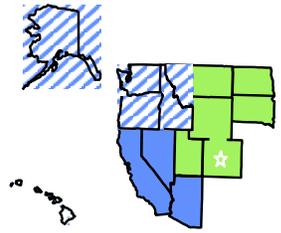




**US Army Environmental Center
Western Regional Environmental Office
REGION 8 – MAY 2004**



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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E-mail Subscriptions to WREO Monthly Reviews

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

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

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

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

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

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

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

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

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

WASTE INFORMATION:

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

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

WATER INFORMATION:

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

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

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

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

GENERAL INFORMATION:

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



GENERAL INFORMATION

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

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

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UPCOMING CONFERENCES, SYMPOSIUMS AND TRAINING ANNOUNCEMENTS

2004 RCRA NATIONAL CORRECTIVE ACTION CONFERENCE

11-12 May 2004 – Orlando, Florida

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

ENVIRONMENTAL SUSTAINABILITY MANAGEMENT SYSTEM WORKSHOP

11-13 May 2004 – Covington, Kentucky

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

12TH ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM & EXHIBITION

17-20 May 2004- Dallas, Texas

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

WATER QUALITY STANDARDS ACADEMY

17-21 May 2004 – Washington, DC

EPA is presenting 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>.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



COLORADO

Regulatory Developments & Other State Information

NOTICE OF FINDING – PREBLE'S MEADOW JUMPING MOUSE – On 31 March 2004 (69 FR 16944), the U.S. Fish and Wildlife Service (FWS) announced a 90-day finding on a petition to remove the Preble's Meadow Jumping Mouse (Preble's) (*Zapus hudsonius preblei*) from the Federal List of Threatened and Endangered Wildlife and Plants. FWS found that the petition presents substantial information that delisting Preble's may be warranted and is initiating a status review. FWS is requesting submission of any new information on the Preble's since its original listing as an endangered species in 1998. Following this status review, FWS will issue a 12-month finding on the petition to delist. Comments must be submitted by 1 June 2004. For further information, contact Susan Linner, FWS at 303-275-2370.

AIR INFORMATION:

FINAL REGULATION – OZONE STRATEGY FOR DENVER AREA - The Colorado Department of Public Health and Environment (CDPHE) has adopted the Ozone Action Plan for the Denver metropolitan area pursuant to requirements of the Ozone Early Action Compact. CDPHE developed a plan to identify and implement mitigation strategies over the course of the next year to reduce ambient concentrations of ozone in the Denver metropolitan area. The plan includes amendments to Ambient Air Quality Standards Regulation, the Common Provisions Regulation, Regulation Number 7 and Regulation Number 11. The plan will be effective 31 May 2004. For more information, contact Marla Biberstine at (303) 692-3476, or link <http://www.cdphe.state.co.us/ap/down/ozoneplan.pdf>.

FINAL REGULATION – REVISIONS TO OPEN BURNING, PRESCRIBED FIRE, AND PERMITTING FEES – CDPHE has adopted revisions to Regulation Number 9 - Open Burning, Prescribed Fire & Permitting. The revisions include the calculation method for fees contained in the rule. The revisions also eliminate the provisions that automatically cause a permit to expire based on the amount of fuel consumed under the permit, and add provisions for the use of air curtain destructors exclusively for the burning of woody materials. CDPHE is considering revisions to the Common Provisions Regulation and Regulation No. 3, Part A, that would implement the above revisions. The revisions were effective 30 April 2004. For more information, contact Sarah Gallop at (303) 692-3263, or link <http://www.cdphe.state.co.us/op/regs/airregs/100111openburning.pdf>.

PROPOSED REGULATION – REVISIONS TO MACT STANDARDS – CDPHE has proposed to revise Regulation Number 8, MACT standards. The revisions will adopt changes to the federal program since September 2003. The federal MACT standards include: (1) industrial, commercial, and institutional process boilers and heaters; (2) internal combustion engines; and/or (3) wood products. Comments are due by 3 June 2004. For more information, contact Melanie Loyzim at (303) 692-3147.

