

Central Region Review



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



★ SEPTEMBER 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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CENTRAL REGIONAL ENVIRONMENTAL OFFICE PERSONNEL DIRECTORY

CREO Chief/DoD Region 7 REC:	
Bart Ives	(816) 983-3449
Army Senior REC	(816) 983-3459
Army Region 6 REC	(816) 983-3450
Army Region 7 REC	(816) 983-3445
Regional Counsel	(816) 983-3448
Project Manager	(816) 983-3451
Regulatory Specialist	(816) 983-3327
Administrative Assistant	(816) 983-3446
General Office Number	(816) 983-3548

Assistance in Environmental Regulations Impact. The CREO has, in the past, successfully assisted installations in moderating environmental regulations that have had an untoward impact on current operations. If you need assistance in this regard, please contact the CREO Chief/ DoD Region 7 REC at (816) 983-3449 or Regional Counsel at (816) 983-3448. CREO stands ready to assist you in correcting these types of issues.

Announcement. Each year the **Secretary of the Army** recognizes outstanding stewardship by Army installations, teams, and individuals by virtue of the **Secretary of the Army Environmental Awards** program. The awardees then represent the Army in the **Secretary of Defense Environmental Awards** program. Nominations are limited to two pages of bulleted text plus one additional page of supporting data in the form of graphs, data charts, etc. No photographs will be accepted. Bulleted information should concisely explain program metrics and accomplishments. Each nomination shall include a cover page listing the installation name plus team/individual name as appropriate, a point of contact for the nomination, the installation public affairs officer and the IMA Region POC with contact information. The cover page will not count against the two-page limit. The **due date** for receipt of nominations is **22 Oct 2004**. Guidance and supporting documents are available electronically at the US Army Environmental Center (USAEC) website: <http://aec.army.mil/usaec/publicaffairs/awards00.html>.

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!**

Electronic Version of the Central Region Review: The CREO encourages its readers to sign up for the e-mail version of the Central Region Review. To do this, please provide your e-mail address to CREO.regulatory.specialist@nwk02.usace.army.mil who will put you on the e-mail distribution list.

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.adeg.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 PROPOSED RULE

(UPDATE) **AR Department Of Environmental Quality Proposed Regulation: Amendments To Recycling Regulations (Regulation 28).** The Department has proposed revisions to Regulation 28, Regulation of the State of Arkansas for County Recycling Programs. The revisions will change the reporting requirements for recycling from semi-annual to annual. The revisions will require facilities to collect three or more materials from the acceptable recycling list. The revisions will also add electronics, whole tires, yard waste, and lead acid batteries to the list of acceptable materials for recycling. Additionally, the revisions will make administrative changes to the format and style of the regulations. The Arkansas Pollution Control and Ecology Commission approved the draft at its 23 July 2004 meeting. Staff reports that the Department will hold a public hearing on 08/30/04. Comments are due 14 September 2004. The draft document is available at http://www.adeg.state.ar.us/regs/drafts/reg28_draft_docket_04-004-R/reg28_draft_docket_04-004-R_markup.pdf. For additional information, please call Deborah Pitts at (501) 682-0883.

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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STATE OF LOUISIANA FINAL RULES

(Effective 4 August 2004) LA Department Of Environmental Quality Renewed Emergency Rule: Remediation Of Sites With Contaminated Media - WS084E2 (LAC 33:V.Chapter 109). The Department has renewed an emergency regulation to remove a regulatory hurdle that deters site remediation. Prior to this emergency ruling, the existing regulation caused contaminated environmental media to retain the description of having RCRA-listed waste "contained-in", therefore slowing the remediation of the site or possibly halting it completely due to administration and disposal issues. The incentive to remediate pollution stems from the resulting substantially reduced disposal and transportation costs for contaminated environmental media that are not required to be managed in the same manner as hazardous waste. The rule will also result in simplification of the waste handling process by reducing administrative requirements and providing greater consistency with non-RCRA waste handling requirements and practices. The Department has renewed the rule again. The rule will be in effect for 120 days or until a final rule is promulgated. The renewed rule is available online at <http://www.deq.state.la.us/planning/regs/pdf/HW084E3.pdf>. For additional information, please call John Rogers at (225) 765-0168.

STATE OF LOUISIANA PROPOSED RULES

(NEW) LA Department Of Environmental Quality Proposed SIP Revision: Revision To Shreveport-Bossier City Early Action Compact Air Quality Improvement Plan (0408Pot1). The Department has proposed a revision to the State Implementation Plan (SIP). The revision is for the Shreveport-Bossier City Metropolitan Statistical Area Early Action Compact Air Quality Improvement Plan. The revision concerns the USEPA commitment not to re-designate areas participating in the Early Action Compact Program as non-attainment after a designation of attainment. The commitment not to re-designate areas as non-attainment stands even if an area subsequently violates the 8-hour ozone standard during the term of the early action compact. The Shreveport-Bossier City area was designated as attainment for the 8-hour ozone standard on 15 June 2004. The Department will hold a public hearing on the proposed revision 7 October 2004. Comments are due 14 October 2004. For additional information, please call Vivian Aucoin at (225) 219-3575.

(NEW) LA Department Of Environmental Quality Proposed Regulation: Amendments To Update Underground Storage Tank Regulations (UT011) (LAC 33:XI.103). The Department has proposed amendments to its regulations that govern underground storage tanks. The amendments will add best available technology standards for underground storage tank systems. The amendments also add record-keeping provisions that require documentation of the type and manufacturer of tanks and associated equipment, and documentation of permanent closure, if applicable. In addition, the amendments add Statistical Inventory Reconciliation as a method of release detection. Also, the amendments add cathodic protection requirements for external piping in contact with the ground or water. Additionally, the amendments require owners or operators to complete a site assessment for tanks temporarily closed for more than 24 months. The Department will hold a public hearing 24 September 2004. Comments are due 1 October 2004. The proposed amendments are available at <http://www.deq.state.la.us/planning/regs/pdf/UT011pro.pdf>. For additional information, please call Judith Schuerman at (225) 219-3550.

(NEW) LA Department Of Environmental Quality Proposed Regulation: Codification Of Departmental Hazardous Waste Delisting Policies (HW086) (LAC 33:V.105 And 4999.Appendix E). The Department has proposed amendments to its regulations that govern hazardous waste delisting. The amendments will codify existing departmental policies regarding exclusion from hazardous waste regulations. The amendments will standardize the provisions on data submittal, re-opener language and notification requirements in order to ensure consistency for petitioners who request hazardous waste exclusions. The amendments will require petitioners requesting a hazardous waste exclusion to use an independent laboratory and an independent data validator to perform the necessary testing. Additionally, the amendments will require that all four sampling rounds include analyses of dioxins and furans. The Department will hold a public hearing 24 September 2004. Comments are due 1 October 2004. The proposed amendments are available at <http://www.deq.state.la.us/planning/regs/pdf/HW086pro.pdf>. For additional information, please call Judith Schuerman at (225) 219-3550.

(UPDATE) LA Department Of Environmental Quality Proposed Regulation: Revisions To Notification Requirements For Unauthorized Discharges (OS052) (LAC 33:I, III, V, VI, VII, IX, XI, XV). The Department has proposed revisions to its discharge notification requirements. The revisions will clarify notification requirements for ongoing discharges as opposed to multiple constituent discharges and amend the procedure for notification in the event of a non-emergency discharge. Also, the revisions will direct those needing to notify authorities of discharges to the necessary reporting procedures and will update telephone numbers. Additionally, the table of reportable quantities of unauthorized discharges is updated with corrections and additions, which will promulgate Emergency Rule OS052E1 that was renewed, effective on 8 April 2004 (for more detail on this emergency rule, see LA0010825). The revisions will also identify the quantities of unauthorized discharges of toxic air pollutants as a result of bypassing emission control devices that warrant notification of authorities. Staff reports that these rules are scheduled to be published in the LA Register and to become effective 20 August 2004. The updated version of the rules are available at http://www.deq.state.la.us/planning/regs/pdf/OS052fin_w_TA.pdf. For additional information, please call Judith Schuerman at (225) 219-3550.

