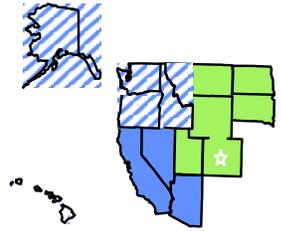




**US Army Environmental Center
Western Regional Environmental Office
REGION 10 – JULY 2004**



WESTERN REGION REVIEW

The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 10 area: Alaska, Idaho, Oregon and Washington. We appreciate your feedback. Please contact Bob Gurdikian at the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone (303) 844-0952, 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 dclark@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:

PROPOSED RULE – SIP BUDGETS FOR ELECTRIC GENERATING UNITS – On 10 June 2004 (69 FR 32683), EPA issued a supplemental proposal for the Clean Air Interstate Rule (introduced in January 2004) to reduce interstate transport of fine particulate matter and ozone. The supplemental proposal requires covered states to submit state implementation plan (SIP) measures to ensure that emissions reductions are achieved as needed to mitigate transport of fine particulate matter, ozone pollution, sulfur dioxide, and oxides of nitrogen across state boundaries. The proposal includes SIP budgets for SO_x and NO_x for electrical generating units in 28 states and the District of Columbia for the years 2010 and 2015. The announcement provides clarifications and additional details concerning EPA's model cap-and-trade program for electrical generating units. For further information, contact Larry Webber, USAEC at (410) 436-1213, or email lawrence.webber@aec.apgea.army.mil.

FINAL RULE – NESHAP FOR STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES - On 15 June 2004 (69 FR 33473), EPA issued the final National Emissions Standards for Hazardous Air Pollutants (NESHAP) for stationary reciprocating internal combustion engines (RICE) rated above 500 horsepower and located at major hazardous air pollutant (HAP) sources. The rule includes specific requirements for all new or reconstructed stationary RICE and for existing spark ignition 4-stroke rich burn (4SRB) stationary RICE located at a major source of HAP emissions. New or reconstructed stationary RICE that operate exclusively as emergency or limited use units are subject only to initial notification requirements. New or reconstructed stationary RICE which combust landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis are subject only to initial notification requirements and to monitoring, recording, and reporting of fuel usage requirements. With the exception of existing spark ignition 4SRB stationary RICE, other types of existing stationary RICE are not subject to any specific requirement under the final rule. Also, the final rule does not apply to test cells/stands that are covered by another NESHAP. For further information, contact Paul Josephson, USAEC at (410) 436-1205, or email: paul.josephson@aec.apgea.army.mil, or link <http://www.epa.gov/airlinks/RICEfinalrule.pdf>.

WATER INFORMATION:

FINAL RULE – ANALYTICAL METHODS FOR URANIUM IN DRINKING WATER – On 2 June 2004 (69 FR 31008), EPA took direct final action to approve the use of three additional analytical methods for compliance determinations of uranium in drinking water. The methods use an inductively coupled plasma mass spectrometry (ICP-MS) technology that could be more cost-effective, less labor-intensive, or more sensitive than some previously approved technologies. The final rule does not withdraw approval of any previously approved monitoring methods for uranium. The regulation potentially affects public water systems that are classified as community water systems, which are water systems that serve at least 15 service connections used by year-round residents or regularly service at least 25 year-round residents. The rule is effective on 31 August 2004 without further notice, unless EPA receives adverse comment by 2 July. For further information, contact Misha Turner, USAEC at (410) 436-1203, or email misha.turner@aec.apgea.army.mil, or link <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/04-12299.htm>.

NEW EPA FACT SHEET – CONSTRUCTION AND STORMWATER REQUIREMENTS FOR FEDERAL FACILITIES – The EPA produced a new fact sheet for Federal facility managers responsible for meeting the requirements of the NPDES stormwater program. The fact sheet outlines the requirements for obtaining permit coverage for stormwater discharges from construction projects and clarifies the role of Federal facility managers as co-permittees on construction projects. For additional information, contact Mike Kanowitz, USAEC at (410) 436-7068, or email michael.kanowitz@aec.apgea.army.mil.



GENERAL INFORMATION

PROPOSED RULE – TAKE OF MIGRATORY BIRDS BY DoD – On 2 June 2004 (69 FR 31074), the Fish and Wildlife Service (FWS) released a proposed rule that would authorize incidental take of migratory birds, with limitations, that result from DoD military readiness activities. The proposed rule would allow members of the Armed Forces, or DoD contractors or their agents to take migratory birds during authorized military readiness activities. Installations must continue to obtain a Migratory Bird Treaty Act (MBTA) permit for scientific collecting, control of birds causing damage to DoD property, or any other activity addressed by FWS existing permit regulations. The proposed rule was developed in coordination and cooperation with DoD. Comments are due by 2 August 2004. For further information, contact Brian Millsap, FWS at (703) 358-1714, or Jay Rubinoff, USAEC at (410) 436-1564, or link <http://migratorybirds.fws.gov>.

