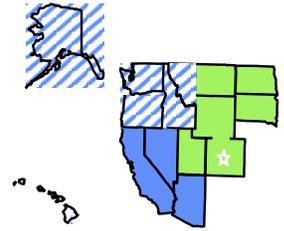




**US Army Environmental Center
Western Regional Environmental Office
REGION 10 – MAY 2004**



WESTERN REGION REVIEW

The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 10 area: Alaska, Idaho, Oregon and Washington. We appreciate your feedback. Please contact the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone (303) 844-0954, or fax (303) 844-0951.

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E-mail Subscriptions to WREO Monthly Reviews

The Monthly Western Regional Reviews are available by e-mail distribution. If you would like to receive the Review in electronic format each month, please e-mail #wreo@rma.army.mil. Write "Subscription" as the subject and include your name and e-mail address in the body of the message.

Past issues of the Regional Reviews are available at <http://aec.army.mil> under "Regional Offices."

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

FINAL RULE – ACCIDENTAL RELEASE PREVENTION REQUIREMENTS - On 9 April 2004 (69 FR 18819), EPA finalized several changes to the reporting requirements of its chemical accident prevention regulations under section 112(r) of the Clean Air Act. Beginning 21 June 2004, chemical facilities subject to the accident prevention regulations submit information on any significant chemical accidents and any changes to emergency contact information on a more timely basis than previously required. The rule also immediately removes the regulatory requirement for covered facilities to include in the executive summaries of their risk management plans (RMPs) a brief description of the off-site consequence analysis for their facilities. In addition, the final rule also requires that covered facilities include three new pieces of information in their RMPs: the e-mail address for the facility emergency contact, the name, address and telephone number of any contractor who prepared the RMP, and the purpose of any RMP submission that changes or otherwise affects an earlier RMP submission. The changes were effective on 9 April 2004. For further information, contact Vanessa Rodriguez, EPA at (202) 564-7913.

FINAL RULE – NESHAP FOR SURFACE COATING OF PLASTIC PARTS AND PRODUCTS – On 19 April 2004 (69 FR 20967), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for plastic parts and products surface coating operations located at major sources of hazardous air pollutants (HAP). The final rule requires these operations to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT). The organic HAP emitted by these operations include methyl ethyl ketone, methyl isobutyl ketone, toluene, ethylene glycol monobutyl ether and other glycol ethers, and xylenes. Exposure to these substances has been demonstrated to cause adverse health effects such as irritation of the lung, skin, and mucous membranes, and effects on the central nervous system, liver, and heart. The final standards are expected to reduce nationwide organic HAP emissions from major sources in this source category by approximately 80 percent. The rule was effective 19 April 2004. For further information, contact Kim Teal, EPA at (919) 541-5580, or e-mail teal.kim@epa.gov.

PROPOSED RULE – NESHAP FOR HAZARDOUS WASTE COMBUSTORS – On 20 April 2004 (69 FR 21197), EPA proposed NESHAP for hazardous waste combustors (HWC). These combustors include hazardous waste burning incinerators, cement kilns, lightweight aggregate kilns, boilers and process heaters, and hydrochloric acid production furnaces. EPA has identified these HWCs as major sources of HAP emissions. These proposed standards will, when final, require HWCs to meet HAP emission standards reflecting the application of MACT. The HAP emitted by these facilities include arsenic, beryllium, cadmium, chromium, dioxins and furans, hydrogen chloride and chlorine gas, lead, manganese, and mercury. Comments are due by 6 July 2004. For further information, contact Michael Galbraith, EPA at (703) 605-0567, or e-mail galbraith.michael@epa.gov.

NOTICE – DESIGNATION OF NEW EQUIVALENT METHOD FOR MONITORING PM10 - On 8 April 2004 (69 FR 18569), EPA designated a new equivalent method for measuring concentrations of particulate matter as PM10 in the ambient air. For further information, contact Elizabeth Hunike, EPA at (919) 541-3737, or e-mail Hunike.Elizabeth@epa.gov.

PROPOSED RULE – NESHAP FOR STATIONARY COMBUSTION ENGINES – On 7 April 2004 (69 FR18338), EPA proposed to stay the effectiveness of the combustion turbines NESHAP promulgated on 5 March 2004 for new sources in the lean premix gas-fired turbines and diffusion flame gas-fired turbines subcategories, which are the two principal subcategories EPA is proposing to delist. This action is necessary to avoid wasteful and unwarranted expenditures on installation of emission controls which will not be required if the subcategories are delisted. Comments are due by 24 May 2004. For further information, contact Kelly Rimer, EPA at (919) 541-2962, or e-mail rimer.kelly@epa.gov.