(UPDATE) LA Department Of Environmental Quality Proposed Regulation: Update To State Fugitive Emission Control Regulations - AQ237 (LAC 33:III.2121 And 2122). The Department has proposed revisions that will update state fugitive emissions control regulations to clarify requirements for instrumentation systems, to designate "no detectable emissions" (NDE) valves and to allow for alternate monitoring for flanges. The changes make the state regulations more consistent with federal fugitive control regulations, particularly the Maximum Achievable Control Technology (MACT) standards of 40 CFR 63. The revised rule will adopt the definition of instrumentation system included in the Synthetic Organic Chemical Manufacturing Industry Hazardous Organic NESHAP (SOCMI HON) MACT (40 CFR 63, Subpart H). The rule was sent to the Legislative Oversight Committees 13 July 2004. The rule is scheduled to be published in the LA Register and with an effective 20 August 2004. An updated version of the rules is available online at http://www.deq.state.la.us/planning/regs/pdf/AQ237fin_w_TA.pdf. For additional information, please call Judith Schuerman at (225) 219-3550.

(UPDATE) LA Department Of Environmental Quality Proposed Regulation Published 20 December 2003: Toxicity Equivalency (TEQ) Concept In Dioxin Criteria - WQ052 (33 LAC IX.1113). The Department has proposed a rule to incorporate the toxicity equivalency (TEQ) concept for dioxin exposure in water quality standards by using toxicity equivalency factors (TEFs). The Department believes using TEFs will allow a more accurate estimate human health risks associated with exposure to dioxin and dioxin-like compounds. The TEQ concept is used to estimate the risks associated with exposure to chlorinated dibenzo-p-dioxins and chlorinated dibenzofurans (CDD/CDF), as well as 2,3,7,8-TCDD. This procedure uses a set of derived TEFs to convert the concentration of any CDD/CDF congener into an equivalent concentration of 2,3,7,8-TCDD. Current recommendations from both the Environmental Protection Agency (USEPA) and the World Health Organization (WHO) incorporate the TEQ concept as a better estimate of risk than using dioxin. USEPA is encouraging states to adopt the TEQ guidelines proposed by WHO. The Department held a hearing on the proposal 26 January 2004. Comments were accepted until 2 February 2004. Staff reported that there is no timeline for the rest of the rulemaking process but that they hoped to have the rule finalized by the end of 2004. Staff reports that the Department is still formulating responses to comments as of July 2004. Staff is not sure if the rule will move quickly enough to be finalized by the end of 2004 as required by the state Administrative Procedure Act. For additional information, please call David Hughes at (225) 219-3590.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

Louisiana Homeland Security Information. Louisiana Office of Homeland Security & Emergency Preparedness, MG Bennett C. Landreneau, Director; COL Michael L. Brown, Assistant Director, (225) 925-7344. Web page: <http://www.ohsep.louisiana.gov/agencyrelated/aboutagency.htm>.

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STATE OF NEW MEXICO FINAL RULE

(Effective 1 October 2004) NM Albuquerque/Bernalillo County Air Quality Control Board Final Regulation: Amendments To Vehicle Testing Requirements For Carbon Monoxide And Contingency Measure For Oxygenate Content In Fuels (20.11.100 NMAC, 20.11.102 NMAC). The Department has adopted amendments to: (1) remove the current contingency measure that requires annual vehicle testing if two exceedances of the federal ambient carbon monoxide standards occur within Bernalillo County; and (2) establish a contingency measure that requires the oxygenate content in fuels to increase from 2.7% by weight to 3.0% by weight if carbon monoxide levels in Bernalillo County exceed 85% of the federal ambient carbon monoxide standards. The amendments also remove existing contingency standards. Staff report that the amendments were approved by the Board 07/14/04. The regulations are final, effective 09/01/04. *For additional information, please call Neil Butt at (505) 768-2600.*

STATE OF NEW MEXICO PROPOSED RULE

(UPDATE) 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. Staff reports that the Office is currently reviewing comments and hopes to have the regulations finalized by the end of 2004. A draft is available at <http://www.ose.state.nm.us/doing-business/ActiveWaterMgt/ActiveWaterMgt-2004-04 -28.pdf>. *For additional information, please call Paul Wells at (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. Staff reports that the Office is currently reviewing comments and hopes to have the regulations finalized by the end of 2004. A draft is available at <http://www.ose.state.nm.us/doing-business/Surface-Regs/SurfaceRulesRegs-2004-04 -22.pdf>. *For additional information, please call Paul Wells at (505) 827-6120.*

(UPDATE) NM Environment Department Proposed Regulation Published 30 July 2004: Amendments To Emissions Reporting Requirements (20.2.73 NMAC). The Department has proposed revisions to its regulations governing notice of intent and emissions inventory requirements. The revisions will add PM_{2.5} to the list of pollutants that require the submission of an annual emissions report from sources that emit 100 tons per year or more. The revisions will also add PM_{2.5} and ammonia to the reporting list for emissions content reports and will add a provision that allows the Department to request reporting of speciated hazardous air pollutants in an emissions content report. The Department will hold a public hearing 5 October 2004. Technical comments are due 24 September 2004. Non-technical comments are due 5 October 2004. A draft of the changes is available at http://www.nmenv.state.nm.us/aqb/Proposed_Regs/20_2_73NMAC_06Jul04draft.pdf. *For additional information, please call Geraldine Madrid-Chavez at (505) 827-2425.*

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) NM Environment Department Departmental Discussion: Revisions To Title V Permit Regulations (20.2.70). The Department is discussing revisions to its Title V Operating Permit regulations. The revisions will clarify the Department's use of air quality modeling analyses in Title V permitting. The revisions will also clarify how state ambient air quality standards apply to the permit program. Additionally, the revisions will add language

that demonstrates how the modeling requirements comply with state and national ambient air quality standards. The Department requested a public hearing for these revisions at the Environmental Improvement Board's 12 August 2004 meeting. A draft of the proposed revisions is available:

http://www.nmenv.state.nm.us/aqb/projects/Part_70/Part70rev_071904.pdf. For additional information, please call Rita Trujillo at (505) 955-8024.

(UPDATE) NM Environment Department Withdrawn Regulation: Revisions To Air Construction Permit Rules (20.2.72 NMAC). The Department has withdrawn revisions to its air quality control regulations with regard to construction permits, prevention of significant deterioration, and permits for non-attainment areas. The revisions allow the Department to require owners and operators of air pollution sources of volatile organic compounds exceeding 10 pounds per hour or 25 tons per year to obtain a construction permit. The Environmental Improvement Board scheduled a hearing for 08/05/03, but that hearing was postponed indefinitely. A new general permit for combustion sources stemming from this rule-making, is being tracked separately as NM0010503. Staff reports that these revisions have been withdrawn. For additional information, please call Rita Trujillo at (505) 955-8024.

(UPDATE) NM Environment Department Departmental Discussion: Revisions To Title V Fee Regulations (20.2.71). The Department is discussing revisions to its Title V fee regulations. The revisions would increase the dollar per ton amount collected and would make technical corrections to clarify the fee process. The current fee for emissions of SO₂, NO_x, CO, TSP and VOC is \$10.25 per ton. The current fee for hazardous air pollutants is \$150.00 per ton. The Department also plans to revise 20.2.2 to add a definition for "excess emissions." The Department scheduled a stakeholder meeting for 11 August 2004. The Department requested a public hearing for these revisions at the Environmental Improvement Board's 12 August 2004 meeting. Drafts of 20.2.71 and 20.2.2 are available at http://www.nmenv.state.nm.us/aqb/projects/T5/Proposed-20.2.71-NMAC-changes-0716_2004.doc http://www.nmenv.state.nm.us/aqb/projects/T5/20.2.02NMAC_071404.pdf. For additional information, please call Erik Aaboe at (505) 955-8081.