WASTE INFORMATION:

FINAL REGULATION – SOLID WASTE DISPOSAL SITES AND FACILITIES - CDPHE has adopted amendments to its solid waste disposal sites and facilities regulations. The revisions include the addition of a new Section 8 for recycling facilities; the replacement of the current Section 10 addressing scrap tire facilities with an updated regulation; an addition to subsection 9.7.4 regarding waste impoundments; a modification to subsection 7.1(C) regarding an intermediate processing facility and a material recovery facility; and the addition of a new definition and the deletion of a definition from Section 1.2. The amendments were effective 30 March 2004. For more information, contact Glenn Mallory at (303) 692-3445, or link <http://www.cdphe.state.co.us/hm/proposedswregs/finalregulations.pdf>.

WATER INFORMATION:

FINAL REGULATION – WATER QUALITY LIMITED SEGMENTS – CDPHE has adopted the following amendments concerning TMDLs: (1) a new Regulation #93, water-quality-limited segments requiring total maximum daily loads; (2) a new Regulation #94, Colorado's Monitoring and Evaluation List; and (3) determinations regarding the adequacy of plans to eliminate uncertainty, for specific water segments with temporary modifications based on uncertainty. The amendments were effective 31 March 2004. For more information, contact Diana Glaser at (303) 692-3469.

FINAL REGULATION – MANAGEMENT AND CONTROL OF GROUNDWATER – CDPHE has adopted amendments to its management and control of designated groundwater regulations, 2 CCR 410-1. The rules apply to designated ground water basins in Colorado. There are a total of eight designated ground water basins located in Eastern Colorado. These are: Camp Creek, Kiowa-Bijou, Lost Creek, Northern High Plain, Southern High Plains, Upper Big Sandy, Upper Black Squirrel Creek, and Upper Crow Creek. The revisions include amending rule 5.2.1 to add language that indicates the "1/2-mile Rule" applies to large capacity wells screened with the same aquifers. The proposed revisions also include adding rules to allow wells screened in more than one aquifer the ability to apply for an increase appropriation. The amendments were effective 30 April 2004. For more information, contact Hal Simpson at (303) 866-3587.

FINAL REGULATION – 2004 305 (b) REPORT – CDPHE has approved its 2004 section 305(b) report titled, "Status of Water Quality in Colorado 2004." This document fulfills Clean Water Act Section 305(b)(1) which requires all states to assess and report on the quality of all waters in the State. The 2004 305(b) Update provides a current and accurate assessment of all surface waters of the State, which have been assessed in the past six years. It also reports the extent of which these waters provide protection for the propagation of aquatic life ("fishable") and primary contact recreation ("swimmable") in and on the water. The report was approved 9 March 2004. For more information, contact Diana Glaser at (303) 692-3469, or link:[http://www.cdphe.state.co.us/op/wqcc/MeetingsandHearings/HearingNotices/AAH/305\(b\)2004%20draft.pdf](http://www.cdphe.state.co.us/op/wqcc/MeetingsandHearings/HearingNotices/AAH/305(b)2004%20draft.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>.

Legislative Developments

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

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. Signed by Governor Bill Owens (R) 5 April. 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. Signed by Governor 5 April. 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. Passed House 7 April. Reported from Appropriations Committee 21 April. 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. Signed by Governor 8 April. The sponsor is Representative Dale Hall (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 20 January 2004. Passed House 18 February. Passed Senate 5 March. Signed by Governor 6 April. The sponsor is Representative Diane Hoppe (R).

COLORADO HB 1428 – RECYCLING - Prohibits a local governing body having jurisdiction from granting a permit for a monofill designated only for tire disposal until 1 July 2014. Requires entities that recycle waste tires to report to the transportation legislation review committee about how many tires are recycled and what methods are used for recycling. Introduced and referred to House Local Government Committee 2 April 2004. Passed House 20 April. Passed Senate 29 April. The sponsor is Representative Lola Spradley (R).

