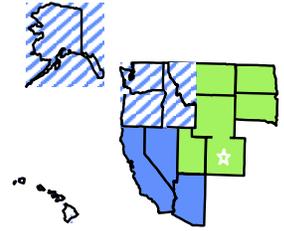




**US Army Environmental Center
Western Regional Environmental Office
REGION 8 – APRIL 2004
WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting DOD activities & operations in the Federal Region 8 area: Colorado, Montana, North Dakota, South Dakota, Utah, & Wyoming. We appreciate your feedback. Please contact WREO, U.S. Custom House, 721 19th St., Room 427, Denver, CO 80202-2500; Phone: (303) 844- 0954, or fax: (303) 844-0951.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

FINAL RULE – NESHAP FOR STATIONARY COMBUSTION TURBINES – On 5 March 2004 (69 FR 10511), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for stationary combustion turbines. EPA has identified stationary combustion turbines as major sources of hazardous air pollutants (HAP) emissions such as formaldehyde, toluene, benzene, and acetaldehyde. The NESHAP will require all major sources to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT) for combustion turbines. EPA has also adopted a final emission standard requiring control of formaldehyde emissions for all new or reconstructed stationary combustion turbines in four lean premix and diffusion flame subcategories. The final rule will protect public health by reducing total national HAP emissions by an estimated 98 tons per year in the 5th year after the rule is promulgated. The rule was effective 5 March 2004. For further information, contact Sims Roy, EPA at (919) 541-5263.

FINAL RULE – PROTECTION OF STRATOSPHERIC OZONE: REFRIGERANTS - On 12 March 2004 (69 FR 11945), EPA amended the rule on refrigerant recycling to clarify how its requirements apply to refrigerants that are used as substitutes for chlorofluorocarbon (CFC) and hydrochlorofluorocarbon (HCFC) refrigerants. The amended rule also exempts certain substitute refrigerants from the venting prohibition on the basis of current evidence that their release does not pose a threat to the environment. In addition, EPA amended the current refrigerant recovery and recycling requirements for CFC and HCFC refrigerants to accommodate new refrigerants on the market. With the exception of the venting prohibition, this rule does not further regulate the use or sale of substitute refrigerants that do not contribute to the depletion of the stratospheric ozone layer. The amendments will be effective 11 May 2004. For further information, contact the Stratospheric Ozone Information Hotline at (800) 296-1996, or link <http://www.epa.gov/ozone>.

PROPOSED RULE – NESHAP AND NSPS FOR ELECTRIC UTILITY STEAM GENERATING UNITS – On 16 March 2004 (69 FR 12397), EPA published a supplemental notice of proposed rule making to set NESHAP, or alternatively to set standards of performance, for mercury (Hg) for new and existing coal-fired electric utility steam generating units (Utility Units), and for nickel (Ni) for new and existing oil-fired Utility Units. The supplemental notice includes proposed rule language for the action proposed on 30 January 2004, proposed state plan approvability criteria, and a proposed model cap-and-trade rule. EPA also proposed to revise regulations to establish methodologies to measure Hg emissions from new and existing Utility Units. Comments are due by 30 April 2004. For further information, contact William Maxwell, EPA at (919) 541-5430, or e-mail: maxwell.bill@epa.gov.

NOTICE OF AVAILABILITY – INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS
On 1 March 2004 (69 FR 9623), EPA announced the availability of the “Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990-2002” for public review. Annual U.S. emissions for the period of time from 1990-2002 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride emissions. The inventory also includes estimates of carbon sequestration in U.S. forests. The technical approach used in this report to estimate emissions and sinks

for greenhouse gases is consistent with the methodologies recommended by the Intergovernmental Panel on Climate Change and reported in a format consistent with the United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines. The Inventory of U.S. Greenhouse Gas Emissions and Sinks is the latest in a series of annual U.S. submissions to the Secretariat of the UNFCCC. For further information, contact Leif Hockstad, EPA at (202) 343-9432.

NOTICE OF AVAILABILITY – GUIDE FOR CAP-AND-TRADE PROGRAM – EPA has published a downloadable guide entitled “*Tools of the Trade: A Guide to Designing and Operating a Cap and Trade Program for Pollution Control.*” The guide introduces the concept of cap-and-trade as a policy tool; provides guidance on how to determine if cap-and-trade is the right solution to a particular problem; explains the processes for developing, implementing, and operating a cap-and-trade program; and discusses how to assess and communicate a cap-and-trade program's results. The guide draws upon the experience of the sulfur dioxide trading program used to address acid rain. It includes appendices on the economics of emissions trading and an example assessment of the potential for cap-and-trade. The guide is available at <http://www.epa.gov/airmarkets/international/tools.pdf>.

