

**EPA REGION III
REC NEWSLETTER
DECEMBER 2003**

COMMANDER, NAVY REGION, MID-ATLANTIC



Seasons Greetings

Happy Holidays

*Working
for
Tomorrow's
Environment*



Today



We have made every effort to ensure that the information provided is accurate and that all significant Legislative, Regulatory, Federal, EPA, news and information have been included in the REC update. If you have an important issue or information that you would like to be included in our monthly update, or believe that information we have provided is incorrect, please contact us at (757) 445-9982 or via E-mail: DODRECREGION3@cmr.navy.mil.

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LINK HELP

SECURE SITES – Links beginning with https:// may give a security error. To get around this problem copy the link and paste it in your browser.

DENIX - Many of our links are to DENIX. To subscribe to DENIX, go to: <https://www.denix.osd.mil/denix/register.html> and register. It's a good thing.

If you find a dead link and you really want the information, please contact us at DODRECREGION3@cmr.navy.mil and we will find the link for you. [Table of Contents](#)

If you or your organization would like to submit an article, story, or picture for future newsletters, please send them to [Gene Beale](#). Thanks.

SPOTLIGHT ON

Growing Native

By Gene Beale

Department of Defense (DoD) facilities in the Chesapeake Bay watershed participated in the third annual "GROWING NATIVE" program during the month of October 2003. This program is a volunteer effort to collect acorns and seeds from various target tree species (mainly from species of oak, ash and walnut) that are used to increase the diversity of native tree stock for local restoration projects throughout the Chesapeake Bay watershed.

Girl Scout Troop 3355 from Chester, VA participated in the event this year. The girls volunteered two weekends to gather eastern red oak acorns and plant flowers at Defense Supply Center Richmond. Installation Commander Rear Admiral Michael J. Lyden and Mrs. Lyden gave the girls a helping hand. About 84 pounds of acorns were gathered and taken to Pocahontas State Park where they were later delivered to the Virginia Department of Forestry. The Girl Scout Troop also labeled nearly 100 storm drains. This activity taught them about the stormwater drainage in Chesterfield County; it drains into two tributaries of the

Middle James River: the Noname Creek and Kingsland Creek, then into the James River, and eventually into the Chesapeake Bay. The activity helped to give incentive not to pollute since they learned firsthand that stormwater could eventually find its way to the Chesapeake Bay and its tributaries. It was just as much an educational event as it was a volunteer event. They learned firsthand about reforestation and gained a valuable lesson in environmental stewardship. "The girls really had a great time. They enjoyed helping and learning about the installation as well as benefiting the environment as a whole," according to Jimmy Parrish of Defense Supply Center Richmond. If you have questions about the event, contact Jimmy Parrish at: (804) 279-6949. For more information about *Growing Native*, go to:

<http://www.potomac.org/growingnative/index.html>. To read about previous Growing Native events, please go to the [February newsletter](#) under "Spotlight On" for more information. [Table of Contents](#)



Dam Neck, NMITC Receive Environmental Awards

By JO3 Jennifer Watt

This year's Environmental Service Recognition Breakfast was held at the Galilee Episcopal Church Friday 3 Oct. The ceremony was to thank those who volunteered to help in programs such as Clean the Bay Day, Earth Day Celebration, Adopt-A-Program, and Litter Critters. NAS Oceana, Dam Neck Annex and the Navy and Marine Corps Intelligence Training (NMITC) accepted awards for their participation in those programs. The Virginia Beach Clean Community Commission is a mayor-appointed program

designed to undertake the task of promoting litter prevention, recycling, beautification and general environmental awareness through educational projects reaching out to all segments of the community. Mayor Meyera Oberndorf expressed her thanks by saying, "As long as we keep working together, we can get things done. Positive reaps positive. We have made conserving our environment a priority, and I believe a healthy environment equals a healthy lifestyle. Each one of us makes a

difference whether it is recycling or cleaning up litter. I am so thankful for each of you. Together you have helped create a beautiful place to live; I couldn't have done it without you." The 85 people that volunteered for Clean the Bay Day from Dam Neck last year were almost tripled as 268 Sailors and civilian personnel showed up to lend a hand

this year. More Sailors each year look forward to Clean the Bay Day as a fun way to help out the environment. To them, it is a chance to don their t-shirts and shorts for a change and enhance the scenery in Virginia Beach. Awards were as follows:

Certificate of Commendation

Navy and Marine Corps Intelligence Training Center for conducting seven to eight cleanups or donating over 150 hours during the fiscal year.