PROPOSED RULE – NESHAP FOR STATIONARY COMBUSTION ENGINES – On 7 April 2004 (69 FR 18327), EPA proposed to amend the list of categories of sources by deleting four subcategories from the Stationary Combustion Turbines source category. Final MACT standards creating the following subcategories were published on 5 March 2004: lean premix gas-fired stationary combustion turbines, diffusion flame gas-fired stationary combustion turbines, emergency stationary combustion turbines, and stationary combustion turbines located on the North Slope of Alaska. This action is being taken in part to respond to a petition submitted by the Gas Turbine Association (GTA) and in part upon the EPA Administrator's own motion. The proposed rule is based on EPA's evaluation of available information concerning the potential hazards from exposure to hazardous air pollutants (HAP) emitted from the four subcategories and includes a detailed rationale for removing the subcategories from the source category list. Comments are due by 7 June 2004. For further information, contact Kelly Rimer, EPA at (919) 541-2962, or e-mail rimer.kelly@epa.gov.

WASTE INFORMATION:

NOTICE OF AVAILABILITY – SOLID WASTE RESOURCES - EPA's Office of Solid Waste has released its 2004 Edition of "A Collection of Solid Waste Resources" CD ROM. It contains more than 300 publications on hazardous and nonhazardous waste. The documents are searchable, listed alphabetically by topic. The publications cover many topics, including recycling and reuse, buying recycled, hazardous waste management, composting, and used motor oil. The document may be ordered free from the National Service Center for Environmental Publications (EPA 530-C-04-001) or downloaded at <http://www.epa.gov/epaoswer/osw/cdoswpub.htm>.

NOTICE OF AVAILABILITY – HANDBOOK OF GROUNDWATER PROTECTION AND CLEANUP POLICIES FOR RCRA CORRECTIVE ACTION - EPA has released an updated "Handbook of Groundwater Protection and Cleanup Policies for RCRA Corrective Action." The document contains the EPA's current interpretation of policies on such topics as cleanup goals, the role of groundwater use, point of compliance, source control, and monitored natural attenuation. This handbook ties different topics together with an overall groundwater protection and cleanup strategy that emphasizes a phased, results-based approach to cleaning up contaminated groundwater. The Handbook recommends that groundwater cleanups generally be implemented in terms of: 1) short-term protection goals; 2) intermediate performance goals; and 3) final cleanup goals. The document is available for download at <http://www.epa.gov/epaoswer/hazwaste/ca/resource/guidance/gw/gwhandbk/gwhb041404.pdf>.

WATER INFORMATION:

FINAL ACTION – CONSTRUCTION AND DEVELOPMENT EFFLUENT GUIDELINE - EPA has issued a "Construction and Development Effluent Guideline" that relies on a broad range of existing programs and regulations to control stormwater runoff from construction sites (in lieu of a new national effluent guideline). EPA recognizes that stormwater runoff threatens water quality, but believes that existing authorities and tools, supplemented by additional guidance, workshops, and resources, provide a more effective and flexible approach. For further information, link <http://www.epa.gov/guide/construction>.

NOTICE OF PUBLICATION – DRINKING WATER CONTAMINANT LIST 2 – On 2 April 2004 (69 FR 17406), EPA announced its preliminary decision to carry over the 51 contaminants published in the February 1998 Contaminant Candidate List (CCL), a list of contaminants which, at the time of publication,

were not subject to any proposed or promulgated national primary drinking water regulations, and were known or anticipated to occur in public water systems. The draft CCL includes 42 chemicals or chemical groups and nine microbiological contaminants. EPA's approach to the draft CCL 2 is to continue using the remaining contaminants on the 1998 CCL for prioritizing research and making regulatory determinations while working with the National Drinking Water Advisory Council and stakeholders to complete a review of the National Research Council recommendations for developing a more comprehensive and transparent CCL listing process. Comments are due by 1 June 2004. For further information, contact Dan Olson, EPA at (202) 564-5239.

PROPOSED RULE – REVISIONS TO WATER REGULATIONS – On 6 April 2004 (69 FR 18165), EPA proposed changes to analysis and sampling procedures in its wastewater regulations. These changes include proposal of vendor-developed methods, new EPA and voluntary consensus standard bodies (VCSB) methods; updated versions of currently approved methods; revised method modification and analytical requirements; withdrawal of certain outdated methods; and changes to sample collection, preservation, and holding time requirements. EPA also proposed changes to drinking water analysis and monitoring. These changes include proposal of vendor-developed methods, new EPA and VCSB methods, and updated VCSB methods. Finally, EPA solicited comment on the guidance document "EPA Microbiological Alternate Test Procedure (ATP) Protocol for Drinking Water, Ambient Water, and Wastewater Monitoring Methods." Comments are due by 7 June 2004. For further information, contact Marion Kelly, EPA at (202) 566-1045, or e-mail: Kelly.Marion@epa.gov.

GENERAL INFORMATION:

FINAL RULE – NOTIFICATION REQUIREMENTS FOR LEAD-BASED PAINT ABATEMENT ACTIVITIES AND TRAINING – On 8 April 2004 (69 FR 18489), EPA issued a final rule to establish notification procedures for certified lead abatement professionals conducting lead-based paint abatement activities, and accredited training programs providing lead-based paint activities courses. The rule established the procedures that must be used to provide notification to EPA prior to the commencement of lead-based paint abatement activities. The rule also required accredited training programs to notify EPA prior to providing initial or refresher lead-based paint activities training courses, and following completion of lead-based paint activities training courses. The rule will be effective 10 May 2004. For further information, contact Mike Wilson, EPA at (202) 566-0521, or e-mail wilson.mike@epa.gov.



