconference.com/>.

Southwest Strategy U.S./Mexico Border Task Team, 3rd Annual Bi-National Training Conference. Expanding on the success and favorable response from the two previous years, this conference continues to build and improve trans-boundary awareness and collaboration. Keynote speeches and panel discussions by leaders and recognized experts will address and explore a range of topical border environmental issues and proposed solutions. This conference will be held on **17-19 August 2004** in **Rio Rico, Arizona**. Session topics will include Natural and Cultural Resource Law, Overview of Environmental Border Issues, Exploring Environmental Solutions, Homeland Security Along US/Mexico Border and US, Mexican, Tribal Border Resource Programs. Additional information regarding the Southwest Strategy Border Task Team can be found at: <http://www.swstrategy.org/usmex.html>. For additional conference information, please contact the BIA Western Regional Office at (602) 379-6750.

Department of Defense Conservation Conference. The 2004 Department of Defense Conservation Conference will be held on **22-27 August 2004** in **Savannah, Georgia**. Sponsored by the Office of the Deputy Undersecretary of Defense (Installations & Environment), the theme of this conference is "Integrating Natural and Cultural Resources with Readiness". The conference will feature plenary and breakout sessions as well as workshops stressing successful efforts in integrating conservation requirements and military mission needs. The conference is limited to DoD personnel and contractors directly or indirectly involved in conservation issues. These DoD personnel and contractors include natural and cultural resource managers, facility planners and military trainers. Details concerning the conference can be found at <http://www.dodconservationconference.com/>.

Interstate Technical and Regulatory Council (ITRC) Midwestern States Risk Assessment Symposium. The 2nd Midwestern States Risk Assessment Symposium will be held in downtown **Indianapolis, Indiana** on **25-27 August 2004**. The symposium will feature the leading experts in the United States as speakers on numerous risk-related topics. The format will include oral and poster presentations, panel discussions, and meals with prominent speakers. In addition, ITRC is bringing three training opportunities to the Midwestern States Risk Assessment Symposium. For additional information, please go to <http://www.spea.indiana.edu/msras/> or call (317) 232-8997.

2004 Kansas Environment Conference. The 2004 annual Kansas Environment Conference will be held on **31 August to 2 September 2004** in **Overland Park, Kansas**. The conference provides businesses, industries, community leaders, consultants, and the public with an understanding of new and current regulations, current trends in environmental quality, new technologies, advantages of pollution prevention and the opportunity to have questions answered. For additional information, please go to http://www.kdhe.state.ks.us/sbcs/environment_conf.html.

2004 (Arkansas Watershed Advisory Group) AWAG Watershed Conference. The 2004 AWAG Watershed Conference: "Clean Water – Stronger Communities" has been designed to provide information and education to environmental professionals and any citizen who is interested in learning more about the watershed planning process. This year's conference will focus on *Tools and Resources for Effective Watershed Management* and will be held **9-11 September 2004** at the Peabody Hotel in **Little Rock, Arkansas**. "Clean Water – Stronger

Communities” will offer workshops, presentations, field experiences, and open discussion for its participants. Over a three day period, environmental experts, watershed group leaders, government agency directors, and natural resource specialists will lead participants to a better understanding of the tools and resources needed for watershed management and positive environmental change. The Conference activities will revolve around the following topics: 1) Protecting Water Quality: Issues, Regulations, and Local Policy, 2) Watershed Groups: Making a Difference and 3) Assessment & Restoration Tools: Urban & Land Management. Conference participants and presenters can discuss their environmental projects and programs during the reception and poster session, “Linking Water to Communities.” “Clean Water – Stronger Communities” will conclude with a special Watershed Symposium in which “Developing Effective Partnerships” will be explored. Interested participants may obtain additional information or register online at www.awaq.org. For questions, please call 501-682-0012.

Brownfields Conference 2004. The national Brownfields Conferences will bring together key experts from all levels of government, business, and finance and from local communities to share ideas and experiences in the field of urban and environmental development. The conference will be held on **20-22 September 2004** in **St. Louis, Missouri**. For additional information, please visit <http://www.brownfields2004.org/en/index.aspx>

Worldwide Chemical Conference & Exhibition XXI (WWCC). The Twenty-First Annual Worldwide Chemical Conference (WWCC) and Chemical Warfighters Conference (CWFC) will be held at **Fort Leonard Wood, Missouri** on **13-15 October 2004**. The theme of the conference is *The Force of the Future*. Proliferation of the capability for nations and terrorist organizations to employ NBC weapons on the battlefield or against civilians makes the Chemical Corps’ role in the defense of our country more vital than ever before. It is important for the chemical community – the military and civilian employees of the services, contractors, industry, and academia – to come together and share information about our capabilities to defend against CBRN weapons and our requirements for the future. The WWCC provides that opportunity. Additional information can be obtained at <http://register.ndia.org/interview/register.ndia?PID=Brochure&SID=17H1ENF46&MID=5300>.

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Acronyms and Abbreviations The list of acronyms and abbreviations can be found on the AEC web site at <http://aec.army.mil/usaec/reo/creo03.html> and on DENIX at <https://www.denix.osd.mil/denix/State/Partnering/REC/rec.html> (click Information Library).



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