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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OKLAHOMA

Legislative/Regulatory Activity

STATE OF OKLAHOMA PROPOSED RULE

(UPDATE) OK Department Of Environmental Quality Proposed Rule Published 15 June 2004: Minor Correction To A Reference Error For PSD Requirements (252:100-3, 252:100-7). The Department has proposed a rulemaking that will make a minor amendment to Section 3-4 of Subchapter 3. The amendment will correct an error in a reference to the Prevention of Significant Deterioration requirements that were moved from Part 5 of Subchapter 7 to Part 7 of Subchapter 8. The Air Quality Council held a public hearing 21 July 2004. The Environmental Quality Board will review the proposal for adoption at its 08/24/04 meeting. The proposed changes to Subchapter 3 and Subchapter 7 are available at [http://www.deq.state.ok.us/AQDnew/proposedrules/jul04/sc3\(6-15-04\).pdf](http://www.deq.state.ok.us/AQDnew/proposedrules/jul04/sc3(6-15-04).pdf) and [http://www.deq.state.ok.us/AQDnew/proposedrules/jul04/sc7\(6-15-04\).pdf](http://www.deq.state.ok.us/AQDnew/proposedrules/jul04/sc7(6-15-04).pdf). For additional information, please call Scott Thomas at (405) 702-4100.

(UPADTE) 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 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. Staff reports that the Environmental Quality Board adopted the revisions at their 22 June 2004 meeting but are not scheduled to go effective until 15 June 2005. The revisions are available at <http://www.deq.state.ok.us/mainlinks/eqbinfo/04prules/604-100-8-REG.pdf>. For additional information, please call Max Price at (405) 702-4100.

(UPDATE) **OK Department Of Environmental Quality 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 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. Staff reports that the new Subchapter 25, Appendix D and Appendix E will not be approved before 2005. The rulemaking has fees attached that require legislative review and approval. The legislature will not review the rulemaking until it re-convenes in January 2005. Staff anticipates that the rulemaking may not be effective until June 2005. A draft rule is available at [http://www.deq.state.ok.us/lpdnew/Draft%20Rules/Haz%20Waste/205RuleforDelisting .pdf](http://www.deq.state.ok.us/lpdnew/Draft%20Rules/Haz%20Waste/205RuleforDelisting.pdf). For additional information, please call Gail Hamill at 405 702 5100.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) **OK Department Of Environmental Quality Departmental Discussion: Attainment Of The 8-Hour Ozone Standard In OK.** The Department is discussing the development of a modeling protocol and subsequent early SIP submittal to address attainment of the 8-hour ozone standard in Oklahoma. The early SIP submittal would be the result of a local Early Action Compact (EAC). The Early Action Compact concept allows an area to defer on official designation of non-attainment for ozone if an early approvable SIP is submitted. The EACs for Tulsa and Oklahoma City were signed 31 December 2002 and provided a timeline for submission of the SIP. The Clean Air Action Program (CAAP) is scheduled for adoption and incorporation into the SIP by 31 December 2004. Using the EAC Protocol, the region would implement emission reduction measures by 2005 that are directed at attaining the 8-hour standard by 2007. The Department planned to make final SIP submittals by the end of 2004. However, staff reports that the Department may not go forward with the submittal of SIP revisions at this time since Oklahoma is currently in attainment with the 8-hour ozone standard and since the ozone season to this point has not warranted such revisions. For additional information, please call Leon Ashford at (405) 702-4173.

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

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TEXAS

Legislative/Regulatory Activity

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

STATE OF TEXAS PROPOSED RULE

(UPDATE) **TX Commission On Environmental Quality Draft Proposal: Extension Of NO_x Emission Compliance Dates For Water Heaters (2004-076-117-A1) (30 TAC 117.460 And 117.465).** The Commission has drafted a proposal that will extend the compliance dates for water heaters to meet NO_x emissions limits. The compliance date for water heaters less than or equal to 50 gallons will be changed to 1 January 2006 and the compliance date for small water heaters greater than 50 gallons will be changed to 1 January 2007. The proposal will also exempt power-vent and direct-vent units from the water heater emissions standard of 10.0 nanogram per joule (ng/J) heat output limit. The Commission approved the proposal on 11 August 2004 and will hold a public hearing 14 September 2004. Comments are due 27 September 2004. A draft of the proposal is available at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/04076117_pro.pdf. For additional information, please call Alan Henderson at (512) 239-1510.

CREO Comment: This regulation applies to manufacturers, distributors, retailers, and installers of water heaters, small boilers, and process heaters. Units of government, industry, and consumers who purchase water heaters will not be affected by the proposed amendments.

(UPDATE) TX Commission On Environmental Quality Draft Rules: Municipal Designation Settings For Groundwater (2003-051-352-WS) (30 TAC 39, 281, 352). The Commission is in the process of developing regulations would allow 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 is developing these regulations to implement House Bill 3152 from the 78th Legislature that became effective 1 September 2003. The Commission is scheduled to consider this rule for proposal at its 11 August 2004 meeting. The Commission anticipates adoption of the rules before January 2005. Drafts of Chapter 39, 281 and 352 are available at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03051039_pro.pdf, http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03051281_pro.pdf, and http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03051352_pro.pdf. For additional information, please call Chet Clark at (512) 908-2218.

(UPDATE) TX Commission On Environmental Quality Proposed Regulation Published 30 July 2004: Implementation Of Large Vehicle Idling Prohibitions In Certain Local Jurisdictions (2004-072-114-AI) (30 TAC 114.510-512, 114.517). The Commission has proposed regulations that will implement idling limits for gasoline and diesel-powered engines in heavy-duty motor vehicles (vehicles with a gross vehicle weight rating over 14,000 lbs) within the jurisdiction of any local government that has signed a Memorandum of Agreement with the Commission to delegate enforcement to that local government. In these jurisdictions, the proposal will prohibit idling for longer than five consecutive minutes when the vehicle is not in motion between April 1 and October 31. On 14 July 2004, the Commission approved the proposal for a hearing and comment period. Hearings will be held 23, 24 and 26 August 2004. Comments are due 30 August 2004. The draft proposal is available at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/04072114_pro.pdf. For additional information, please call Joseph Thomas at (512) 239-4580.

CREO Comment: The Region 6 DoD REC has submitted comments requesting an exemption for military vehicles. CREO will continue to monitor and report on the progress of this proposed regulation.

(UPDATE) TX Commission On Environmental Quality Proposed Regulation Published 30 July 2004: Amendments To Reduce Ozone Precursors In San Antonio And Austin Early Action Compact Areas (2004-073-115-AI) (30 TAC 115.227, 115.229, 115.412, 115.413, 115.415-417, 115.419, 115.512, 115.516, 115.517, 115.519). The Commission has proposed amendments to Chapter 115 to reduce ozone precursors in the San Antonio Early Action Compact (EAC) area and the Austin EAC area. The Commission intends for the proposed amendments to enable the areas to attain and maintain the 8-hour ozone standard by 2007. The proposed amendments will lower exemption levels for motor vehicle fuel dispensing facilities subject to Stage 1 vapor recovery controls from 125,000 gallons to 25,000 gallons a month. The amendments will also add the counties in the two EAC areas to those subject to control requirements for cold solvent cleaning, open-top vapor degreasing, and conveyORIZED degreasing. Additionally, the amendments would add the counties in the two EAC areas to those subject to control requirements for cutback asphalt. The Commission will hold public hearings 23 August, 24 August, and 26 August 2004. Comments are due 30 August 2004. The proposed amendments are available at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/04073115_pro.pdf. For additional information, please call Emily Barrett at (512) 239-3546.