Award of Excellence

Navy and Marine Corps Intelligence Training Center for showing a level of commitment that went beyond normal expectations.

Helping Hands

Navy and Marine Corps Intelligence Training Center for assisting senior citizens and physically challenged individuals in the community who needed occasional help maintaining their property.

Military Partnership Award

NAS Oceana Dam Neck Annex for demonstration that in spite of the recent demands of their operational commitments that they continued to be committed to the preservation of the local environment. They have made significant contributions to the betterment of the community by encouraging their personnel to donate their time and expertise. [Table of Contents](#)



Photo by JCSN Amanda Robinson

From l-r, Virginia Beach Clean Community Commission Active Chair Daniel Baxter presented plaques to Assistant Officer in Charge Disaster Prep Dam Neck Annex BMCS(SW) Thomas Chapman, Dam Neck Annex Officer in Charge Lt. Cmdr. Alison Hernandez and NMITC Center Director of Training Lt. Cmdr. Heath Kemman.

GENERAL INTEREST

Eureka! I've Found It!

Are you looking for a reference to a requirement but just cannot find it? Navy directives originate from Federal, State, and local laws and regulations. Usually the reference you are looking for can be found in the "5090", that is the OPNAVINST 5090. An interactive version is now available on the Internet, which makes looking up specific requirements very easy. Click on anything in the Table of Contents, and you will be directed to the appropriate spot in the "5090". The following link will take you the OPNAVINST 5090:

<http://ned.s.nebt.daps.mil/Directives/5090/contents.pdf>

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Waste Management License Modified For U.S. Naval Ships In British Harbor

The U.K. Environment Agency 12 Nov established the conditions it will impose on the storage of U.S. naval

vessels in the United Kingdom to ensure no dismantling takes place there. Environment Agency Chief Executive Barbara Young said she was modifying the conditions of the waste management license held by Able U.K. in Hartlepool, where the two retired U.S. naval vessels, the Canisteo and the Caloosahatchee, will be stored. The Caloosahatchee and the Canisteo arrived in early November. The license modifications will mean that, as soon as the ships are received, no dismantling of them will be permitted. Young said the new conditions would remain in place "until the agency decides it appropriate to vary them in the future." More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/13/Nov03/22.doc.html> [Table of Contents](#)

TRUE CRIME STORIES

Firms To Pay New Jersey \$17 Million To Restore Damage To Natural Resources

Three large chemical corporations have agreed to pay the state of New Jersey \$17 million to restore natural resources at more than 180 sites damaged by waste from former chromium manufacturing operations. The settlement with Honeywell International Inc., PPG Industries, and Tierra Solutions Inc. will fund a series of restoration projects to be conducted by the state. This includes open space purchases to improve water quality in the state and wetlands restoration work at Liberty State Park in Jersey City, NJ, where some chromium contamination remains. New Jersey Governor James E. McGreevey said the settlement is the largest ever in New Jersey related to natural resource damages. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/14/Nov03/20.doc.html> [Table of Contents](#)

Dry Cleaning Waste Hauler Must Serve 37 Months & Pay \$1.29 Million

A partner in two hazardous waste handling firms has been sentenced to 37 months in prison and ordered to pay \$1.29 million in penalties for violating federal environmental laws. The U.S. District Court for the Central District of California sentenced Hormoz Pourat 3 Dec after the defendant pleaded guilty to conspiring to violate the Resource Conservation and Recovery Act and illegally

storing and transporting hazardous waste. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/05/Dec03/25.doc.html> [Table of Contents](#)

Shipping Firm To Pay Fine, Costs Associated With Unreported Oil Spill

Evergreen Marine Corp. will pay \$130,940 to settle a fine and reimburse the state for cleanup costs resulting from a March 2001 oil spill into the Columbia River. The spill of approximately 500 gallons of oily waste from the cargo ship Ever Group produced an oily sheen originally some 400 yards wide by half a mile long that drifted almost 38 miles downstream. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/14/Nov03/28.doc.html> [Table of Contents](#)

Operator Agrees To \$450,000 Fine For Allegedly Dumping Waste Oil At Sea

The operator of a bulk carrier ship agreed earlier this month to a \$450,000 fine for allegedly dumping waste oil at sea. Fairmont Shipping Ltd., the Vancouver-based operator of the Emerald Bulker, pleaded guilty to one criminal charge of violating the pollution control regulations of the Act to Prevent Pollution from Ships. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/19/Nov03/22.doc.html> [Table of Contents](#)