GENERAL INFORMATION

GAO REPORT – DEMILITARIZATION OF EXCESS AMMUNITION – GAO has updated an April 2001 report with recommendations for improving cost effectiveness of the conventional ammunition demilitarization process by making full use of existing government facilities to demilitarize excess conventional ammunition (GAO-04-427R). DoD has concurred with the GAO recommendations. For the full text of the update, link <http://www.gao.gov/new.items/d04427r.pdf>.

GAO TESTIMONY – CHEMICAL WEAPONS DESTRUCTION SCHEDULE – GAO provided testimony to Congress assessing the status of the chemical weapons demilitarization program. According to GAO, the program continues to fall behind its schedule milestones and DoD will not meet the Chemical Weapons Convention April 2004 deadline to destroy 45% of the stockpile. DoD will be requesting an extension of the final deadline to destroy 100% of the stockpile beyond 2007. While 27.6% of the total stockpile has been destroyed, Tooele, Utah has destroyed 47.1% of its stockpile. For further information, contact Raymond Decker, GAO at (202) 512-6020, or link <http://www.gao.gov/new.items/d04634t.pdf>.

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

2004 RCRA NATIONAL CORRECTIVE ACTION CONFERENCE

11-12 May 2004 – Orlando, Florida

EPA is sponsoring this conference with the theme: "Moving Towards Results Based Facility Initiated Corrective Action." The conference will explore future measures for environmental indicators for 2008 and 2020, foster innovations that will drive the RCRA Corrective Action Program, and exchange information and experiences on streamlining the Corrective Action process. For further information, contact Lael Butler, EPA at (404) 562-8453. Early registration is recommended. To register electronically, link <http://www.nationalcaconf.com/2004>.

ENVIRONMENTAL SUSTAINABILITY MANAGEMENT SYSTEM WORKSHOP

11-13 May 2004 – Covington, Kentucky

The Kentucky Pollution Prevention Center is sponsoring this workshop to provide environmental management system (EMS) training with a sustainability perspective. Through lectures and hands-on exercises, the workshop will present how an EMS can evolve to an environmental sustainability management system by incorporating values-based strategic planning that considers the environment, the well-being of the individual and the community, as well as economic viability. For more information or to register, call (800) 334-8635, ext. 0965, or link <http://www.kppc.org/>.

12TH ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM & EXHIBITION

17-20 May 2004- Dallas, Texas

The Joint Ordnance Commanders Group and NDIA are presenting this symposium to support DoD in numerous efforts directed at reducing the stockpile of excess and obsolete strategic, tactical, and conventional munitions. The agenda will focus on global challenges and successes experienced in the disposition of energetic materials. Topics of interest will include ongoing disposal, recycling and reuse programs, research and development efforts, transitioning technologies, and the latest policy issues. For more information or to register, link www.ndia.org.

WATER QUALITY STANDARDS ACADEMY

17-21 May 2004 – Washington, DC

EPA is presenting two sessions of the Water Quality Standards Academy Basic Course. The course is a five-day introduction designed for those with fewer than six months' experience, although water quality standards veterans can benefit from the course as a refresher. This is a comprehensive and highly structured course that introduces participants to all aspects of the water quality standards program, including the interpretation and application of the water quality standards regulation; policies and program guidance; the development of water quality criteria (human health, aquatic life, sediment, nutrient and biological); and all other facets of the program. For further information or to register, link <http://www.glec-online.com/form.htm>.

LEAD-BASED PAINT REGULATION TRAINING

20 May 2004 – Lakewood, Colorado

EPA is offering this free training to provide Federal Facilities participants with a detailed explanation of its regulations pertaining to lead-based paint. In addition, representatives from OSHA and HUD will present information on their lead-based paint regulations. Training will consist of lectures and interactive discussions. Specific topics include: EPA Lead Hazard Standards, Lead Disclosure Rule, Pre-Renovation Education Rule, EPA Certification Requirements for Lead-Based Paint Activities, OSHA Lead Enforcement Program, and HUD Lead Based Paint Regulation. For more information or to register, link http://www.epa.gov/region8/toxics_pesticides/leadpnt/workshop.html.

ENVIRONMENTAL LAWS AND REGULATIONS**25-28 May 2004 – Richland, Washington**

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

EPA SCIENCE FORUM 2004**1-3 June 2004 – Washington, DC**

The theme for the 2004 EPA Science Forum will be "Healthy Communities and Ecosystems." This 3rd Annual Science Forum will showcase EPA's scientific accomplishments, demonstrate EPA's commitment to quality science, and highlight the impact of science in EPA decision-making. The Forum is designed to promote dialogue among EPA scientists and program staff, as well as EPA partners, stakeholders, and the public on critical scientific issues affecting the Agency. There will be concurrent sessions with accompanying poster presentations on key scientific topics. For more information or to register, link <http://www.epa.gov/ord/scienceforum>.