(UPDATE) TX Commission On Environmental Quality Proposed Revisions: Amendments To Regulations On Graywater Use (2003-056-317-WT) (30 TAC 210, 30 TAC 285). The Commission has proposed amendments to its regulations that govern graywater use. The amendments will implement House Bill 2661, passed by the 78th Legislature in 2003. The amendments will expand the definition of graywater as well as establish criteria for the use of graywater for irrigation and other agricultural purposes, commercial purposes, industrial purposes and institutional purposes. The amendments will also add requirements for installers and for design engineers of wastewater systems. The proposal was approved 07/28/04. A public hearing is scheduled for 8 September 2004. Comments are due 13 September 2004. The proposed amendments for sections 210, 285 and 317 are available at http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03056210_pro.pdf, http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03056285_pro.pdf, and http://www.tnrcc.state.tx.us/oprd/rule_lib/proposals/03056317_pro.pdf. Kathy Ramirez (512) 239-6757

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) TX Commission On Environmental Quality Draft Plan: July 2004 Update To Water Quality

Management Plan. The Commission has issued a draft July 2004 update of the Water Quality Management Plan (WQMP). The WQMP is developed and promulgated in accordance with the requirements of the Federal Clean Water Act (CWA), Chapter 208. The July 2004 draft contains projected effluent limit updates. The Commission will accept comments on the draft update through 6 September 2004. The draft is available at http://www.tnrcc.state.tx.us/permitting/waterperm/wqmp/jul_04_draft.pdf. For additional information, please call Nancy Vignali at (512) 239-1303.

(UPDATE) TX Commission On Environmental Quality Proposed Report: 2002 Integrated Water Quality Monitoring And Assessment Report.

The Commission adopted the impaired waterbody assessments for: (1) Canadian River Basin; (2) Red River Basin; (3) Sulphur River Basin; (4) Sabine River Basin; (5) Neches River Basin; (6) Neches-Trinity Coastal Basin; (7) Cypress River Basin; (8) Trinity River Basin; (9) Trinity-San Jacinto Coastal Basin; (10) San Jacinto River Basin; (11) San Jacinto-Brazos Coastal Basin; (12) Brazos River Basin; (13) Brazos-Colorado Coastal Basin; (14) Colorado River Basin; (15) Colorado-Lavaca Coastal Basin; (16) Lavaca River Basin; (17) Lavaca-Guadalupe Coastal Basin; (18) Guadalupe River Basin; (19) San Antonio River Basin; (20) San Antonio-Nueces Coastal Basin; (21) Nueces River Basin; (22) Nueces -Rio Grande River Basin; (23) Rio Grande river Basin; (24) Bays and Estuaries; and (25) Gulf of Mexico. The Commission has combined the 303(d) list of impaired waters and the 305(b) methodology for identifying impaired waters, and has released the proposed 2002 Water Quality Monitoring and Assessment report. The Integrated Report is a summary of the status of surface waters in the state, in accordance with new draft guidance issued by the USEPA. The Integrated Report will be used by the Commission for management decisions including monitoring, planning, and implementing; for funding best management practices to control pollution sources; and to develop a list of impaired waters for the purpose of selecting water bodies for which total maximum daily load analyses will be initiated. Staff reports that USEPA still has not approved the 2002 303(d) list as of July 2004 and staff has no timeline for when it will be approved. The final draft is available online at http://www.tnrcc.state.tx.us/water/quality/02_twqmar/index.html. For additional information, please call Patrick Roques at (512) 239-4604.

(UPDATE) TX Commission On Environmental Quality Proposed Report: Water Quality Inventory

And 303(d) List. The Commission has submitted portions of its 2004 Draft Water Quality Inventory and 303(d) List report for public comment. The Commission is soliciting comments on: (1) any new information contained in its 2004 Assessments of Individual Water Bodies; (2) categories assigned to parameters where new information has caused the category to change; (3) guidance changes indicated as new and not implemented previous to 2004; and (4) TMDL ranking. The Commission planned to issue a revised draft for public review and comment in late April 2004 but the revised draft has been delayed. Staff report that the revised draft is still delayed but anticipate posting it for review by September 2004. The draft is available online at http://www.tnrcc.state.tx.us/water/quality/04_twqi303d/04_index.html. For additional information, please call Patrick Roques at (512) 239-4604.

Texas Homeland Security Information. Texas Division of Emergency Management, Jack Colley, State Coordinator (512) 424-2443 (jack.colley@txdps.state.tx.us); Steve Vaughn, Assistant 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; Arthur Freeman, Deputy Regional Director, (816) 283-7061. Web page: <http://www.fema.gov/regions/vii/index.shtm>.

IOWA

Legislative/Regulatory Activity

STATE OF IOWA PROPOSED RULES

(UPDATE) **IA Department Of Natural Resources Proposed Regulation: Amendment To Chapter 22 "Controlling Pollution" And Chapter 23 "Emission Standards For Contaminants" (567 IAC 22, 23, 25).** The Department is proposing 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 subrule 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. Formal public notice of the proposed regulation and public hearing and comment period was published in the IA Register 21 July 2004. A public hearing was held 23 August 2004 with comments due 27 August 2004. The draft rule is available online at <http://www.iowadnr.com/epc/04may17/17.pdf> and <http://www.iowadnr.com/epc/04jun21/17.pdf>. For additional information, please call Jim McGraw at (515) 242-5167.

(UPDATE) **IA Department Of Natural Resources Withdrawn Regulation: PSD Permit Streamlining Ch. 20, 22.** The Department has withdrawn a proposal for ways to streamline the prevention of significant deterioration (PSD) permit process. PSD requires that any new or expanding facility located in areas not meeting the existing air quality standards are limited in their emissions, and such facilities are often required to install best available technology. The rulemaking would have established, consolidated and modified several definitions. It would have addressed the determination of which activities and emission units make up a single stationary source. The proposal establishes specific definitions that establish specific criteria for making the determination. The rule was terminated at the 16 August 2004 EPC meeting. For additional information, please call Dave Phelps at (515) 281-8189.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(NEW) **IA Department Of Natural Resources Departmental Discussion: Emissions Standards For Contaminants (567 IAC 23).** The Department is discussing a rule to amend the emissions standards for contaminants for the controlled burning of demolished buildings. The following changes to the current exemption for controlled burning of a demolished building are proposed: (1) Decrease the number of demolished buildings that can be

burned within a 0.6 mile radius within the city limits from three burns in three years to one burn per calendar year; (2) Add a two year record retention period for burns conducted within the city limits; (3) Allow cities to establish a site outside of the city limits for demolished building burns. The burn site must have controlled access and be supervised at all times by city staff. The site must be at least 0.6 mile away from any inhabited building. The city may burn up to 1700 square feet of building material per day between the hours of 6 a.m. and 6 p.m.; (4) Establish record keeping requirements and a two year record retention period for demolished building burns conducted outside of the city limits; and (5) Add landscape waste and residential waste to the list of materials that may not be burned in the controlled burn of a demolished building. The rule was introduced at the 16 August 2004 Environmental Protection Commission meeting. Public hearings have not yet been scheduled. The draft is available online at <http://www.iowadnr.com/epc/04aug16/7.pdf>. For additional information, please call Jim McGraw at (515) 242-5167.