FEDERAL NEWS

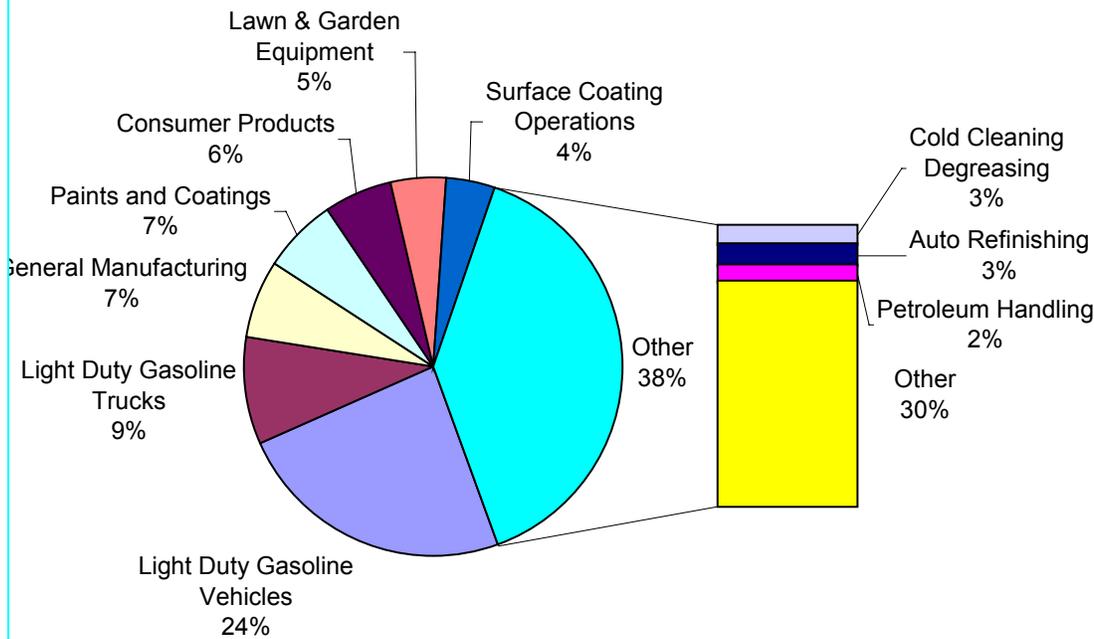
CAA

Choking On Air?ⁱ

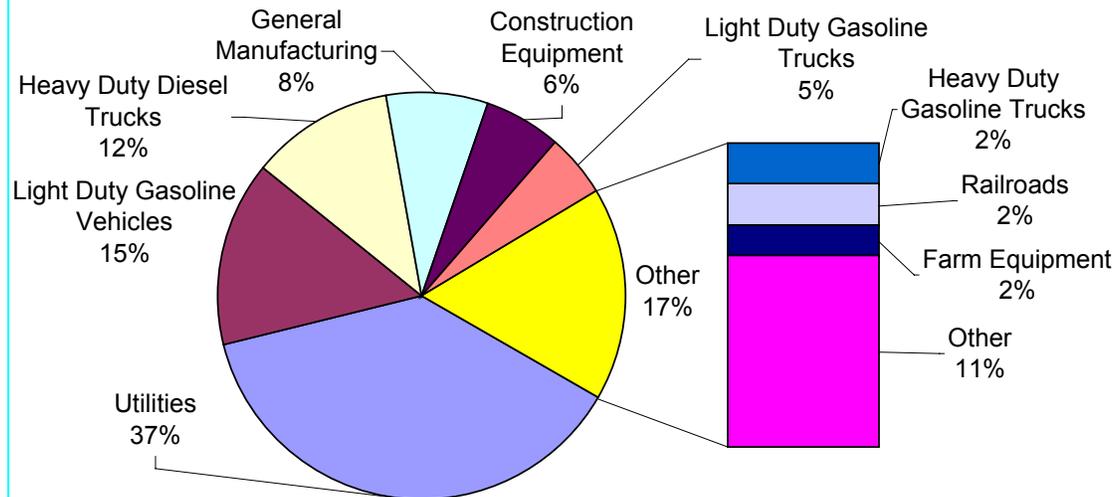
As discussed in our [July newsletter](#), two precursors to ground level ozone are VOCs and NOx; the others being heat and sunlight. Provided below are emissions for a

typical urban area. Click on the charts below for more information and definitions, courtesy of the Maryland Department of the Environment. [Table of Contents](#)