APPLIED CLEAN AIR ACT**1-3 June 2004 – Richland, Washington**

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

NATIONAL SOURCE WATER PROTECTION CONFERENCE**2-4 June 2004 – Washington DC**

EPA's Office of Ground Water and Drinking Water is sponsoring this conference, which will focus on the protection of the ground and surface resources which supply the water used by public drinking water systems. The conference agenda includes numerous breakout sessions, technical training and short courses, a resource fair and a plenary session focusing on financing. For more information, link <http://yosemite.epa.gov/r10/ocrej.nsf/0/a3ee5d746d26e1a588256d1100559ab0?OpenDocument>.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS**15-17 June 2004 – Edgewood, Maryland****22-24 June 2004 – San Antonio, Texas**

The Army Center for Health Promotion and Preventive Medicine is presenting these workshops to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication; Steps of the Risk Communication Process; Importance of Identifying, Understanding, and Collaborating with Key Stakeholders; Pitfalls to Effective Risk Communication; and Basic Tools for Engaging the Media. For more information or to register link <http://chppm-www.apgea.army.mil/risk>.

ACCELERATING SITE CLOSEOUT**15-17 June 2004 – Dallas, Texas**

The Federal Remediation Technologies Roundtable is sponsoring this conference with the theme: "Improving Performance and Reducing Costs Through Optimization." The goals of the conference are to: 1) outline long-term remediation liabilities and optimization needs and opportunities; 2) disseminate existing and emerging optimization strategies, technologies, tools, and science; 3) communicate lessons learned and identify technical, institutional, contractual, and other enhancements and encumbrances to achieving positive optimization results; and 4) present remedial optimization within the context of site-wide and multi-site management programs. For more information or to register, link <http://www.clu-in.org/siteopt/siteopt.htm>.

2004 COMMUNITY INVOLVEMENT CONFERENCE**15-18 June 2004 – Denver, Colorado**

EPA is sponsoring this 7th annual conference to share lessons learned and to establish and monitor its standards for community involvement. The conference will cover the entire scope of public participation, community involvement, partnership building, and outreach and education related to all aspects of environmental protection. For more information, contact Lisa Gebler at (301) 589-5318, ext. 23, or link <http://www.epanciv.org/2004>.

McCOY RCRA SEMINAR**21-25 June – Portland, Oregon**

McCoy and Associates is offering this RCRA training with five sessions at each seminar: 1) RCRA Fundamentals; 2) Critical Generator Issues; 3) Advanced RCRA Topics I; 4) Advanced RCRA Topics II and Land Disposal Restrictions I; and 5) Land Disposal Restrictions II and RCRA Rules Under Development. The seminar is designed for hazardous waste generators, environmental managers, compliance specialists, environmental consultants, and environmental attorneys. For more information or to register, call (303) 526-2674, or link <http://www.mccoyseminars.com>.

NATURAL RESOURCES COMPLIANCE**22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB) approved course. For more information or to register, link <https://www.cecos.navy.mil>.

IMPLEMENTING AND AUDITING A PERFORMANCE-BASED EMS**23-25 June 2004 – Denver, Colorado**

The Colorado Department of Public Health and Environment is offering five sessions of this course (June-October). The course is designed for government, military, and other public sector personnel who are seeking to use ISO 14001 and Environmental Management Systems (EMS) to improve management of the environment within their organizations. The course will cover highly effective techniques to test the effectiveness of established environmental programs and how organizations successfully implement and operate EMS that deliver real improvement in environmental performance. For more information or to register, contact Linda Dunwoody at (678) 819-0693, or link <http://www.ermcvs.com>.

HAZARDOUS WASTE MANIFESTING/DOT RECERTIFICATION COURSE**30 June-1 July 2004 – Virginia Beach, Virginia**

The Army Corps of Engineers is providing recurrent training regarding regulatory requirements of the Hazardous Materials Transportation Act (HMTA) and the Resource Conservation and Recovery Act (RCRA) as it applies to the generation, transportation, and disposal of hazmat, focusing upon hazardous waste. Training topics cover the identification and classification of hazardous wastes for purposes of preparing a hazardous waste manifest and fulfilling the DOT requirements for shipping hazardous wastes. Specifically, training topics include RCRA waste classification, land disposal restrictions and notification, manifesting requirements, identification of a DOT Reportable Quantity, use of the Hazardous Materials Table, DOT requirements for determining a shipping name, properly packaging, labeling, marking and placarding, DOT emergency response requirements, and general security awareness. In addition, the course addresses special EPA and DOT requirements for shipping asbestos and PCBs. For more information or to register, link <http://pdsc.usace.army.mil/>.