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

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 was held 23 July 2004 and written comments were due on that day. Staff is reviewing comments. For additional information, please call 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 was held 23 July 2004 and written comments were due on that day. Staff is reviewing comments. 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 was held 23 July 2004 and written comments were due on that day. Staff is reviewing comments. 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 was held 23 July 2004 and written comments were due on that day. Staff is reviewing comments. *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 was held 23 July 2004 and written comments were due on that day. Staff is reviewing comments. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Draft Regulation: Hazardous Waste

Monitoring Fees (28-31-10). The Department has drafted amended regulations to increase the hazardous waste monitoring fees that will relate to storage and treatment facilities. The on-site storage facility fee and the on-site non-thermal treatment facility fee will increase to \$7,500. The off-site storage facility fee and the off-site non-thermal treatment facility fee will increase to \$8,000. The incinerator facility fee will increase to \$12,000. Two new fees are included for on-site thermal treatment facilities (\$8,000) and off-site thermal treatment facilities (\$12,000). Post-closure fees will increase to \$10,000. Monitoring fees for less than 5 tons will increase to \$250, monitoring fees for 5 tons - 50 tons will increase to \$750, monitoring fees for 50 tons - 500 tons will increase to \$2,500, and monitoring fees for greater than 500 tons will increase to \$7,500. A public hearing was held 27 July 2004. Staff is reviewing comments. *For additional information, please contact George McCaskill at (785) 296-1606.*

(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 was held 23 July 2004 and written comments were due on that day. Staff is reviewing comments. *For additional information, please contact Steve Frost at (785) 296-5505.*

(UPDATE) KS Department Of Health And Environment Departmental Discussion: Triennial Review Of Water Quality Standards.

The Department is conducting its triennial review of water quality standards and drafting amendments based on the review. The Department created a focus group that defined six key issues related to the water quality standards. The six key issues are: (1) atrazine; (2) bacteria; (3) high flow; (4) natural pollutants; (5) nutrients; and (6) site-specific concerns. The Department then wrote White Papers for each of the key issues. Public notification was announced on 19 August 2004 and hearings are scheduled for 21 October 2004. If necessary an alternate hearing will be held 27 October 2004. Written comments are due 21 October 2004. The documents are available at <http://www.kdhe.state.ks.us/water/triennial>, <http://www.kdhe.state.ks.us/water/triennial/atrazine.pdf>, <http://www.kdhe.state.ks.us/water/triennial/bacteria.pdf>, <http://www.kdhe.state.ks.us/water/triennial/HighFlow.pdf>, <http://www.kdhe.state.ks.us/water/triennial/NaturalPollutants.pdf>, <http://www.kdhe.state.ks.us/water/triennial/nutrient.pdf>, and <http://www.kdhe.state.ks.us/water/triennial/SiteSpecific.pdf>. *For additional information, please call Bret Holman at (785) 296-5508.*

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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STATE OF MISSOURI LEGISLATIVE COMMITTEE

(NEW) Missouri Joint Committee On Restructuring Fees Paid By Hazardous Waste Generators And Facilities - Hazardous Waste. An organizational meeting was scheduled for August 10. The Joint Committee is composed of Representative Townley, Merrill M., Chair (R), Representative Rachel Bringer (D), Representative Mike Dethrow (R), Representative Belinda Harris (D), Representative Steve Hobbs (R), Senator Joan (D), Senator John Cauthorn (R), Senator Patrick Dougherty (R), Senator John Griesheimer (D) and Senator John Russell (R). Sources indicate this meeting will only serve to better organize the structure of the committee and no policy will be discussed.

STATE OF MISSOURI PROPOSED RULE

(UPDATE) MO Department Of Natural Resources Proposed Regulation Published 2 August 2004: Increase To The Insignificant Emissions Levels For Minor Construction Permitting (2691) (10 CSR 010-06.061). The Department has proposed a rulemaking to revise 10 CSR 010-06.061, Construction Permit Exemptions. The rulemaking will increase the insignificant emission levels that determine when an installation requires a construction permit for insignificant modifications. The exemptions will reduce permitting burdens for the construction industry and for small sources of Volatile Organic Compounds. On 3 February 2004, the Department obtained a 12-month variance from the Missouri Air Conservation Commission that allows installations to take advantage of the lower emission level exemptions prior to the finalization of the rulemaking. The tentative effective date for this rulemaking is 28 February 2005. The Department will hold a public hearing 30 September 2004. Comments are due 7 October 2004. The proposed regulations are on pages 1193-1196 of the 2 August 2004 issue of the MO Register, available at <http://www.sos.mo.gov/adrules/moreg/current/2004/v29n15/v29n15b.pdf>. For additional information, please contact Paul McConnell at (573) 751-4817.

(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 held a hearing on the regulation 22 July 2004. Comments were due 29 July. The tentative scheduled for the remainder of the rulemaking process is as follows: Adoption 26 August; Publication 1 November; Effective date 30 December 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 held a hearing on the regulation 22 July 2004. Comments were due 29 July. The tentative scheduled for the remainder of the rulemaking process is as follows: Adoption 26 August; Publication 1 November; Effective date 30 December 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.

(UPDATE) MO Department Of Natural Resources Proposed Regulation: Amendments To Emissions Fees (2641) (10 CSR 10-6.110). The Department is discussing 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 held a hearing on the regulation 22 July 2004. Comments were due 29 July. The tentative scheduled for the remainder of the rulemaking process is as follows: Adoption 26 August; Publication 1 November; Effective date 30 December 2004. *For additional information, please contact Ron Jeffries at (573) 751-7817.*

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

(UPDATE) MO Department Of Natural Resources Departmental Discussion: Amendments To Basic And Intermediate Operating Permit Program (2645) (10 CSR 10-6.065). The revisions to the operating permit program for basic sources will include the treatment of fugitive emissions with regards to applicability, an installation equipment log for the record keeping requirement, a clarification of permit amendments and modifications, the removal of the annual compliance certification, and a revised operating permit notification. The changes to the operating permit program for intermediate sources will revise the program to mirror 40 CFR Part 70 which will add flexibility to the processing of permits. Based on this rulemaking, the Missouri Air Conservation Commission has granted a variance from the existing basic operating permit requirements of 10 CSR 10-6.065(4)(G), Notification Contents, by allowing basic installations to use the revised operating permit notification forms. Due to the variance, basic installers will not be required to submit an annual compliance certification requirement for 2003 under 10 CSR 10-6.065(4)(I), Compliance Reporting obligations. A public hearing was tentatively scheduled for 26 August 2004 but has been postponed. Staff reports that staff changes have delayed the progress of this rulemaking but anticipates that the rulemaking will be proposed in fall or winter 2004. The revised basic operating permit notification form is available under the heading "Air Pollution" and subheading "Generic Operating Permit" at <http://www.dnr.mo.gov/oac/forms>. *For additional information, please contact Ben Elmore at (573) 751-4817.*

(UPDATE) MO Department Of Natural Resources Departmental Discussion: Amendments To Water Quality Standards. The Department is planning revisions to its water quality standards. The revisions include limiting high flow exemptions from bacterial standards and removing an existing allowance for mixing zones in low flow streams. The revisions will also change the analysis method for water used as part of the drinking water supply from "dissolved metals" to "recoverable metals". The revisions tighten the anti-degradation standard for outstanding natural resource waters (waters which receive special protection against degradation.) Additionally, the revisions will make the state effluent standards more consistent with federal effluent guidelines. Staff reported that the Department had hoped to publish proposed regulations in mid-July 2004. Staff also reports that the public participation period for this rulemaking may be extended from 30 days to 60 days. Staff reports that the Department hopes to publish a proposal by the end of September 2004. *For additional information, please contact Phil Schroeder at (573) 751-6825.*

(UPDATE) MO Department Of Natural Resources Departmental Discussion: Development Of TMDLs For Spring River Basin. The Department is working with the Kansas Department of Health and Environment to develop TMDLs for Spring River Basin. Kansas has identified Spring River as impaired by cadmium, zinc, and lead. The Missouri must work with Kansas meet Kansas metal standards, which are lower than Missouri's standards. The TMDLs are being jointly drafted by both Missouri and Kansas. Staff reported that Missouri is waiting for Kansas to complete modeling before the Department begins work on a draft TMDL. Staff had hoped to have a draft TMDL out by the end of 2004 but report that the process is moving slowly. Staff now anticipates releasing a draft in 2005. *For additional information, please contact Ann Peery at (573) 751-7428.*

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/>.