COLORADO HB 1435 – OZONE - Requires the Air Quality Control Commission (AQCC) to request the Governor to submit the plan the AQCC adopted on 12 March 2004, to reduce emissions of pollutants that create ozone pollution to EPA for approval and incorporation into the state implementation plan. Gives legislative approval to the submission. Requires entities that must comply with the plan by reducing emissions of volatile organic compounds from atmospheric condensate storage tanks to notify the local government of a proposed installation of an emission control unit. Introduced and referred to House Health, Environment, Welfare, and Institutions Committee 12 April 2004. Passed House 23 April. Passed Senate 30 April. The sponsor is Representative Shawn Mitchell (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. Passed Senate 21 January. Passed House 23 April. 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. Signed by Governor 12 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. Passed Senate 26 April. 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. Passed House 20 April. The sponsor is Senator Lewis Entz (R).

COLORADO SB 215 – LAND USE - Specifies that any development that met any one of certain conditions specified in statutory provisions governing areas and activities of state interest, as of 17 May 1974, shall not be regulated or prohibited under the local government land use control enabling act. Introduced and referred to Agriculture, Natural Resources and Energy Committee 30 March 2004. Reported from Committee 1 April. Third reading laid over to 3 May. The sponsor is Senator Ken Chlouber (R).

COLORADO SB 225 – GROUNDWATER - Authorizes the state engineer and ground water management districts to issue well permit enforcement orders to facilitate administration of designated ground water, including a requirement to create records of energy used to pump ground water. Authorizes the state engineer, ground water management districts, and the ground water commission to seek court enforcement of such orders. Requires the court to award costs and fees if the court upholds the order. Creates a well enforcement cash fund and directs the penalties to be deposited in the fund to be used for the investigation and enforcement of violations of orders or to regulate ground water. Introduced and referred to Agriculture, Natural Resources and Energy Committee 12 April 2004. Passed Senate 26 April. The sponsor is Senator Mark Hillman (R).

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MONTANA

Regulatory Developments & Other State Information

No significant environmental regulatory activity to report.

Legislative Developments

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



NORTH DAKOTA

WATER INFORMATION:

FINAL REGULATION – ADOPTION OF FEDERAL SAFE DRINKING WATER STANDARD – The North Dakota Department of Health has adopted EPA safe drinking water standards. The adopted amendments include: (1) publication notification rule; (2) filter backwash recycle rule; (3) radionuclides rule; and (4) minor revisions to the lead/copper rule. The standards were effective 1 December 2003. For more information, contact Larry Thelen at (701) 328-5257.

Legislative Developments

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



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 PRAIRIE 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

AIR INFORMATION:

PROPOSED REGULATION – AIR QUALITY AMENDMENTS – The Utah Department of Environmental Quality (DEQ) has proposed amendments to its air regulations. The amendments include: (1) the redesignation of Provo from nonattainment to attainment for carbon monoxide; (2) language that vehicles six years old and newer must be inspected only every other year; and (3) deletion of the requirement that all gasoline sold in Utah County 1 November through the end of February each year be oxygenated to reduce vehicle emissions of carbon monoxide. If the carbon monoxide health standard is violated in Provo or Ogden, the oxygenated gasoline program would be reinstated. Comments are due by 17 May 2004. For more information, contact Jan Miller at (801) 536-4042.