WASTE INFORMATION:

FINAL RULE – RESEARCH, DEVELOPMENT, AND DEMONSTRATION PERMITS FOR MUNICIPAL SOLID WASTE LANDFILLS – On 22 March 2004 (69 FR 13242), EPA revised the Criteria for Municipal Solid Waste Landfills (MSWLF) to allow states to issue research, development, and demonstration (RD&D) permits for new and existing MSWLF units and lateral expansions. The rule will allow approved state programs to provide a variance from certain MSWLF criteria, provided that owners/operators demonstrate that compliance with the RD&D permit will not increase risk to human health and the environment over compliance with a standard MSWLF permit. EPA finalized this alternative permit authority to promote innovative technologies associated with landfilling of municipal solid waste. This rule will be effective on 21 April 2004. For further information, contact Paul Cassidy, EPA at (703) 308-7281.

WATER INFORMATION:

PROPOSED RULE – CLARIFICATION TO DRINKING WATER REGULATIONS – On 2 March 2004 (69 FR 9781), EPA proposed clarifications to its Drinking Water regulations. The proposal clarifies errors, omissions, and outdated language in the final Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR), the Surface Water Treatment Rule, and other rules. In addition to these clarifications, EPA proposed optional monitoring for disinfection profiling and an earlier compliance date for some requirements in the LT1ESWTR, and a detection limit for the Uranium Methods. This action proposed no new monitoring or reporting requirements. Comments are due by 3 May 2004. For further information, contact Tracy Bone, EPA at (202) 564-5257 or the EPA Safe Drinking Water Hotline at (800) 426-4791.

NOTICE OF AVAILABILITY – DRAFT NATIONAL COASTAL CONDITION REPORT II – On 9 March 2004 (69 FR 11011), EPA announced the availability of the Draft National Coastal Condition Report II describing the condition of the Nation's coastal waters. These waters are vulnerable to pollution from diverse sources. EPA expects that this report will support more informed decisions concerning protection of this resource and will increase public awareness of the extent and seriousness of pollution in these waters. EPA seeks public input concerning the information in the report, the availability of additional data, and the appropriateness of conclusions drawn from the information presented. Comments are due by 7 June 2004. For further information, contact Barry Burgan, EPA at (202) 566-1242.

EPA LAUNCHES NEW WATER WEBSITE – EPA's Office of Water announced the opening of a new website providing in one place access to a range of key information about the water program strategic plan and supporting materials. This is a convenient, one stop access point to the new EPA Strategic Plan, the draft National water program guidance document, Water Subobjective Implementation Plans and Regional Plans from each EPA region. The website is located at www.epa.gov/water/waterplan.

GENERAL INFORMATION:

NOTICE OF AVAILABILITY – FEDERAL AGENCY COMPLIANCE TRACKING SYSTEM – EPA's Federal Agency Compliance Tracking System (FACTS) is now available online. FACTS enables registered federal, state, and local government agency users to view and analyze individual federal facility inspection, enforcement and compliance data in EPA's national databases, and query data by federal agency, EPA region and state from a single access point. Non-registered users can register at <http://www.epa.gov/idea/otis/register>. To visit FACTS, link <http://www.epa.gov/idea/fedfac>.

NOTICE OF AVAILABILITY – REPORT ON FEDERAL FACILITY COMPLIANCE - EPA has released "The State of Federal Facilities, An Overview of Environmental Compliance at Federal Facilities FY2001-2002," a biennial report that provides a comprehensive overview of environmental compliance in the federal sector. The report shows compliance rates remained near or above 90 percent for regulated federal facilities inspected under the Resource Conservation and Recovery Act, and major federal facilities regulated under the Clean Air Act. Compliance rates remained above 90 percent for federal facilities regulated under the Safe Drinking Water Act. For the full report, link <http://www.epa.gov/compliance/resources/reports/accomplishments/federal/soff0102.pdf>.

NOTICE OF AVAILABILITY – RISK ASSESSMENT PRINCIPLES AND PRACTICES – On 25 March 2004 (69 FR 15326), EPA announcing the availability of a staff paper titled "An Examination of EPA Risk Assessment Principles and Practices." The paper is a product of an EPA staff review of how risk assessment is conducted at EPA. It also presents staff recommendations for EPA and interested parties to consider how EPA can strengthen and, where appropriate, improve its risk assessment practices. The EPA Science Advisor and other senior EPA officials requested this review to further the discussion and examination of some broad questions about risk assessment. Comments must be received by 23 June 2004. For further information, contact Dr. Kerry Dearfield, EPA at (202) 564-4499, or link <http://www.epa.gov/osa/ratf.htm>.