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STATE OF NEBRASKA PROPOSED RULES

(UPDATE) **NE Department Of Environmental Quality Proposed Regulation: Adoption By Reference Of Federal New Source Performance Standards And MACT Standards (Title 129, Chapters 18 And 28).** The Department has proposed amendments to its regulations that govern air quality. The amendments will adopt by reference federal New Source Performance Standards (NSPS). The amendments will also adopt by reference federal Maximum Achievable Control Technology (MACT) standards. The Department recently became aware of commercial and industrial solid waste incinerator sources within the state and, therefore, plans to adopt NSPS Subpart DDDD for commercial and industrial solid waste incinerators. After that standard is adopted, the Department plans to submit a State Implementation Plan (SIP) revision to USEPA. Prior to submission and approval of the SIP revision, sources subject to the standard will operate under the Federal Implementation Plan issued by USEPA in October 2003. The Environmental Quality Board approved the amendments 4 June 2004. The approved regulations were sent to the Attorney General's office for review on 29 July 2004. The proposed changes are available on the Nebraska Secretary of State website at <http://www.sos.state.ne.us/local/regtrack>. For additional information, please contact Thomas Lamberson at (402) 471-2186.

(UPDATE) **NE Department Of Environmental Quality Proposed Regulation: Adoption Of Federal Hazardous Waste Standards (Title 128, Chapters 1, 2, 3, 7, 9, 12, 13, 15, 20-22, 25, 27).** The Department has proposed amendments to its hazardous waste regulations in order to adopt federal hazardous waste standards. The amendments will add a new section that provides that certain hazardous secondary materials used in zinc fertilizers is not solid waste. The amendments will add language to exempt manufactured gas plant waste from analytical testing using the toxicity characteristic leaching procedure. Additionally, the amendments will adopt federal permitting standards for incinerators, and boilers and industrial furnaces. Also, the amendments will add two new universal wastes, mercury-containing items and electronic items to Chapter 25 in order to reduce regulatory requirements for these wastes and encourage recycling. The Environmental Quality Board approved the amendments 4 June 2004. The approved regulations were sent to the Attorney General's office for review on 29 July 2004. All of the proposed changes are available on the Nebraska Secretary of State website at <http://www.sos.state.ne.us/local/regtrack>. The Department will hold a hearing on the proposed changes 4 June 2004. For additional information, please contact Thomas Lamberson at (402) 471-2186.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

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/>.

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FEDERAL ACTIONS

EPA FINAL RULES

(27 September 2004) Approval and Promulgation of Operating Permits Program; State of Iowa. EPA is announcing approval of a revision to the Iowa Operating Permits Program for the purpose of revising the definition of stationary source categories in the state rule. The revised definition will be consistent with the Federally approved rules, including the provisions of the New Source Review Program and with EPA's major source definition. This direct final rule will be effective 27 September 2004, without further notice, unless EPA receives adverse comment 30 by August 2004. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect. The full text document location is: <http://www.epa.gov/fedrgrstr/EPA-AIR/2004/July/Day-29/a17297.htm>.

(27 September 2004) Approval and Promulgation of Operating Permits Program; State of Kansas. EPA is announcing approval of a revision to the Kansas Operating Permits Program for the purpose of increasing

emission fees for the Title V Operating Permits Program, revising the late fee provisions, and other minor revisions. On 22 April 2004, the state of Kansas submitted a revision for the purpose of increasing emission fees for the Title V Operating Permits Program. This increase is necessary to offset the reductions in revenues resulting from reductions in emissions, an increase in the assessed indirect costs, and the transfer of fee fund interest to the general fund. The proposed increase is for major stationary sources for the years 2003 and beyond. The late fee payment provision is revised with specific language that indicates that failure to pay within 10 calendar days after the department's written notification that the emissions fees were not received will result in continuation of the late fee. Minor revisions are detailed in the Technical Support Document that is a part of the EPA's electronic public docket listed later in this document. This direct final rule will be effective 27 September 2004, without further notice, unless EPA receives adverse comment by 30 August 2004. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect. The full text document location is: <http://www.epa.gov/fedrgstr/EPA-AIR/2004/July/Day-29/a17294.htm>.

(Effective August 11, 2004) Oil Pollution Prevention and Response; Non-Transportation-Related Onshore and Offshore Facilities - Final Rule; Compliance Date Extension.

The Environmental Protection Agency (EPA) extended by eighteen months certain upcoming compliance dates for the July 2002 Spill Prevention Control and Countermeasure (SPCC or Plan) amendments. The dates affected by the final rule are the date for a facility to amend its Plan (extended to 17 February 2006) and the date for a facility to implement that amended (extended to 18 August 2006) Plan in a manner that complies with the newly amended requirements (or, in the case of facilities becoming operational after August 16, 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 extended the compliance dates to, among other things, provide sufficient time for the regulated community to undertake the actions necessary to update (or prepare) their Plans. The final rule is also intended to alleviate the need for individual extension requests. Full text document can be viewed at <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-18370.htm>

(Effective on 18 August 2004) National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.

The EPA is staying the effectiveness of two subcategories of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for stationary combustion turbines: Lean premix gas-fired turbines and diffusion flame gas-fired turbines. Pending the outcome of EPA's proposal to delete these subcategories from the source category list (68 FR 18338, April 7, 2004), EPA is staying the effectiveness of the emissions and operating limitations in the stationary combustion turbines NESHAP for new sources in the lean premix gas-fired turbines and diffusion flame gas-fired turbines subcategories. 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. Full text document can be viewed at <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-15529.htm>.

(Corrections) National Pollutant Discharge Elimination System--Final Regulations to Establish Requirements for Cooling Water Intake Structures at Phase II Existing Facilities.

In rule document 04-4130 beginning on page 41576 in the issue of Friday, 9 July 2004, make the following corrections:

- On page 41593, in the first column, in the first paragraph, in the eighth and ninth lines, "[insert four years after date of publication in the FR]" should read "July 9, 2008."
- On the same page, in the same column, in the same paragraph, in the 12th to 14th lines, "[insert three years and 180 days after date of publication in the FR]" should read "January 7, 2008."
- On page 41687, Sec. 125.95(a)(2)(ii), in the second column, in the first paragraph, in the second and third lines, "[insert four years after date of publication in the FR]" should read "July 9, 2008."
- On the same page, in the same column, in the same section, in the same paragraph, in the seventh to ninth lines, "[insert three years and 180 days after date of publication in the FR]" should read "January 7, 2008."

Full text document can be viewed at

<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/C4-4130.htm>

AEC Comment: Based on the review of the final rule it does not appear that the Army has facilities that meet the criteria of Phase II as it applies only to facilities that generate and transmit or sell electric power as their primary activity. However, Phase III is expected to have some impact on Army facilities, as it will address manufacturing facilities in four major industrial sectors. For additional information, please call the Media Manager at (410) 436-7068.

(Effective on August 25, 2004) National Primary Drinking Water Regulations: Analytical Method for Uranium. The Environmental Protection Agency (EPA) is taking final action to approve the use of three additional analytical methods for compliance determinations of uranium in drinking water. These methods use an inductively coupled plasma mass spectrometry (ICP-MS) technology that has gained wide acceptance in the analytical community. EPA believes that ICP-MS analytical methods could be more cost-effective, less labor-intensive or more sensitive than some of the technologies previously approved in the December 2000 Radionuclides rule. (65 FR 76708) This rule does not withdraw approval of any previously approved monitoring methods for uranium. Full text document can be viewed at <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-19333.htm>.