BASIC REQUIREMENTS OF THE CLEAN AIR ACT**7-9 July 2004 – Denver, Colorado**

The Army Corps of Engineers is offering this introductory workshop. Topics include: Emission Factors, National Ambient Air Quality Standards, State Implementation Plans, Prevention of Significant Deterioration, New Source Review, Conformity, National Standards for Hazardous Air Pollutants, Chemical Accident Prevention, Title V Operating Permits, and the Stratospheric Ozone Protection Program. For more information or to register, call (256) 895-7425.

HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE**20-22 July 2004 – Annapolis, Maryland**

This course emphasizes legal compliance with the National Historic Preservation Act Section 106 process using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link <https://www.cecos.navy.mil>.

9TH ANNUAL JOINT SERVICES ENVIRONMENTAL MANAGEMENT CONFERENCE**16-19 August 2004 – San Antonio, Texas**

The National Defense Industrial Association is presenting this conference and exhibition (formerly the Joint Services Pollution Prevention and Hazardous Waste Management Conference and Exhibition). The theme of the 2004 conference is "Sustaining the Force: Optimizing Readiness Through the Prevention of Pollution." For more information, contact Naomi Mundy at (703) 247-9476, or link <http://www.ndia.org>.

13TH ANNUAL ITAM WORKSHOP**16-20 August 2004 – San Francisco, California**

The Army is calling for abstracts for the Integrated Training Area Management (ITAM) workshop. Suggested topics are: land rehabilitation and maintenance, land condition trend analysis, sustainable range awareness, training requirements integration, and geographical information system. For more information, link <http://www.army-itam.com/public/workshop/13th/callforpapers.jsp>.

INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link <https://www.cecos.navy.mil>.

DOD CONSERVATION CONFERENCE**22-27 August 2004 – Savannah, Georgia**

The theme of this year's conference is "Integrating Natural and Cultural Resources with Readiness." Attendance is open to DoD employees, contractors, and invited non-DoD participants. The conference is intended for personnel directly or indirectly involved in conservation issues, including facility planners, military trainers, and attorneys. Plenary and breakout sessions will address successful efforts by DoD to integrate conservation requirements with military mission needs. For more information or to register, link <http://www.dodconservationconference.com>.

ADVANCED RISK COMMUNICATION WORKSHOP**23-26 August 2004 – San Antonio, Texas**

The Army Center for Health Promotion and Preventive Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. There is no registration fee. For more information or to register, link <http://chppm-www.apgea.army.mil/risk>.

DECONSTRUCTION AND BUILDING MATERIALS REUSE CONFERENCE**1-3 September 2004 – San Francisco, California**

EPA is offering this conference in coordination with the National Recycling Coalition Annual Congress (29 August-1 September). There will be a special emphasis on federal agency and DoD activities. Topics will include: Where Green Building and Deconstruction Intersect, Used Building Materials Markets, Deconstruction Costs and Benefits, Design for Deconstruction and Reuse, and Research, Standards Development & Certification Programs. For more information or to register, contact Timonie Hood, EPA at (415) 972-3282, or link <http://www.DECON04.com>.

CONFERENCE ON COASTAL AND ESTUARINE HABITAT RESTORATION**12-15 September 2004 – Seattle, Washington**

This conference will advance the knowledge, pace, practice and success of coastal and estuarine habitat restoration. It will also highlight the unique resources and restoration efforts in and around the Pacific Northwest. The latest products, tools and services available from businesses, government agencies and non-profit organizations will be displayed at the Restoration Expo. For more information or to register, link <http://www.estuaries.org/2ndnationalconference.php>.

2004 BROWNFIELDS CONFERENCE**20-22 September 2004 – St. Louis, Missouri**

EPA is sponsoring this annual conference to bring together key experts from all levels of government, business, and finance to share ideas and experiences in the field of urban and environmental development. The conference will feature interactive discussions, educational presentations, and networking opportunities related to brownfields redevelopment. For additional information, please visit: <http://www.epa.gov/swerosps/bf/announcg.htm>.

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ALASKA

Regulatory Developments and Other State Information

ALASKA FEDERAL RENEWABLE ENERGY FORUM – 25 May 2004 – Anchorage – The Department of Energy is hosting this forum for federal agencies from 0800-1600 at the Captain Cook Hotel in Anchorage in conjunction with the Clean Energy Symposium. There will be a presentation on the potential installation of wind turbines 350 feet high on Fire Island to provide power to the Anchorage grid. All members of the Federal Executive Agency are invited. For more information, contact the Region 10 Army REC at (303) 844-0959.

WATER INFORMATION:

DEPARTMENTAL DISCUSSION – OIL SPILL PREVENTION AND RESPONSE BEST AVAILABLE TECHNOLOGY REVIEW – The Alaska Department of Environmental Conservation (DEC) is conducting a Best Available Technologies (BAT) Conference. The objective of the conference is to investigate and review proven technologies used in the worldwide spill prevention and response arena, as well as new innovative technologies that could be effective in Alaska. Specific technology categories that are to be reviewed as part of the BAT Conference include: 1) leak detection for crude oil transmission pipelines; 2) secondary containment liners for oil storage tanks; 3) fast water booming; 4) viscous oil pumping systems; 5) well capping; and 6) source control technologies. DEC will use the information gained through the Conference proceedings to assist in their evaluation of Oil Discharge Prevention and Contingency Plans (C-Plans) for various C-Plan holders throughout Alaska. C-Plan holders will be required to use BAT. The Conference will be held on 27-28 May in Anchorage. For more information, contact Betty Schorr at (907) 269-7556.