PROPOSED POLICY – HATCHERY-ORIGIN FISH AND ESA LISTING DETERMINATIONS FOR PACIFIC SALMON AND STEELHEAD – On 3 June 2004 (69 FR 31354), the National Marine Fisheries Service (NMFS) issued a proposed policy to address the role of hatchery produced Pacific salmon and steelhead in listing determinations under the Endangered Species Act. Under the proposed new policy, NMFS would determine the viability of each distinct population segment (DPS), including both natural and hatchery populations, in conducting ESA status reviews and using the product of such reviews in making listing determinations of threatened or endangered for Pacific salmon and steelhead. NMFS also plans to provide separate guidance on how artificial propagation programs may contribute to salmon and steelhead conservation and recovery. Comments are due by 1 September 2004. For further information, contact Donna Darm, NMFS Northwest Region at (562) 980-4021, Craig Wingert, NMFS Southwest Region at (562) 980-4021, or Marta Nammack, NMFS Office of Protected Resources at (301) 713-1401.

PROPOSED RULE – CRITICAL HABITAT FOR BULL TROUT IN JARBIDGE RIVER, COASTAL-PUGET SOUND, AND SAINT MARY-BELLY RIVER – On 25 June 2004 (69 FR 35767), the FWS proposed to designate critical habitat for bull trout (*Salvelinus confluentus*) populations in the Jarbidge River (131 stream miles in Idaho and Nevada), Coastal-Puget Sound (2,290 stream miles, 52,540 acres of lakes, and 985 miles of marine shoreline in Washington), and the Saint Mary-Belly River (88 stream miles and 6,295 acres of lakes in Montana). FWS excluded the area on the Naval Radio Station Jim Creek based on the beneficial measures for bull trout contained in the station's INRMP. FWS will hold a public hearing on 10 August in Tumwater, WA to obtain data and comments on the proposed rule. Comments are due by 24 August 2004. For further information contact, John Young at (503) 231-6194, or link <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-14014.htm>.

FINAL RULE – LEAD-BASED PAINT HAZARDS IN FEDERALLY OWNED PROPERTY BEING SOLD

– On 21 June 2004 (69 FR 34262), the U.S. Department of Housing and Urban Development (HUD) revised its lead-based paint regulations to make conforming amendments, technical corrections, and clarifying changes. The rule clarifies HUD's definitions and standards for dust-lead and soil-lead hazards to make them consistent with EPA's final lead hazard standards rule (66 FR 1205, 5 January 2001) on identification of dangerous levels of lead. For further information, contact Warreb Friednab at (202) 755-1785 ext 104, or link

<http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-13873.htm>.

CALL FOR PROJECTS – DOE FEDERAL ENERGY MANAGEMENT PROGRAM – The U.S.

Department of Energy (DOE) Federal Energy Management Program (FEMP) is soliciting applications for agency projects in need of technical assistance from the DOE National Laboratories and contractors. Projects can involve sustainable new building design, energy and water efficiency retrofits, renewable energy, operations and maintenance, and distributed generation and combined heat and power contributing to energy security and reliability. Applications must be received by 16 July 2004. For additional information including application instructions and POCs, link

http://www.eere.energy.gov/femp/services/pa_callforprojects.cfm.

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

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.

NATIONAL ENVIRONMENTAL MONITORING CONFERENCE

19-22 July 2004 – Washington, DC

This EPA conference provides the principal forum for addressing policy and technical issues affecting monitoring in all environmental media (i.e., water, air, soil, and wastes) across all environmental programs. The focus will be on new approaches for analyzing conventional and emerging pollutants in water, soil, and air, as well as homeland security issues as they apply to environmental monitoring for terrorism agents. For more information or to register link <http://www.nemc.us/>.

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>.

ENERGY 2004

8-11 August 2004 – Rochester, New York

This is the 7th annual workshop sponsored by the DOE Federal Energy Management Program, and co-sponsored by DoD and GSA. The workshop is for Federal, state, local, and private sector energy managers, service companies, utilities, procurement officials, engineers and other energy professionals. For more information, link <http://www.energy2004.ee.doe.gov/>.

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 include land rehabilitation and maintenance, land condition trend analysis, sustainable range awareness, training requirements integration, and geographical information systems. For more information, link <http://www.army-itam.com/public/workshop/13th/callforpapers.jsp>.