**GENERAL INFORMATION**

GAO REPORT – EPA COULD TAKE ADDITIONAL STEPS TO HELP MAXIMIZE THE BENEFITS FROM THE 2007 DIESEL EMISSIONS STANDARDS - GAO has issued a report (GAO-04-313) regarding diesel emission standards that will be implemented in 2007. According to the report, most engine, emissions control, and fuel industry representatives said the needed technologies will be ready on time, but other engine, trucking, and fuel representatives have concerns and would like more help to ensure that the technology will be available. GAO recommended that EPA consider ways to address concerns about technology costs, reliability, and availability by better communication with stakeholders, using an independent panel to assess progress, and consider industry incentives. For further information, contact John Stephenson, GAO at (202) 512-6225, or link <http://www.gao.gov/new.items/d04313.pdf>.

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UPCOMING CONFERENCES, SYMPOSIUMS AND TRAINING ANNOUNCEMENTS

NATIONAL ENVIRONMENTAL ASSISTANCE SUMMIT

19-22 April 2004 – Baltimore, Maryland

EPA has announced the merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. This summit, titled "One Environment/One Conference," will cover advances and innovations in environmental issues and solutions, pollution prevention, and compliance assistance programs, methods, technologies and environmental policies. For more information, call (202) 299-9701, or link <http://www.p2.org/summit2004/>.

HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE

20-22 April 2004 – San Antonio, Texas

20-22 July 2004 – Annapolis, Maryland

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

TOXICOLOGY AND RISK ASSESSMENT CONFERENCE

26-30 April 2004 – Cincinnati, Ohio

EPA and DoD are presenting this conference, which will include a workshop on ecological risk assessment. Topics will include: Compounds of Military Significance: Detection, Protection, and Risk; Operational Risk Analysis in the Air Force; and Toxic Industrial Chemicals and Toxic Industrial Materials as Terrorist Threats. For more information or to register, contact Pat Daunt, EPA at (513) 569-7596, or e-mail: daunt.pat@epa.gov.

AMERICAN INDIAN CULTURAL COMMUNICATIONS COURSE

27-29 April 2004 – Reno, Nevada

DoD is sponsoring this course at the Washoe County Nation Guard Armory. The course is designed to present DoD/American Indian/Alaska Native Policy and its implementation at installations. It will be taught primarily by American Indian trainers, with some segments taught by DoD and regional American Indian participants. The topics include: History of Indian Laws and Legal Base for DoD Policy, Federal Laws and Policies Impacting DoD Relationships with American Indians, Introduction to Tribal Concepts and Culture, Cross-Cultural Communication, and Strategies for Consulting with Tribes. There is no registration fee for DoD/federal employees, including contractors. For more information or to register, contact Dr. Donata Renfrow at (678) 357-6513, or e-mail: donata@mindspring.com.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS

27- 29 April 2004 – Honolulu, Hawaii

15-17 June 2004 – Edgewood, Maryland

22-24 June 2004 – San Antonio, Texas

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

APPLIED CLEAN AIR ACT**27-29 April 2004 – Richland, Washington**

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

PERCHLORATE IN AMERICA'S GROUND WATER**3 May 2004 - Las Vegas, Nevada****TBA June 2004 – Salt Lake City, Utah**

The American Ground Water Trust is offering this workshop to provide an opportunity for information exchange among parties with an interest in perchlorate issues. In the absence of a federal standard for perchlorate in drinking water, states are setting their own standards. This workshop is intended to be a starting point for debate and discussion. Topics will include: perchlorate standards, sources of perchlorate contamination, science as the basis for decision-making, treatment technologies and costs, and legal implications. For more information or to register, link <http://www.agwt.org/workshops.htm>.

2004 RCRA NATIONAL CORRECTIVE ACTION CONFERENCE**11-12 May 2004 – Orlando, Florida**

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

ENVIRONMENTAL SUSTAINABILITY MANAGEMENT SYSTEM WORKSHOP**11-13 May 2004 – Covington, Kentucky**

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

12TH ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM & EXHIBITION**17-20 May 2004- Dallas, Texas**

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

WATER QUALITY STANDARDS ACADEMY**17-21 May 2004 – Washington, DC**

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

LEAD-BASED PAINT REGULATION TRAINING**20 May 2004 – Lakewood, Colorado**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Army is calling for abstracts for the Integrated Training Area Management (ITAM) workshop. Suggested topics are: land rehabilitation and maintenance, land condition trend analysis, sustainable range awareness, training requirements integration, and geographical information system. Abstracts are due by 31 March. For more information, link <http://www.army-itam.com/public/workshop/13th/callforpapers.jsp>.