WATER INFORMATION:

PROPOSED REGULATION – GROUNDWATER PROTECTION – The Utah DEQ has proposed a rule to bring its groundwater rules into agreement with a recent Division of Occupational and Professional Licensing rule governing the practice of geology. The rule changes the definition of professional geologist and engineer, and the requirement that the following submittals be performed under the direction of a professional geologist or engineer: a) ground water permit applications; b) ground water permit renewals with significant changes to the original permit; c) corrective action plans and contaminant investigations; and d) petitions for aquifer classification or reclassification. DEQ also proposed to clarify its wastewater operator certification program rules to bring them more into harmony with actual practices. Comments are due by 17 May 2004. For more information, contact David Wham at (801) 538-6052, or link <http://www.rules.utah.gov/publicat/bulletin/2004/20040415/27021.htm>.

Legislative Developments

The 2004 legislative session began 29 January and ended 3 March. The following is a summary of environmental bills that were passed and signed. For more 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 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 – LAND USE - 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. Does not apply to withdrawn military lands in Utah. Introduced 19 January 2004. Passed House 6 February. Passed Senate 26 February. 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 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.

NOTICE OF FINDING – PREBLE'S MEADOW JUMPING MOUSE – On 31 March 2004 (69 FR 16944), the U.S. Fish and Wildlife Service (FWS) announced a 90-day finding on a petition to remove the Preble's Meadow Jumping Mouse (Preble's) (*Zapus hudsonius preblei*) from the Federal List of Threatened and Endangered Wildlife and Plants. FWS found that the petition presents substantial information that delisting Preble's may be warranted and is initiating a status review. FWS is requesting submission of any new information on the Preble's since its original listing as an endangered species in 1998. Comments must be submitted by 1 June 2004. For further information, contact Susan Linner, FWS at 303-275-2370.

WASTE INFORMATION:

PROPOSED REGULATION – STORAGE TANK LEAK PREVENTION - The Wyoming Department of Environmental Quality (DEQ) has proposed amendments to regulations regarding leak prevention for storage tanks. These rules affect only regulated underground and above ground storage tanks. The proposed amendments include: (1) repeal of delegated inspector program; (2) clarification that the tank operator is liable for compliance as well as owner; (3) secondary containment system requirements; (4) vehicle impact requirements; (5) leak detection system requirements; (6) corrosion protection requirements; (7) overfill protection requirements; and (8) spill prevention requirements. DEQ will hold a hearing 11 May 2004. Comments are due by 6 May. For more information, contact Tobert Lucht at (307) 777-7095, or link: <http://deq.state.wy.us/wqd/storagetanks/chapter17revisions.htm>.

WATER INFORMATION:

PROPOSED REGULATION – GROUNDWATER – The Wyoming DEQ has proposed amendments to its groundwater water quality regulations. The amendments include language necessary to clarify the standards for protection afforded to groundwater associated with, but adjacent to, groundwater impacted from commercial mineral production, primarily in-situ uranium production. DEQ will hold a hearing 10 May 2004. Comments are due by 6 May. For more information, contact Kevin Frederick at (307) 777-7781, or link <http://deq.state.wy.us/wqd/events/Outreach.pdf>.

PROPOSED REGULATION – NPDES PERMIT UPDATES – The Wyoming DEQ has proposed amendments to its water regulations. The changes include: (1) an amendment to allow landowners and operators to seek site-specific effluent limits based upon a demonstration that the alternate limits for chlorides, sulfates and/or total dissolved solids would still ensure that agricultural and wildlife uses would be supported and that down stream water quality standards would not be exceeded; (2) effluent limits and minimum design standards for sedimentation control for coal mines; (3) phase II stormwater regulations; (4) permit application procedures; (5) general conditions applicable to permits; (6) reissuance of permits; (7) NPDES permit public hearing procedures; (8) mitigation procedures for dredge and fill activities in isolated wetlands; and (9) update general permit regulations to cover new general permits for stormwater discharges, temporary discharges, and some coalbed-methane-related discharges. Comments are due by 10 May 2004. For more information, contact Todd Parfitt at (307) 777-6709.

Legislative Developments

The 2004 legislative session began 9 February and ended 5 March. The following is a summary of actions on environmental bills that were tracked. For more 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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