5TH ARMY AREA ARMY NATIONAL GUARD WORKSHOP**11-12 August 2004 – Denver, Colorado**

The Army National Guard will hold its western area workshop at the Mark Adams Hotel the afternoon of 11 August and 12 August. The Environmental Advisory Board and other committees will also meet during the week. For more information, contact Bill Vagt at (907) 428-6760 or email bill_vagt@fmd.dmva.state.ak.us.

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", 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 Lisa Vanderpool, EPA at (415) 972-3316, or link <http://www.DECON04.com>.

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

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

2004 BROWNFIELDS CONFERENCE

20-22 September 2004 – St. Louis, Missouri

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

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ALASKA

Regulatory Developments & Other State Information

FINAL REGULATION – BEST AVAILABLE TECHNOLOGY REVIEW FOR OIL SPILL PREVENTION AND RESPONSE

The Alaska Department of Environmental Conservation (DEC) adopted regulations establishing Best Available Technologies for oil and other hazardous substances discharge contingency plans. DEC conducted a Best Available Technologies (BAT) Conference, in accordance with Title 18 of the Alaska Administrative Code (AAC) Chapter 75, Oil and Other Hazardous Substances Pollution Control, Section 447 (18 AAC 75.447). Six specific technology categories were reviewed as part of the BAT Conference and included: (1) leak detection for crude oil transmission pipelines; (2) secondary containment liners for oil storage tanks; (3) fast water booming; (4) viscous oil pumping systems; (5) well capping; and (6) source control technologies. DEC used the information gained through the Conference proceedings to assist in their evaluation of Oil Discharge Prevention and Contingency Plans (C-Plans) for various C-Plan holders throughout Alaska. C-Plan holders will be required to use the best available technology. The final regulations should be published in July 2004. For more information, contact Betty Schorr at (907) 269-7566.

FINAL RULE – APPROVAL OF SIP FOR ANCHORAGE NONATTAINMENT AREA – On 23 June 2004 (69 FR 34935), the EPA published approval and promulgation of the state implementation plan for carbon monoxide (CO) in the Anchorage non-attainment area. EPA is also redesignating the Anchorage area from non-attainment to attainment for the National Ambient Air Quality Standard for CO. For more information, contact Connie Robinson at (206) 553-1086.

ARMY NOTICE OF INTENT TO PREPARE EIS FOR RANGE EXPANSIONS – On 1 June 2004, the Army placed notice (69 FR 30888) of its intent to prepare an EIS for the proposed expansion of training ranges in Alaska. The proposed Federal action involves the construction and operation of a Battle Area Complex and a Combined Arms Collective Training Facility, and the execution of routine, joint military training at these locations. The proposed expansions would provide year-round, fully automated, multi-purpose, and realistic training facilities for the Alaskan Army and other units. Army Alaska training areas that will be considered as possible locations for the range expansion projects include Black Rapids, Donnelly Drop Zone, Eddy Drop Zone, Fort Richardson, Gerstle River, North Texas Range, Tanana Flats Training Area, West Donnelly Training Area, and Yukon Training Area. Comments are due by 1 July 2004. For more information, contact Dan Hunter, Public Affairs Office, Fort Richardson at (907) 384-3306, or email robert.hunter@richardson.army.mil, or link <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2004/pdf/04-12250.pdf>.

FINAL REGULATION – FOREST PRACTICES IN RIPARIAN AREAS – The Alaska Department of Natural Resources adopted amendments to its forest practices in riparian areas in northern and western Alaska (Region III). These amendments include a new stream classification system under the Alaska Forest Resources and Practices Act for Region III. The amendments also clarify the regulations and correct administrative errors. The Lieutenant Governor approved the amendments and the new regulations become effective 24 June 2004. They will be available in an upcoming 2004 Register. For more information, contact Alison Arians at (907) 269-8450.

WATER INFORMATION:

FINAL REGULATION – PUBLIC NOTIFICATION OF DRINKING WATER STANDARDS – The DEC adopted by reference Federal regulations for public notification in drinking water standards. Owners and operators of public water systems are required to notify persons served when they fail to comply with the requirements of 18 AAC 80, if they have a variance or exemption from the drinking water regulations, or are facing other situations posing a risk to public health. The regulation incorporates 40 C.F.R. 141.201 - 141.210, by reference. The final regulations should be published July 2004. For more information, contact Karen Leis at (907) 269-3082, or link:

[http://notes3.state.ak.us/pn/pubnotic.nsf/0/92814cd848e0df8f89256e2800713c14/\\$FILE/80pubnotpubcm.pdf](http://notes3.state.ak.us/pn/pubnotic.nsf/0/92814cd848e0df8f89256e2800713c14/$FILE/80pubnotpubcm.pdf).