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

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

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

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

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

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

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

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

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

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

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



COLORADO

AIR INFORMATION:

FINAL REGULATION – ASBESTOS CONTROL - The Colorado Department of Public Health and Environment (CDPHE) has adopted revisions to Regulation No. 8, Part B, regarding asbestos control. The revisions include: (1) single-family residential dwelling opt-out notice; (2) roofing materials; and (3) typographical errors. The revisions were effective 1 March 2004. For more information, contact Douglas Lempke at (303) 692-3478, or link

<http://www.cdphe.state.co.us/op/regs/airregs/100110aqcchazardouspollutantspartbasbestos.pdf>.

PROPOSED REGULATION – NEW SOURCE REVIEW PERMITTING – CDPHE has proposed to incorporate revisions to the federal new source review permitting program. CDPHE will only make non-substantive or clarifying changes to Regulation No. 3, other than the incorporation of EPA's modifications to New Source Review (NSR) for major stationary sources. CDPHE will consider the addition of provisions to reflect the NSR program modifications promulgated by EPA on 27 October 2003 regarding the equipment replacement provisions of the routine maintenance, repair and replacement component of the program. CDPHE will also consider the overall reorganization of the requirements of the rule into a more usable format that has been proposed by the Air Pollution Control Division. This rulemaking activity will only consider updating the rule with the NSR program changes and the reorganization of the rule, and will not consider application of these federal rules to the minor source program. CDPHE will hold a public hearing on 15 April 2004. For more information, contact Jean Terry at (303) 692-3255, or link: <http://www.cdphe.state.co.us/ap/reg3.html>.

PUBLIC HEARING – AIR FORCE ACADEMY PRESCRIBED FIRE PLANNING DOCUMENTS – CDPHE will consider the Prescribed Fire Planning Documents submitted by the Air Force Academy at a public hearing on 15 April 2004. The Air Pollution Control Division has reviewed the documents and recommended that they be approved. For more information, contact Douglas Lempke at (303) 692-3478.

WATER INFORMATION:

FINAL REGULATION – ADOPTION OF PHASE II FEDERAL DRINKING WATER RULES – CDPHE has adopted several federal drinking water rules in a two phase process. Phase II of this process included adoption of: (1) the Stage 2 disinfection byproducts rule; (2) the radon rule; (3) the groundwater disinfection rule; and (4) the long term 1 and long term 2 enhanced surface water treatment rules. The rules were effective 30 March 2004. For more information, contact Shawn Leslie at (303) 692-3505, or link <http://www.cdphe.state.co.us/op/regs/waterregs/100301primarydrinkingwater.pdf>.

FINAL REGULATION – FILTER BACKWASH RECYCLING RULE – CDPHE has adopted regulations similar to the federal Filter Backwash Recycling Rule (FBRR). EPA's FBRR addresses a statutory requirement of the 1996 Safe Drinking Water Act Amendments to promulgate a regulation which governs the recycling of filter backwash water within the treatment process of public water systems. The purpose is to require public water systems to review their recycle practices and, where appropriate, make any necessary changes to recycle practices that may compromise microbial control. The regulations were effective 30 March 2004. For more information, contact Chet Pauls at (303) 692-3610, or link:

<http://www.cdphe.state.co.us/op/regs/waterregs/100301primarydrinkingwater.pdf>.

PROPOSED REGULATION – SITE APPROVAL PROCESS – CDPHE has proposed revisions to the Regulations for the Site Approval Process for domestic wastewater treatment works, Regulation #22 (5 CCR 1002-22). CDPHE will hold a public hearing on 12 April 2004. For more information, contact Diana Glaser at (303) 692-3469, or link <http://www.cdphe.state.co.us/op/regs/waterregs/100222.pdf>.

PROPOSED REGULATION – BASIC STANDARDS AND METHODOLOGY FOR SURFACE WATER AND GROUNDWATER - CDPHE has proposed revisions to its basic standards and methodologies for surface water, Regulation #31, its basic standards for groundwater, regulation #41, and site-specific water quality standards for groundwater, Regulation #42. The revisions concern the standards for organic chemicals, human health-based standards for fish consumption, and other revisions identified as part of the triennial review process. CDPHE will hold a public hearing on 10 May 2004. For more information, contact Diana Glaser at (303) 692-3469, or link <http://www.cdphe.state.co.us/op/wqcc/OtherRegs/84/Reg84.html>.