EPA PROPOSED RULES

State Program Requirements; Revisions to the National Pollutant Discharge Elimination System (NPDES) Program, LA: Proposal to Approve Revisions to the Louisiana Pollutant. Pursuant to a request by the Environmental Protection Agency (EPA) and as required by the regulations, the State of Louisiana has submitted a request for approval of revisions to the Louisiana Pollutant Discharge Elimination System (LPDES) program, which was originally approved on August 26, 1996. Through the submission of the revised program authorization documents, including a complete program description, a Memorandum of Agreement (MOA) with EPA Region 6, and an Attorney General's Statement, the Louisiana Department of Environmental Quality (LDEQ) seeks approval of the proposed revisions to the LPDES program. EPA Region 6 is providing public notice of its intent to approve the proposed revisions to the LPDES program and announcing a 30-day public comment period on the proposed revisions accompanied by an opportunity for a public hearing, if requested. EPA will either approve or disapprove the State's request based upon the requirements after considering all comments received. For additional information, please go to <http://www.epa.gov/fedrgstr/EPA-WATER/2004/August/Day-13/w18578.htm>.

OTHER REGULATORY ACTIVITY AND GENERAL INFORMATION

The Military Munitions Response Program (MMRP) Public Affairs Guidance is Now Available to All Public Affairs Offices. The Department of Defense (DoD) established the MMRP to better reflect the statutory program goals established in its environmental restoration program, to enhance the understanding of the nature of munitions response sites and to manage munitions response activities more effectively. The purpose of the Guidance is to prepare Army public affairs units/organizations for public engagement on the Military Munitions Response Program. For additional information, please call (410) 436-2556.

The National Association of Counties (NACo) Formally Endorses EPA Water Quality Trading Policy. NACo passed a resolution last week in support of EPA's 2003 Water Quality Trading Policy. The resolution reads: "In support of EPA's water quality trading policy. NACo calls upon the President and federal agencies, as well as state regulatory authorities, to adopt water quality trading policies consistent with the policy proposed by the EPA. NACo suggests any regulations or policies adopted to control and reduce watershed non-point pollution should be flexible and voluntary, and not necessarily require costly controls when less costly controls may be appropriate and effective." For more information on the Trading Policy visit <http://www.epa.gov/OWOW/watershed/trading.htm> or for more information about NACo visit their website at www.naco.org.

Availability of Additional Information Supporting the Rule To Reduce Interstate Transport of Fine Particulate Matter and Ozone (Clean Air Interstate Rule). The EPA is providing notice that it has placed in the docket for the CAIR (Docket No. OAR-2003-0053) additional information relevant to the rulemaking, including, among other things, a new modeling platform that EPA proposes to use to support the proposed rule. This new modeling platform consists of new meteorological data, updated emissions data, an updated air quality model, and revised procedures for projecting future air quality concentrations. The additional information also includes revised state NO_x budgets. Full text document can be found at <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-18029.htm>

Now Available: Public Works Technical Bulletin (PWTB) 200-1-24, "Quantifying Waste Generated from Building Remodeling". Technical Bulletin 200-1-24 contains guidance to help installation Departments of Public Works (DPWs) estimate the volume of solid waste that will be produced in different types of remodeling projects to allow for proper planning for waste recycling or disposal. The bulletin can be found at <http://www.hnd.usace.army.mil/techinfo/CPW/PWTB/pwtb200-1-24.pdf>.

Draft Federal Guide for Green Construction Specs; Notice of Availability. Under Executive Order 13101, EPA's Office of Prevention, Pesticides, and Toxic Substances is responsible for providing information to Federal agencies to assist them in practicing environmentally preferable purchasing (EPP). Because construction and renovation of buildings constitute a large share of Federal expenditures and may involve significant environmental impact, EPA has a special interest in providing tools to promote environmentally preferable purchasing during these activities. The draft Federal Guide for Green Construction Specs is being developed by EPA with its partners, the Office of the Federal Environmental Executive and the members of the multi-agency sponsored Whole Building Design Guide, to help Federal building project managers meet various mandates as established by statute and Executive Orders, as well as EPA and the Department of Energy (DOE) program recommendations. Following an advance review with approximately 100 building industry organizations, EPA and our partners are seeking public input with this notice. The draft is available on the Whole Building Design Guide at <http://fedgreenspecs.wbdg.org>.

New EPA Web Site Showcases International Innovative Environmental Solutions. A new EPA Web site offers environmental policies and best practices from countries around the world including Germany, the Netherlands, Sweden and Australia. The online global library provides links to journals, databases, guidelines, programs and case studies involving innovations in air, toxics, waste and water issues, as well as multi-media approaches, such as Environmental Management Systems, sustainable transport, smart growth and industrial ecology. It provides examples of state and local partnerships with other countries and regions that have resulted in creative environmental solutions in the United States such as: constructed wetlands to treat wastewater; green buildings and renewable energy to address climate and air pollution; industrial ecology to support pollution prevention and brownfields revitalization; a list of fellowships for group and individual exchanges; and a number of resources on evaluating international initiatives. The library will help state and local governments, federal agencies, non-governmental organizations, as well as other countries learn from these experiments. For more information, visit the website: <http://www.epa.gov/innovation/international>

U.S. FISH AND WILDLIFE SERVICE

Black-tailed Prairie Dog Removed from Candidate Species List. An updated evaluation of the best available scientific information has led the U.S. Fish and Wildlife Service (USFWS) to determine that the black-tailed prairie dog is not likely to become an endangered species within the foreseeable future and no longer meets the Endangered Species Act definition of threatened. Therefore, the black-tailed prairie dog will be removed as a candidate for listing under the Endangered Species Act. Since 2002, State agencies, Federal agencies, Tribes, and other parties provided additional information regarding the black-tailed prairie dog that was considered by the USFWS in an evaluation of the status of the species. New information shows that the black-tailed prairie dog is more able to persist over time in light of ongoing impacts. The increase in the USFWS knowledge of additional occupied habitat played a supporting role in the decision to remove the species from the candidate list. For additional information and links, please go to <http://mountain-prairie.fws.gov/species/mammals/btprairedog/> or <http://www.epa.gov/fedrgstr/EPA-SPECIES/2004/August/Day-18/e18872.htm>.

AEC Comment: This ruling impacts eight Army installations. The black-tailed prairie dog is listed as onsite Fort Harrison (ARNG), Sheridan LTA (ARNG), Rocky Mountain Arsenal (BRAC), Fort Carson (IMA NW), Pueblo Depot Activity (IMA NW), **Fort Bliss** (IMA SW), **Fort Sill** (IMA SW) and contiguous to **Salina Smokey Hill TA** (ARNG). FWS stated that none of the five listing factors that support a species listing rise to the level of threat that requires listing of the species. The black-tailed prairie dog is no longer considered a candidate for listing. For additional information, please contact the AEC Media Manager at 410-436-1564 or 1560.

(Effective 7 September 2004) Joint Counterpart Endangered Species Act Section 7 Consultation Regulations; Final Rule. This final rule, developed by the U.S. Department of the Interior, Fish and Wildlife Service (USFWS) and the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries), after coordination with the Environmental Protection Agency (EPA) and the U.S. Department of Agriculture (USDA), codifies joint counterpart regulations for consultation under section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (ESA), for regulatory actions under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Counterpart regulations, described in general terms in part 402, are intended to provide flexibility in the ways that a federal agency may meet its obligations under the ESA by creating alternative procedures to the section 7 consultation process described in subparts A and B of the same part. These counterpart regulations enhance the efficiency and effectiveness of the section 7 consultation process by increasing interagency cooperation and providing two optional alternatives for completing section 7 consultation for FIFRA regulatory actions. One alternative modifies the process for EPA to conduct informal consultation with the Service for those FIFRA actions that EPA determines are "not likely to adversely affect" any federally-protected threatened and

endangered species ("listed species") or critical habitat. The other alternative permits the Service to conduct formal consultation in a manner that more effectively takes advantage of EPA's substantial expertise in evaluating ecological effects of FIFRA regulatory actions on listed species and critical habitats. For more details, please go to <http://www.epa.gov/fedrgstr/EPA-SPECIES/2004/August/Day-05/e17654.htm>. For additional information, please contact the AEC Media Manager at 410-436-1564 or 1560.