PROPOSED REGULATION – ANALYTICAL METHODS FOR DRINKING WATER STANDARDS – The DEC adopted by reference Federal regulations for analytical methods used in drinking water standards. The regulations were reviewed and approved by the Department of Law. The Lieutenant Governor signed and filed the regulations on 4 April 2004 and established an effective date of 2 May 2004. The regulations will be printed in Register 170 in July 2004. For more information, contact Karen Leis at (907) 269-3082.

Legislative Developments:

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

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IDAHO

Regulatory Developments & Other State Information

PROPOSED RULE – REVISED SIP FOR OPEN BURNING AND CROP RESIDUE DISPOSAL – On 7 June 2004 (69 FR 31778), the EPA proposed approving revisions related to open burning and crop residue disposal requirements in Idaho's State Implementation Plan (SIP). The Idaho Department of Environmental Quality (DEQ) submitted the revisions to EPA to clarify existing regulations and comply with Section 110 and Part D of the Clean Air Act. Comments must be received on or before 7 July 2004. For further information, contact Donna Deneen at (206) 553-0110, or email deneen.donna@epa.gov.

WATER INFORMATION:

PROPOSED REGULATION – BIG LOST RIVER WATER QUALITY STANDARDS – The Idaho DEQ has completed amendments to the water quality standards for the Big Lost River subbasin. Twelve Total Maximum Daily Loads (TMDLs) were developed to address issues of temperature exceedence of water quality standards on eleven streams (two segments on Antelope Creek). This assessment sets new limits for sediment solids and thermal loads or temperature exceedances. New restrictions on waste load allocations for sediment solids lowered limits from 3.7 to 2.6 micrograms/liter for National Pollution Discharge Elimination System (NPDES) permits for both the commercial and state hatcheries. According to staff, the state will adopt recommended NPDES levels for the City of Mackay for areas below the dam. This water quality assessment was submitted to EPA for review on 14 May 2004. For more information, contact Thomas Herron at (208) 528-2650, or link: http://www.deq.state.id.us/water/tmdls/big_lost_river/big_lost_river_final.htm#S BA.

Legislative Developments

The 2004 legislative session began 12 January and ended 4 April. A summary of significant environmental legislative activities was provided in the June Review. For additional information on the 2004 session, link <http://www2.state.id.us/legislat/>.

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OREGON

Regulatory Developments & Other State Information

FINAL REGULATION – ADOPTION OF FEDERAL STANDARDS FOR HAZMAT DRIVERS – The Oregon Department of Transportation (DOT) has adopted Federal regulations amendments for licensing endorsements of HAZMAT drivers. The amendments provide for when a shipment, its driver, or the vehicle should be inspected. These amendments to the State regulations are due to the increase number of shipments from the Department of Energy through the State of Oregon. The Oregon Department of Environmental Quality (DEQ) filed the amendments and they became effective on 26 March 2004. For more information, contact Brenda Trump at (503) 945-5278, or link http://www.odot.state.or.us/rules/pdfs/20031216/D_Text_Haz.pdf.

AIR INFORMATION:

PROPOSED REGULATION – PM-10 ATTAINMENT DESIGNATION FOR MEDFORD-ASHLAND – The Oregon DEQ is proposing amendments to redesignate the Medford-Ashland area for PM-10 attainment, and develop a maintenance plan to ensure continued attainment. A hearing was held on 21 January 2004 and the comment due date was extended to 30 January 2004. Substantial comments were received and are currently being reviewed. The review may lead to revisions. If no revisions are made, the amendments will be submitted to the Board on 10 September 2004. For more information, contact Rachel Sakata at (503) 229-5659.

PROPOSED REGULATION – SIP AMENDMENTS TO DISCONTINUE USE OF OXYGENATED FUELS IN PORTLAND – The DEQ is discussing proposing amendments to its State Implementation Plan (SIP). The amendments would discontinue the use of oxygenated fuels in Portland to help the area reach attainment for carbon monoxide (CO). The amendments will also contain a maintenance plan provision for CO. DEQ has not completed its studies on this issue and does not yet have a final plan. DEQ has scheduled a hearing for 16 September 2004. DEQ may formally request public comments some time in July 2004. For more information, contact Dave Norburg at (503) 229-5519.