PROPOSED REGULATION – RECLAIMED DOMESTIC WASTEWATER CONTROL – CDPHE has proposed amending the reclaimed domestic wastewater control regulation as part of the triennial review process. The proposal seeks to expand uses of reclaimed wastewater to include several commercial and industrial uses. These include dust control, compaction, street sweeping, closed loop cooling systems, and non-residential fire protection. CDPHE will hold a public hearing on 12 April 2004. For more information, contact Diana Glaser at (303) 692-3469, or link <http://www.cdphe.state.co.us/op/wqcc/OtherRegs/84/Reg84.html>.

PROPOSED REGULATION – BENEFICIAL USE OF WASTE TREATMENT SLUDGE – CDPHE has proposed amendments to its regulations pertaining to beneficial use of water treatment. The amendments would reduce the current fee \$2.40 per dry ton of biosolids produced for beneficial use to \$1.24 per dry ton. Comments are due by 21 April 2004. For more information, contact David Akers at (303) 692-3591.

Legislative Developments

The 2004 legislative session began 7 January and will end 5 May. For current information on the legislative session, link http://www.state.co.us/gov_dir/stateleg.htm.

COLORADO HB 1025 – FUELS - Exempts a new diesel vehicle from getting an emissions inspection when it is sold, unless the current emissions certificate expires within twelve months. Introduced and referred to House Transportation and Energy Committee 7 January 2004. Referred to House Appropriations Committee 28 January. Passed House 18 February. Passed Senate 9 March. Sent to Governor 30 March. The sponsor is Representative Ann Ragsdale (D).

COLORADO HB 1073 – GROUNDWATER - Specifies that the failure of a water referee, or of an applicant for a new water right or a change of point of diversion of a water right, to notify affected surface owners does not divest the water judge of jurisdiction or constitute a denial of due process. Allows such unnotified surface owners to file statements of opposition and requires the water judge to consider such statements. Introduced 7 January 2004. Passed House 18 February. Passed Senate 9 March. Sent to Governor 30 March. The sponsor is Representative Matt Smith (R).

COLORADO HB 1135 – WILDLIFE SANCTUARIES - Authorizes operation of a wildlife sanctuary by a nonprofit entity. Exempts sanctuaries accredited by the American Association of Sanctuaries or the American Sanctuaries Association from the licensing requirement. Authorizes the Wildlife Commission to regulate such sanctuaries, subject to review of proposed rules by the Captive Wildlife and Alternative Livestock Board. Introduced 13 January 2004. Amended 26 March. The sponsor is Representative Paul Martin Weissmann (D).

COLORADO HB 1147 – ENVIRONMENTAL MANAGEMENT SYSTEMS - Authorizes CDPHE to implement an environmental management system permit pilot program to allow participants to meet existing environmental requirements through the use of alternative methods and procedures while ensuring compliance with ambient air or other standards. Sets the minimum elements that CDPHE shall include in a permit. Introduced 13 January 2004. Passed House 19 February. Passed Senate 9 March. The sponsor is Representative Dale Hall (R).

COLORADO HB 1203 – EMINENT DOMAIN - Prohibits private property acquired by government entities, in connection with the powers of eminent domain, from being subsequently transferred to a private party. Prohibits private property acquired by an urban renewal authority after the effective date of the act from being subsequently transferred to a private party. Introduced 16 January 2004. Amended 24 March. The sponsor is Representative Shawn Mitchell (R).

COLORADO HB 1211 – WATER USE - Continues the Water and Wastewater Facility Operators Certification Board until 1 July 2013. Reduces the size of the Board from 13 members to 10, 9 of whom have voting privileges, and consolidates the geographic and subject-matter representation of the members. Institutes term limits for board members, allowing a maximum of two consecutive 4-year terms for any individual member. Introduced. Passed House 18 February. Passed Senate 5 March. Sent to Governor 30 March. The sponsor is Representative Diane Hoppe (R).

COLORADO HJR 1035 – MILITARY APPRECIATION DAY – Designates 22 March as Military Appreciation Day. Expresses gratitude and support for Fort Carson troops. Introduced 15 March 2004. Passed House 22 March. Passed Senate 22 March. The House sponsor is Representative Mark Cloer (R). The Senate sponsor is Doug Lamborn (R).