Top Ten Sources of VOCs in Baltimore, MD 1990



Top Ten Sources of NOx in Baltimore, MD 1990



EPA Agrees To Propose Regulations In 2004 To Control NOx In National Parks

The Environmental Protection Agency agreed 12 Nov to issue new regulations to control nitrogen oxide (NOx) emissions affecting national parks and wilderness areas. Under a settlement reached with Environmental Defense, EPA agreed to issue new regulations by 30 Sep 05, to strengthen control requirements for facilities that emit nitrogen oxides affecting the parks. The agency is required to propose the regulations by 30 Sep 04. The settlement must be opened to public comment and approved by the court before it becomes final. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/18Nov03/14.doc.html> [Table of Contents](#)

Regional Haze Regulationsⁱⁱ

EPA is releasing guidance documents that assists States in implementing regional haze regulations and explains how EPA intends to exercise its discretion in implementing Clean Air Act provisions and EPA regulations. The documents address the establishment of natural visibility conditions and the tracking of progress under the regional haze program. These documents are available at: <http://www.epa.gov/ttn/amtic/visinfo.html>.

More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-28649.pdf>

CERCLA

Court Will Allow Part Of McClellan RAB Case To Go Forward

A U.S. district court last month dismissed citizens' allegations that the Air Force violated the Administrative Procedure Act (APA) by disbanding the restoration advisory board (RAB) at a closing California Air Force Base without the consent of RAB members. However, at the same time, the court said a trial would be the only way to decide whether the military was discriminatory in choosing new representatives for a replacement RAB at McClellan Air Force Base. At issue in Delmar Callaway et

al. v. U.S. Department of the Air Force et al. was whether the Air Force violated the APA by not following DoD environmental guidance in dismissing the RAB, and then further breached the law by rejecting most of the same members when it formed a new RAB to monitor cleanup issues at the base. The U.S. District Court for the Eastern District of California in a 20 Oct decision denied both the plaintiffs' and defendants' motions for summary judgment. For more information, including the court decision, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/18Nov03/17.doc.html> [Table of Contents](#)

CULTURAL RESOURCES

Executive Order 13287 Implementation Guidance For Managers Of Historic Propertyⁱⁱⁱ

The Advisory Council on Historic Preservation (ACHP) has released advisory guidelines to assist Federal agencies that manage real property in preparing the assessments and reports outlined in Executive Order 13287 (Preserve America) of 3 Mar 03. The ACHP will use the agency's information to prepare its report for the President on the state of the Federal Government's historic properties and their contribution to local economic development. The

guidelines are available at: <http://www.achp.gov/PA-EOguidelines.pdf>. The Executive Order is available at: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-5344.pdf>.

More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2003/pdf/03-28882.pdf>.
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EMS

Fort Lewis EMS Manual Online

For those of you entrenched in the EMS battles, the Fort Lewis EMS Manual has been posted on DENIX. To view this document go to:

http://www.denix.osd.mil/denix/DOD/Library/EMS/Additional_Instructor_Materials/ft-lewis-ems-manual.doc. It is in

Word format, so cutting and pasting is certainly a viable option! For additional information such as significant aspects and scoring criteria go to:

https://www.denix.osd.mil/denix/DOD/Library/EMS/Additional_Instructor_Materials/materials.html

ENCROACHMENT

Florida, DoD Sign Agreement To Preserve Training Routes And Land

The Defense Department (DoD) has signed an agreement with the state of Florida and The Nature Conservancy (TNC) to preserve a 100-mile long corridor in the Florida panhandle connecting the Apalachicola National Forest and Eglin Air Force Base. A total of five military installations are located in the region, which TNC says is one of the nation's six "hotspots" for biological diversity. The agreement serves three functions: (1) Promote the sustainability of the military mission in northwest Florida to meet national defense testing, operational and training requirements; (2) Protect lands that will sustain the high biodiversity of the region, link protected natural areas, preserve water resources and provide recreation; and (3) Strengthen the regional economy by sustaining the mission capabilities of the military in the region and enhancing recreation and tourism." More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/18Nov03/03.doc.html> [Table of Contents](#)

California Voters Approve Limiting Land Use Changes Near Base^{iv}

Voters in Fairfield, CA, approved a ballot measure eliminating the city council's ability to change land use plans through 2020, in effect protecting nearby military lands from urban sprawl. Instead, any proposed changes to these policies will require voter approval. The initiative was aimed primarily at preventing urban development from encroaching on the military's ability to operate at nearby Travis Air Force Base. The National Governors' Association had highlighted the initiative as a "best practice" for dealing with encroachment, which the military says is anything that impedes its ability to train. The city's current land use plan, now essentially locked into place until 2020, limits residential development in areas affected by aircraft noise louder than 60 decibels. The ballot measure also reaffirms and readopts the city's Travis Reserve designation, which sets aside land around the base for its possible future expansion. [Table of Contents](#)