DEPARTMENTAL DISCUSSION – ASSUMPTION OF NPDES PROGRAM - Pursuant to legislation, DEC is investigating assuming the National Pollutant Discharge Elimination System (NPDES) water discharge permitting program from EPA. DEC has prepared a final report for the legislature to consider in its debate on whether to assume primacy for Alaska's NPDES program. The draft report includes: (1) an overview of the federal NPDES Program and NPDES permitting in Alaska today; (2) proposed statutory and regulatory changes needed for State primacy; (3) projected costs to transition to primacy and to implement a State run program; and (4) a timeline to achieve primacy. For more information, contact Sharon Morgan at (907) 465-5530.

DEPARTMENTAL DISCUSSION – 2003 TMDLs – The Alaska DEC is discussing proposing total maximum daily loads (TMDLs) for several water bodies: (1) Fish Creek; (2) Little Rabbit Creek; (3) Furrow Creek; (4) Little Survival Creek; (5) Chester Creek; (6) Little Cambell Creek; and (7) Ship Creek. The criteria pollutants for these TMDLs have not been determined yet. DEC anticipates proposing these TMDLs shortly and adopting them by mid-2004. For more information, contact Drew Grant at (907) 465-5304.

Legislative Developments:

The 2004 legislative session began 12 January and will end 11 May. For current information on the legislative session, link <http://www.legis.state.ak.us/>.

ALASKA HB 524 – SOLID WASTE - Relates to the protection of land and water from waste disposal. Provides for the regulation of waste management. Introduced and referred to Resources Committee 26 February 2004. Referred to Rules Committee 4 March. Passed House 25 March. Substituted and referred to Senate Rules Committee 5 April. The sponsor is the House Rules Committee.

ALASKA SB 116 – AIR EMISSIONS - States that, except for the owner and operator of a stationary source exempted under law, the owner and operator of a stationary source is required to obtain an operating permit from the Department of Environmental Conservation if the stationary source: (1) emits or has the potential to emit 100 TPY or more of a regulated air pollutant; (2) emits or has the potential to emit 10 TPY or more of a hazardous air pollutant or 25 TPY or more, in the aggregate, of two or more hazardous air pollutants; and (3) contains an emission unit subject to federal new source performance standards or national emission standards for hazardous air pollutants. Carried over to 2004 session. The sponsor is the House Rules Committee.

ALASKA SB 355 – SOLID WASTE - Relates to the protection of land and water from waste disposal. Provides for the regulation of waste management. Introduced and referred to Community and Regional Affairs Committee 26 February 2004. Referred to Resources Committee 12 March. Hearing held 22 March. The sponsor is the House Rules Committee.

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IDAHO

AIR INFORMATION:

FINAL REGULATION – MACT STANDARDS – The Idaho Department of Environmental Quality (DEQ) has adopted amendments to update its Rules for Control of Air Pollution. These Rules are updated annually in order to maintain conformance with EPA's regulations as well as fulfilling the requirements of Idaho's delegation agreement with EPA. These amendments update citations to federal regulations incorporated by reference to include those revised as of 1 July 2003. This update includes the Maximum Achievable Control Technology (MACT) promulgated as National Emissions Standards for Hazardous Air Pollutants (NESHAPS). The amendments were effective on 20 March 2004. For more information, contact Phyllis Heitman at (208) 373-4505, or link <http://www2.state.id.us/adm/adminrules/bulletin/03jul.pdf>.

WASTE INFORMATION:

FINAL REGULATION – ADOPTION OF FEDERAL HAZARDOUS WASTE STANDARDS – The Idaho DEQ has adopted amendments to its Rules and Standards for Hazardous Waste. These rules and standards are updated annually to maintain consistency with EPA's regulations implementing the Resource Conservation and Recovery Act as directed by the Idaho Hazardous Waste Management Act. Idaho has historically adopted both required and optional federal regulation so that Idaho's hazardous waste rules are the same as federal requirements. The amendments were effective 20 March 2004. For more information, contact John Brueck at (208) 373-0458, or link <http://www2.state.id.us/adm/adminrules/bulletin/03jul.pdf>.

WATER INFORMATION:

TEMPORARY REGULATION – NATIONAL RULE FOR TOXIC CRITERIA – The Idaho DEQ has adopted temporary amendments and proposed permanent amendments for toxic criteria under the National Toxic Rule. The amendments correct cross-referencing errors found in section 210 and add chromium (VI) and mercury dissolved total conversation factors which had been omitted previously. The permanent rule was effective 4 April 2004. For more information, contact Donald Essig at (208) 373-0119.