COLORADO SB 32 – WATER USE - Authorizes an owner of an agricultural irrigation water right to loan such right for up to 180 days to another owner on the same stream, subject to approval by the division engineer and a finding of a lack of material injury to other decreed water rights. Introduced and referred to Senate Agriculture, Natural Resources and Energy Committee 7 January 2004. Hearing held, amended, and reported from Committee 15 January. Passed Senate 21 January. Assigned to House Agriculture, Livestock, & Natural Resources Committee 22 January. Reported from Senate Agriculture, Livestock and Natural Resources Committee and referred to Appropriations Committee 25 February. The sponsor is Senator Jim Isgar (D).

COLORADO SB 110 – SOLID WASTE - Broadens the prohibition against transporting uncovered aggregate material on a highway to include a prohibition against transporting uncovered trash. Defines "trash". Introduced 14 January 2004. Passed Senate 30 January. Passed House 2 March. Senate concurred in House amendments 12 March. Sent to Governor 1 April. The sponsor is Senator Bruce Cairns (R).

COLORADO SB 118 – WATER - Prohibits land within the boundary of a designated groundwater basin from being included within a water conservancy district, except with the written consent of the Ground Water Commission and the Board of Directors of the Ground Water Management District. Authorizes the Ground Water Commission and the Board of Directors of the Ground Water Management District to pass a resolution to exclude land within the boundary of a designated ground water basin from a water conservancy district. Introduced and referred to Senate Agriculture, Natural Resources and Energy Committee 20 January 2004. Amended and reported from Committee 11 February. Amended 23 February. Third reading laid over to 8 March. The sponsor is Senator Lewis Entz (R).

COLORADO SB 185 – GROUNDWATER - Subjects all permits for nonexempt wells outside of designated ground water basins to the same standards for expiration and extension by prohibiting the Denver basin aquifer and mine dewatering well permits from being extended more than once. Eliminates the requirement to file a statement of beneficial use for nonexempt wells outside of designated ground water basins. Introduced 13 February 2004. Passed Senate 24 February. Referred to House Agriculture, Livestock and Natural Resources Committee 26 February. Reported from Committee 10 March. The sponsor is Senator Lewis Entz (R).

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MONTANA

WASTE INFORMATION:

PROPOSED REGULATION – UNDERGROUND STORAGE TANKS – The Montana DEQ has proposed amendments to its underground storage tank (UST) requirements. The amendments include: (1) release reporting; (2) investigations of releases; (3) release confirmations; and (4) corrective action requirements. DEQ also proposed new rules for USTs: (1) reporting of confirmed releases; (2) number of petroleum release; (3) release categorization; and (4) adoption by reference of state and federal standards. Comments are due by 15 April 2004. For more information, contact Kirsten Bowers at (406) 444-1448, or link <http://www.deq.state.mt.us/dir/legal/Notices/17-179.pro.pdf>.

WATER INFORMATION:

PROPOSED REGULATION – WATER AND WASTEWATER OPERATORS – The Montana DEQ has proposed amendments to its water and wastewater operator regulations. The amendments: (1) no longer allow an examinee to examine their test after the exam; (2) increase certification renewal fees by ten dollars; (3) remove the 15 minute break requirement for a three hour continuing education class; and (4) allow approved vendor shows to count toward .5 hours of continuing education requirements. Comments are due by 8 April 2004. For more information, contact Jenny Chambers at (406) 444-2691.

PROPOSED TMDLs – SWAN LAKE – The Montana DEQ has proposed total maximum daily loads (TMDLs) for Swan Lake. Comments are due by 9 April 2004. For more information, contact Dean Yashin at (406) 444-5317.

Legislative Developments

The 2003 legislative session began 6 January and ended 26 April. A summary of significant environmental bills that were enacted and signed was included in the June 2003 Review. For more information on the legislative session, link <http://www.leg.state.mt.us>. There will not be a regular legislative session in 2004.



NORTH DAKOTA

Regulatory Developments & Other State Information

No significant regulatory activity to report.

Legislative Developments

The 2003 legislative session began 7 January and ended 25 April. A summary of significant environmental bills that were enacted and signed was included in the June 2003 Review. For more information on the legislative session, link <http://www.state.nd.us/lr/>. There will not be a regular legislative session in 2004.



SOUTH DAKOTA

Regulatory Developments & Other State Information

No significant regulatory activity to report.

Legislative Developments

The 2004 legislative session began 13 January and ended 27 February. The following is a summary of environmental bills that were passed and signed. For additional information on the legislative session, link <http://legis.state.sd.us/index.cfm>.

SOUTH DAKOTA HB 1056 – INTERSTATE WILDLIFE VIOLATOR COMPACT - Implements an Interstate Wildlife Violator Compact. Prefiled 10 January 2004. Passed House 3 February. Passed Senate 12 February. Signed by Governor Mike Rounds (R) 19 February. The sponsor is Committee on Judiciary.