Notice of Availability of the Scaleshell Mussel (*Leptodea leptodon*) Draft Recovery Plan for Review and Comment. The USFWS announces availability for public review of the draft recovery plan for the scaleshell mussel (*Leptodea leptodon*), a species that is federally listed as endangered under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 et. seq.). The purpose of this plan is to recover this species in order that it can be removed from the list of Threatened and Endangered Species. Currently, only 14 rivers support very small populations in Arkansas, Missouri, and Oklahoma.

AEC Comment: No impact on any Army installation. The scaleshell mussel is found in the Meramec, Bourbeuse, Big, Gasconade, and Osage rivers in Missouri; Frog Bayou and the St. Francis, Spring, South Fork Spring, South Fourche LaFave, and White rivers in Arkansas; and Little, Mountain Fork, and Kiamichi rivers in Oklahoma. The scaleshell may occur in an additional six rivers (Cossatot, Little Missouri, Saline, and Strawberry rivers, and Myatt and Gates creeks) in Arkansas and Oklahoma, but the existence of the species in these rivers is uncertain due to the lack of recent survey information. For additional information, please contact the AEC Media Manager at 410-436-1564 or 1560.

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REGIONAL MEETINGS

Southwest Strategy, Border Task Team. This meeting is scheduled for **9-10 September 2004** in **Columbus, New Mexico**. For additional information, please contact the Project Manager at (816) 983-3451.

Southwest Strategies Regional Executive Committee Meeting. This meeting is scheduled for **21-22 September 2004** in **Albuquerque, New Mexico**. For additional information, please contact the Southwest Strategy Coordination Office at (505) 248-6882.

Oklahoma Military Environmental Group. This meeting is scheduled for **10 October 2004** at Tinker Air Force Base, **Oklahoma City, Oklahoma**. For additional information, please contact the Army REC at (816) 983-3450.

EPA Region 7 Greening The Government Conference. This conference has been postponed. The conference will be combined with the Federal Facilities conference schedule for the **Spring of 2005**. 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.

EMS Training And Implementation For Business. The Missouri Department of Natural Resources (MDNR), EPA, the Kansas Department of Health and Environment, Bridging the Gap and the Kansas State University, Small Business Environmental Assistance Program are sponsoring and facilitating this training event in environmental management system (EMS) implementation. The sponsoring organizations are announcing quarterly training sessions to facilitate development of EMS by the employees of businesses. The classes will provide step-by-step EMS implementation training. Following each class, attendees will develop components of their EMS through "homework" assignments resulting in a complete EMS manual being prepared by the conclusion of the process. Staff of the University of Northern Iowa, Iowa Waste Reduction Center, a university-based environmental training and assistance center, will present the class sessions. The classes were developed by the Iowa Waste Reduction Center with support to the US Environmental Protection Agency. The classes will be held on **15-16 September, 8-9 December 2004** and **15-16**

March 2005. All of the sessions will be held at the Discovery Center in **Kansas City, Missouri**. Additional information is available through the MDNR's Environmental Assistance Office at 1-800-361-4827.

Nebraska Department of Environmental Quality (NDEQ) - Air Program Update Workshops. NDEQ staff will host four workshops in late September and early October, to provide Air Program updates, discuss air compliance issues, emission factors and other air issues. The dates and locations of the workshops are as follows:

- **29 September 2004 - Kearney, NE**
- **30 September 2004 - Scottsbluff, NE**
- **5 October 2004 - Lincoln, NE**
- **7 October 2004 - Norfolk, NE**

For more information, please call (402) 471-2189.

Certified Hazardous Materials Manager (CHMM) Training Course and Examination. The New Mexico Society of Hazardous Materials Managers has finalized the schedule for this year's CHMM National Overview Course and CHMM Exam at the University of New Mexico in **Albuquerque, New Mexico**. The course dates are Monday through Wednesday, **11-13 October 2004** and the exam date is Thursday, **14 October**. This 3-day course offers a comprehensive review of environmental laws and regulations as well as a basic review of safety and health principles that are essential to Hazardous Materials Managers. Also, this course provides an excellent opportunity to review the three general categories that are covered on the CHMM Exam: Science and Technology, Regulations, and Compliance Management Issues. For additional information, please go to www.NMSHMM.org or call (505) 277-5488.

Texas Commission on Environmental Quality Pollution Prevention Workshop. Pollution prevention (P2) arose as one of the major environmental management strategies for guiding organizations into the future. Preventing pollution at the source – rather than controlling it after it has been generated – saves money and reduces waste. This workshop will provide strategies on how to improve efficiency while decreasing or eliminating pollution. It will be an interactive workshop with many classroom exercises. Experts in pollution prevention, environmental management systems, environmental regulations, and energy efficiency will help integrate P2 strategies to improve environmental performance. The workshop will be held on **21-22 October 2004** at the Joe Thompson Conference Center, University of Texas, **Austin, Texas**.

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CONFERENCES AND SYMPOSIUMS

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.awag.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>

Water Environment Federation. This is a significant water and wastewater exhibition and conference in North America with more than 80 technical sessions and over 20 educational workshops. The conference will be held on **2-6 October 2004** in **New Orleans, Louisiana**. WEFTEC is a source of insight into developments, regulations, and research, as well as emerging technologies and proven approaches to everyday water quality challenges. For additional information, please go to <http://www.weftec.org/index.htm>.

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>.

New Mexico Environmental Health Conference. The 9th Annual New Mexico Environmental Health Conference (NMEHC) will be held on **18-20 October 2004** in **Albuquerque, New Mexico** and has become the Premier Southwest and Mountain States Environmental Health Conference. The NMEHC is second in size only to the National Environmental Health Association's Annual Educational Conference with nationally known presenters conducting training and education in the entire spectrum of environmental health topics, great keynote speakers, an average of 65 exhibitors and networking roundtable sessions. For more information, please go to <http://www.nmehc.org> or call (505) 827-1400 x1003.

INSTEP Annual Conference. The International Society of Technical and Environmental Professionals (INSTEP) will offer a forum for environmental professionals. The Conference and Exhibition will be conducted in **Orlando, Florida** on **10-12 November 2004**. In addition, INSTEP will be offering several pre-conference workshops on various environmental issues starting on November 8 and will run right up to the start of the Conference on November 10th. The exhibition is designed to showcase environmental equipment, technologies and services. In order to enhance participation at the exhibition, the receptions, breaks and other events will be conducted in the exhibition area. If you would like additional information or have questions, please call (850) 558-0617 (voice), (850) 386-4321 (fax) or e-mail info@swix.ws.

Second Conference on Sustainable Range Management. Planning is underway for the Second Conference on Sustainable Range Management, to be held in **Las Vegas, 15-18 August 2005**. The Conference is designed to facilitate exchange of information among all stakeholders concerned with how military ranges and training areas can be used to test and evaluate weapon systems and train DoD personnel without conflicting with economic, environmental, and other concerns. The technical program will consider the many issues including operational range management, urban encroachment, frequency and airspace competition, munitions constituents and UXO, protection of endangered species, protection of air quality, sustainability of the maritime environment, noise abatement, and outreach. For additional information, please go to <http://www.battelle.org/environment/er/conferences/range/default.stm>.

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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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