TEMPORARY REGULATION – DRINKING WATER SYSTEM OPERATOR CERTIFICATION – The Idaho DEQ has implemented temporary regulations and is preparing permanent amendments to its regulations regarding drinking water system operator certification. The amendments include: (1) the standards by which fees will be imposed for operator applications, certification exams, certification renewals, and course evaluations for continuing education units (CEUs); (2) certification requirements for systems; (3) addition of optional voluntary certification; (4) separate eligibility criteria for certifying treatment operators and distribution operators; (5) length of certification renewal cycle; (6) number of CEUs required per certification renewal cycle; and (7) certificate signatures. The amendments were effective 4 April 2004. For more information, contact Chris Lavelle at (208) 373-0502, or link <http://www2.state.id.us/adm/adminrules/bulletin/03jul.pdf>.

TEMPORARY AND PROPOSED REGULATION – WATER QUALITY STANDARDS – The Idaho DEQ has implemented a temporary rule and adopted permanent amendments to meet EPA requirements by setting water quality standards that protect designated uses in, and ensure attainment and maintenance of the waters quality standards of, downstream water in Oregon and to meet the schedule for development of TMDLs. The water quality standards have been revised to provide for a site-specific standard for water column dissolved oxygen in the Snake River (Hells Canyon) along the Idaho/Oregon

border. The amendments were effective 4 April 2004. For more information, contact Donald Essig at (208) 373-0119.

DEPARTMENTAL DISCUSSION – 2003 TMDL SCHEDULE – The Idaho DEQ is preparing its 2003 TMDLs. The TMDLs for Willow Creek, Weiser River and American Falls are anticipated to be proposed in early 2004 and comments are now being accepted for these TMDLs. For more information, contact Marti Bridges at (208) 373-0382.

Legislative Developments

The 2004 legislative session began 12 January and ended 4 April. A summary of significant environmental legislative activities is presented below. For more information on the 2004 session, link <http://www2.state.id.us/legislat/>.

IDAHO HB 544 – WATER QUALITY - Requires the Director of the Department of Environmental Quality (DEQ) to appoint watershed advisory groups. The purpose of these groups is to work with DEQ on the appropriateness, attainability and status of designated beneficial uses within the watershed, and development of Total Maximum Daily Loads (TMDLs). Introduced 27 January 2004 and referred to Environmental Affairs Committee. Passed House 1 March. Passed Senate 18 March. Vetoed by Governor Dirk Kempthorne (R) 2 April. The sponsor is the House Environmental Affairs Committee.

IDAHO SJM 105 – LAND USE - Notifies the President of the United States, the United States Senate and House of Representatives and Idaho's congressional delegation that the Legislature of the State of Idaho considers Mountain Home Air Force Base to be an extremely important component of the strategic military defense of the United States. Introduced 10 February 2004. Passed Senate 12 February. Passed House 25 February. Delivered to Secretary of State 2 March. The sponsor is the Senate State Affairs Committee.



OREGON

Regulatory Developments and Other State Information

No significant environmental regulatory information to report.

Legislative Developments

There was no regular legislative session in 2004. For information on the 2003 legislative session, link <http://www.leg.state.or.us>.

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WASHINGTON

AIR INFORMATION:

FINAL REGULATION – SIP REVISIONS – The Washington Department of Ecology (DOE) has adopted amendments to its State Implementation Plan (SIP). These amendments revise Southwest Clean Air Agency regulations in the SIP. These amendments: (1) clarify terminology, improve consistency with the Air Operating Permit program, and provide more specific reporting requirements for excess emissions; (2) incorporate changes in terminology and clarification of required corrective action; (3) update provisions for preconstruction permit requirements; (4) establish an official test method for opacity; and (5) incorporate various administrative changes necessary for general SIP implementation. The amendments will be submitted to EPA for approval. For more information, contact Brett Rude at (360) 407-6847.

PROPOSED REGULATION – PUGET SOUND GASOLINE VAPORS – The Puget Sound Clean Air Agency has proposed amendments to help reduce emissions of gasoline vapors from fueling motor vehicles by adding training requirements as well as clarifying the recognition and repair of system defects in the Puget Sound area. The amendments are expected to be in effect following publication in April. For more information, contact Dennis McLerran at (206) 689-4010.

WASTE INFORMATION:

DEPARTMENTAL DISCUSSION – DANGEROUS WASTE REGULATIONS – The Washington DOE is discussing proposing amendments to its dangerous waste regulations. These amendments will incorporate several federal hazardous waste regulations: (1) adding mercury-containing devices to the universal waste rule; (2) updating export requirements; (3) adopting air emission permit rules; and (4) making amendments to corrective action rules. For more information, contact Patricia Hervieux at (360) 407-6756, or link <http://www.ecy.wa.gov/laws-rules/wac173303/d0310.pdf>.