PROPOSED REGULATION – TITLE V PERMIT FEE INCREASE – The DEQ is proposing an increase to its Title V permit fees. The amendments will adjust the fees by 2.0 to reflect the 2003 Consumer Price Index. The fees will increase as follows: (1) Base fees from \$3,116 to \$3,182; (2) Emission fees from \$36.30/ton to \$37.07/ton; (3) Special Activity Fees from \$312 to \$318; (4) Simple Modification from \$1,247 to \$1,273; (5) Moderate Modification from \$9,349 to \$9,547; (6) Complex Modification from \$18,699 to \$19,095; and (7) Ambient Air Monitoring Review from \$2,493 to \$2,546. The amendments are scheduled for adoption at the 16 July Council meeting. For more information, contact Kathleen Craig at (503) 229-6833.

WATER INFORMATION:

PROPOSED REGULATION – NPDES TURBIDITY STANDARDS – The DEQ is proposing amendments to its draft technical support document "Technical Basis for Revising Turbidity Criteria". The turbidity criteria describe the minimum water quality needed to protect beneficial uses. The turbidity criteria are used to develop wastewater discharge permits, issue 401 certifications, identify water quality-impaired water bodies, and determine pollution load limits for impaired water bodies. In response to comments received, DEQ is currently revising the amendments regarding cumulative impacts and implementation issues in response to comments received. There is no hearing or comment period scheduled. For more information, contact Tom Rosetta at (503) 229-5845.

PROPOSED REGULATION – AMBIENT WATER QUALITY STANDARDS FOR TOXIC POLLUTANTS – The DEQ is conducting its Triennial Review of water quality standards. Issues include the antidegradation standard, water temperature standards, development of numeric biocriteria, beneficial use updates, and toxic pollutants. DEQ reviewed toxics impacts to aquatic life and human health. Toxics under consideration included dioxins and furans, metals, and PCBs. The major drivers of this review were federally threatened and endangered fish species and temperature. The State used this review as part of its strategy to recover the threatened and endangered species. DEQ is proposing amendments for toxic pollutants that will: (1) revise the ambient water quality criteria for 167 toxic pollutants incorporating EPA-recommended criteria published since 1986; (2) add regulations regarding the application of water quality standards to reservoirs in instances where waters become stratified for temperature, dissolved oxygen, or pH; and (3) establish compliance schedules for wastewater discharge permit holders to comply with criteria. The amendments were approved and are being sent to EPA for review. For more information, contact Martin Fitzpatrick at (503) 229-6037, or link [http://www.deq.state.or.us/news/publicnotices/uploaded/030529_4613_ToxicsNPRPac kage.pdf](http://www.deq.state.or.us/news/publicnotices/uploaded/030529_4613_ToxicsNPRPac%20kage.pdf).

Legislative Developments

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

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WASHINGTON

Regulatory Developments & Other State Information

PROPOSED RULE – ENVIRONMENTAL AND SOCIOECONOMIC STANDARDS FOR ENERGY FACILITIES – The Washington Department of Ecology (DOE) is proposing amendments to update its "environmental and socioeconomic standards for energy facilities". The standards will meet Federal and state regulations. The standards will address the concept of mitigating a facility's impact on a community. The amended rules include issues of seismicity, noise, water resources, site certification, impact and mitigation standards for wetlands, site restoration, air mitigation for CO₂. The amendments are anticipated to cover all facilities under the Washington DOE's jurisdiction, including natural gas pipelines, refineries, and liquid natural gas. A final adoption date is anticipated summer 2004. A Notice of Intent will be published 23 June 2004 followed by a hearing tentatively scheduled for 10 August 2004. Final rules are anticipated in October or November 2004. For further information, contact Allen Fiksdal at (360) 956-2152, or link <http://www.efsec.wa.gov/standards/revise%20drafts/6X.pdf>.

AIR INFORMATION

PROPOSED RULE – APPROVAL OF SIP FOR CENTRAL PUGET SOUND – On 1 June 2004 (69 FR 30847), the EPA proposed approving the second 10-year maintenance plans for CO and ozone for the Central Puget Sound area. Specifically, EPA proposed to approve the following: (1) Washington's demonstration that the Central Puget Sound area will maintain air quality standards for CO and ozone through the year 2016; (2) a revised CO motor vehicle emissions budget for transportation conformity purposes using the MOBILE6.2 emissions model and the latest growth and planning assumptions; (3) updates and enhancements of SIP control and contingency measures; and (4) identification of emissions associated with the Seattle-Tacoma International Airport included in the area-wide emissions inventory through the maintenance period. Comments must be received on or before 1 July 2004. For further information, contact Mahbubul Islam at (206) 553-0110, or email islam.mahbubul@epa.gov.

Legislative Developments

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

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