SOUTH DAKOTA HB 1157 – CLEANUP - Provides a limitation of lender environmental liability for cleanup and remediation costs. Introduced and referred to Judiciary Committee 22 January 2004. Passed House 6 February. Passed Senate 18 February. Signed by Governor 27 February. The sponsor is Representative Joni Cutler (R).

SOUTH DAKOTA HB 1175 – CLEANUP - Establishes the brownfields economic development program and provides for the continuous appropriation of certain federal funds. Introduced 22 January 2004. Passed House 3 February. Passed Senate 19 February. House concurred with Senate amendments 21 February. Signed by Governor 9 March. The sponsor is Representative Christopher Madsen (R).

SOUTH DAKOTA HCR 1002 – CONTROL OF PRAIRE DOGS - A resolution urging the increased efforts for the control of prairie dogs. Introduced and referred to House floor 23 January 2004. Passed House 26 January. Passed Senate 28 January. The sponsor is Representative Jim Lintz (R).

SOUTH DAKOTA HCR 1006 – FUELS - Urges all South Dakotans to use biodiesel whenever possible. Introduced 2 February 2004. Passed House 3 February. Passed Senate 5 February. The sponsor is Representative Jim Peterson (D).

SOUTH DAKOTA SB 91 – LAND USE - Appropriates money to the Ellsworth Air Force Base Task Force to promote and facilitate the retention of Ellsworth Air Force Base. Introduced 22 January 2004. Passed Senate 4 February. Passed House February 21. Signed by Governor 2 March. The sponsor is Senator J.P. Duniphan (R).

SOUTH DAKOTA SB 203 – ENVIRONMENTAL ADMINISTRATIVE PROCEDURES - Makes appropriations from the water and environment fund, the environment and natural resources fee fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund, and authorizes the Governor to declare an emergency. Introduced 27 January 2004. Passed Senate 3 February. Passed House 19 February. Signed by Governor 26 February. The sponsor is the Senate Rules Committee.



UTAH

WATER INFORMATION:

PROPOSED REGULATION – FACILITY DESIGN AND OPERATION – The Utah Department of Environmental Quality (DEQ) has proposed amendments to its drinking water regulations. These amendments: (1) change the numbering of the rule to Rule R309-515 and includes corrections of any references within the rule; (2) clarify who may prepare drilling specifications for public drinking water wells; (3) clarify items to be reported concerning the constant-rate pump test conducted on wells; and (4) adds the following definitions - (a) desired design discharge rate, (b) geologist, (c) peak hourly flow, and (d) stock tight. Comments are due by 14 April 2004. For more information, contact Bill Birkes at (801) 536-4201.

Legislative Developments

The 2004 legislative session began 29 January and ended 3 March. For current information on the legislative session, link <http://www.le.state.ut.us/>.

UTAH HB 13 – HAZARDOUS WASTE - Terminates a \$28 per ton fee on hazardous waste. Reinstates a \$14 per ton fee on treated hazardous waste. Terminates a gross receipts tax on hazardous and nonhazardous solid waste facilities. Prefiled 10 December 2003. Passed House 28 January. Passed Senate and returned to House 27 February. Signed by Governor Olene Walker (R) 23 March. The sponsor is Representative Eli Anderson (D).

UTAH HB 71 - WATER - Requires that water conservation plans contain existing and proposed water conservation measures. Requires that water conservation plans contain a description of the extent to which a retail provider will use certain measures to achieve its conservation goals. Requires that water conservation plans contain a clearly stated water use reduction goal and implementation plan for each conservation measure, including a timeline for action and an evaluation process to measure progress. Introduced 13 January 2004. Passed House 12 February. Passed Senate 26 February. Signed by Governor 15 March. The sponsor is Representative Judy Buffmire (D).

UTAH HB 88 – CONSERVATION - Establishes certain findings to be considered when developing state policies relating to federal lands and natural resources on federal lands. Establishes considerations for recognition of state and local interests in the federal land use management process. Introduced 19 January 2004. Passed House 6 February. Amended and passed Senate 26 February. Passed House 2 March. Signed by Governor 18 March. The sponsor is Representative Bradley Johnson (R).

UTAH HB 116 – LAND USE - Requires certain local governments and public utilities to provide notice before preparing or amending a general, long-range, or capital facilities plan. Requires the notice of an intent to acquire real property if its intended use is inconsistent with local planning or zoning, unless the entity has previously provided notice of the property's general location. Introduced 28 January 2004. Passed House 18 February. Passed Senate 3 March. Signed by Governor 17 March. The sponsor is Representative Ralph Becker (D).