WATER INFORMATION:

FINAL REGULATION – WATER SYSTEM PERFORMANCE – The Washington Department of Health has adopted amendments for annually evaluating water system performance based on public health risk, and is updating its criteria for compliance to be consistent with new drinking water regulations that have been adopted. The amendments were effective 1 April 2004. For more information, contact Theresa Phillips at (360) 236-3147, or link: <http://slc.leg.wa.gov/wsr/2003/13/03-13-028.htm>.

FINAL REGULATION – ADOPTION OF FEDERAL DRINKING WATER STANDARDS – The Washington Department of Health has adopted amendments to its drinking water regulations. These amendments adopt federal standards that (1) add requirements to improve microbial control in water systems using surface water sources that serve fewer than 10,000 people; (2) revise the maximum contaminant level (MCL) for arsenic from 0.05 mg/L to 0.010 mg/L for community and nontransient systems; and (3) remove the arsenic MCL for transient noncommunity water systems. The amendments were effective 1 March 2004. For more information, contact Theresa Phillips at (360) 236-3147.

DEPARTMENTAL DISCUSSION – INSTREAM RESOURCE PROTECTION FOR COLUMBIA RIVER
The Washington DOE is drafting amendments to its instream resource protection program for the mainstem Columbia River. The amendments will establish a new water management program for the Columbia River that defines how DOE will carry out its dual obligations to allocate water and preserve a healthy environment. DOE is seeking scientific advice about the relative effects of off-stream uses in comparison to existing hydropower and fisheries uses of the river. The question of scale is important because off-stream water needs may not insignificantly affect other uses of the river. DOE anticipates

holding workshops before proposing the program and is inviting interested parties to participate in drafting the proposed rule. For more information, contact Gerry O'Keefe at (360) 407-6640, or link <http://www.ecy.wa.gov/programs/wr/cri/crihome.html>.

Legislative Developments

The 2004 legislative session began 12 January and ended 11 March. A summary of significant environmental legislative activities is presented below. For more information on the legislative session, link <http://www.leg.wa.gov/wsladm>.

WASHINGTON HB 2308 – SOLID WASTE - Requires the Department of Ecology (DOE) to develop specific criteria for the types of solid wastes that are allowed to be received by inert waste landfills. Prefiled 23 December 2003. Passed House 17 February. Passed Senate 5 March. Signed by Governor Gary Locke (D) 24 March. The sponsor is Representative Mark Schoesler (R).

WASHINGTON SB 6329 – WATER - Extends the date for implementation of ballast water discharge requirements to 1 July 2008. Introduced 16 January 2004. Passed Senate 16 February. Passed House 3 March. Senate concurred in House amendments 8 March. Signed by Governor 31 March. The sponsor is Senator Bob Oke (R).

WASHINGTON SB 6401 – LAND USE - Declares that military installations are of particular importance to the economic health of the State of Washington and it is a priority of the State to protect the land surrounding military installations from encroachment. Requires each county and city planning that has a federal military installation, other than a reserve center, that employs one hundred or more personnel and is operated by DoD within or adjacent to its border to, in consultation with the commander of the military installation, adopt strategies in its comprehensive plan to identify lands adjacent to military installations, and adopt policies to ensure that those lands are protected from encroachment. Introduced 19 January 2004. Passed Senate 17 February. Passed House 3 March. Signed by Governor 22 March. The sponsor is Senator Marilyn Rasmussen (D).

WASHINGTON SB 6415 – STORMWATER – Authorizes DOE to issue storm water general permits under the National Pollution Discharge Elimination System of the federal Clean Water Act. Introduced 20 January 2004. Passed Senate 16 February. Amended and passed House 9 March. Senate concurred in House amendments 10 March. Signed by Governor 31 March. The sponsor is Senator Bob Morton (R).

WASHINGTON SB 6641 – SPILL LIABILITY PLANS - Finds that the primary objective of the State is to adopt a zero spills strategy to prevent any oil or hazardous substances from entering waters of the State. Requires DOE to adopt rules as necessary to carry out the provisions of this act by 30 June 2006. Requires that the rules include standards for the circumstances under which containment equipment should be deployed including standards requiring deployment of containment equipment prior to the transfer of oil when determined to be safe and effective by the department. Requires a process for immediately notifying affected tribes of any oil spill. Introduced 27 January 2004. Passed Senate 13 February. Passed House 3 March. Signed by Governor 31 March. The sponsor is Senator Betti Sheldon (D).

WASHINGTON SJM 8039 – LAND USE - Requests relief for military installations in Washington State from the latest round of closures under the Base Realignment and Closure process. Introduced 26 January 2004. Amended and passed Senate 13 February. Adopted in House 2 March. Filed with Secretary of State 11 March. The sponsor is Senator Paul Shin (D).

WASHINGTON JOINT COMMITTEE ON VETERANS AND MILITARY AFFAIRS - LAND USE – The Joint Committee was established to examine military base closures in the State. Specifically, the Committee will be examining sites at Whidbey Island and Fairchild Air Force Base. For more information, contact Diane Smith at (360) 786-7410, or link <http://www.leg.wa.gov/wsladm/jcvmarpt.pdf>.

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