UTAH HB 247 – GROUNDWATER - Creates the Water Issues Task Force. Requires the task force to review and make recommendations on the following issues: (a) ground water management; (b) water right enforcement and penalties; (c) title for water rights; (d) administration of ground water and surface water; (e) instream flow; and (f) water conservation reuse. Introduced 26 January 2004. Passed House 13 February. Passed Senate 27 February. Signed by Governor 22 March. The sponsor is Representative David Ure (R).

UTAH HCR 14 – MILITARY RECOGNITION – Resolution recognizing Dugway Proving Ground, Tooele Army Depot, Deseret Chemical Depot, Utah National Guard, and United States Military Reserves. Introduced 19 February 2004. Passed House and Senate 19 February. Signed by Governor 20 February. The sponsor is Representative Eli Anderson (R).

UTAH SB 50 – LAND USE - Creates an Office of Rural Development within the Department of Community and Economic Development to help foster and support economic development for the benefit of rural counties and communities. Creates a Rural Coordinating Committee to coordinate efforts and resources and help implement the strategic plan on rural economic development, planning, and leadership training. Introduced 30 January 2004. Passed Senate 19 February. Passed House 27 February. Signed by Governor 16 March. The sponsor is Senator Thomas Hatch (R).

UTAH SB 180 – REMEDIATION - Limits the cleanup liability to the state of innocent landowners, bona fide purchasers of contaminated property, and landowners whose property is contiguous to contaminated property. Allows the state to hold a lien on the property for the property's increase in value due to the cleanup. Introduced 6 February 2004. Referred to Senate Health and Human Services Committee 10 February. Reported from Committee 12 February. Enacting clause struck in Senate 3 March. Died upon adjournment 3 March. The sponsor is Senator Bill Wright (D).

UTAH SCR 3 – MILITARY RECOGNITION - Expresses support and gratitude for the contributions made by Hill Air Force Base and those who serve there to the nation's safety, the state's economy, and its nearby communities. Expresses support for the continued use, operation functions, and expansion of Hill Air Force Base in the future. Prefiled 7 January 2004. Passed Senate 22 January. Passed House 18 February. Signed by Governor 20 February. The sponsor is Senator David Thomas (R).



WYOMING

Regulatory Developments & Other State Information

PROPOSED REGULATION – MILITARY MUNITIONS RULE – On 8 September 2003, the Wyoming Water/Waste Advisory Board recommended adoption of the Military Munitions Rule. There are still several additional steps required before the State will adopt the rule. The rule is still under internal review. For more information, contact the Army Regional Coordinator for Region 8, at (303) 844-0958.

WATER INFORMATION:

WATER SYSTEM OPERATOR TRAINING – The Wyoming Water Quality Division (WQD) and EPA are providing water system operator training sponsored by Rural and Tribal Environmental Solutions. The training is titled: "O&M Aspects of Disinfection." The training will be conducted 19-20 April in Rock Springs, 22-23 April in Cheyenne, 26-27 April in Cody, and 29-30 April in Sheridan. An EPA grant is available to reimburse participants. For more information, call WQD at (307) 777-7781.

Legislative Developments

The 2004 legislative session began 9 February and ended 5 March. For current information on the legislative session, link <http://legisweb.state.wy.us/>.

WYOMING HB 12 – PERMITTING - Allows DEQ to assess a \$100 annual permit fee for every active surface water point source discharge permit. The funds would be used by the DEQ for costs associated with surface water quality monitoring and analysis, and surface water quality modeling analysis and demonstrations. Prefiled 10 December 2003. Passed House 20 February 2004. Passed Senate 26 February. Signed by Governor Dave Freudenthal (D) 4 March. The sponsor is the Joint Minerals, Business and Economic Development Interim Committee.

WYOMING HB 19 – WATER USE - Provides for acquisition of temporary water use rights for municipal purposes. Prefiled 22 December 2003. Referred to House Agriculture, Public Lands and Water Resources Committee 9 February 2004. Failed upon adjournment 5 March. The sponsor is the Joint Minerals, Business and Economic Development Interim Committee.

WYOMING HB 107 – LAND USE - Appropriates \$5,900,000 from the State budget reserve to purchase, in the name of the military department of Wyoming, real property in the vicinity of Camp Guernsey. Intends to increase the capabilities of the base and protect it from private or public encroachment that may inhibit future military use. Introduced 9 February 2004. Failed upon adjournment 5 March. The sponsor is Representative Tom Walsh (R).

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