EPCRA

Agency Considering Ways To Reduce TRI Burden

The Environmental Protection Agency is considering several initiatives to reduce the time and cost burdens associated with annual reporting to the Toxics Release Inventory (TRI), including the creation of higher reporting thresholds for small businesses and allowing facilities to report no significant change in releases from year to year. The options are two of five outlined in a paper recently

released by the EPA that describes the burden reduction initiatives the agency is considering and seeks input from the public on their feasibility. The burden reduction paper is available at: http://www.epa.gov/tri/phase2/phase_2.htm. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/13Nov03/21.doc.html> [Table of Contents](#)

NATURAL RESOURCES

DoD Giving Priority To Natural Resources Management Plans

The Department of Defense (DoD) appears to be placing a priority on the development and implementation of military-written natural resources management plans which, under newly enacted legislation, can be used as substitutes for critical habitat designations if they meet Interior Department criteria. Congress recently granted the Defense Department new flexibility in applying its own integrated natural resources management plans (INRMPs) in place of Endangered Species Act-required critical habitat designations, provided the Interior Department (DOI) approves them. It is an "alternative means of compliance" that DoD believes will provide a conservation benefit to the species in question, according to Phil Grone, DoD's principal assistant deputy under secretary for installations and environment. This process is about collaborative

management for natural resources managers, looking at lands and threatened and endangered species and trying to manage them as a whole. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/02Dec03/23.doc.html> [Table of Contents](#)

Supreme Court Declines To Review Penalties For 'Isolated' Wetlands Discharge

The U.S. Supreme Court on 1 Dec declined to review whether the Clean Water Act grants jurisdiction to regulate wetlands that are not adjacent to open water. The Supreme Court's decision leaves intact a decision by the U.S. Court of Appeals for the Seventh Circuit that upheld a \$4 million fine against Rueth Development Company for failing to comply with a consent decree requiring the restoration of wetlands in Dyer, Indiana. Rueth Development Company

appealed the decision argued that the federal government lacked jurisdiction under the act to regulate the Dyer wetlands because they were not adjacent to waters that are navigable in fact and therefore should be considered isolated wetlands. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/03/Dec03/31.doc.html> [Table of Contents](#)

EAB Overturns Wetlands Enforcement Action, "Army Failed To Establish Jurisdiction"

The Environmental Appeals Board (EAB) for the Environmental Protection Agency ruled 28 Oct that the U.S. Army Corps of Engineers lacked jurisdiction under the Clean Water Act to issue an enforcement action against Bricks, Inc. The appeals board decision followed the U.S. Supreme Court decision in Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers, and overturned an October 2002 ruling by an administrative law judge (ALJ). The Supreme Court ruled

in SWANCC that in order for the Army Corps to assert jurisdiction over wetlands, the wetlands must have a "significant nexus" to navigable waters of the United States. The ALJ found that Bricks violated the act when it discharged pollutants into wetlands that the agency alleged were "navigable waters" without first obtaining a permit from the U.S. Army Corps of Engineers as required by the act. The ALJ based his decision on testimony from several witnesses that observed "fill material had been placed in a wetland area" at the company's site and assessed the company a fine of \$65,000. Unlike the ALJ, the appeals court considered the testimony of the witnesses in the case separately and agreed with Bricks' allegations that the Corps lacked jurisdiction over the site because the wetlands in this case are isolated, non-navigable waters. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/14/Nov03/21.doc.html> [Table of Contents](#)

NEPA

February Target Date Set For CEQ To Unveil Environmental Streamlining Moves

The White House Council on Environmental Quality expects to announce in February a plan for carrying out the recommendations of a task force that reviewed issues surrounding government agencies' implementation of the National Environmental Policy Act (NEPA). The objective is to make the act of NEPA implementation a more timely process. Experts taking part in CEQ roundtables are asked

to identify which of the more than 50 recommendations in the September task force report, Modernizing NEPA Implementation, should be implemented and their priority. A Future meeting is scheduled for 8-9 Jan near Dillon, CO. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/17/Nov03/27.doc.html> [Table of Contents](#)

POLLUTION PREVENTION

Commander, Navy Region Mid-Atlantic Is Recognized For Pollution Prevention Efforts

By John Ballinger, Public Work Center, Norfolk
The Environmental Protection Agency's Chesapeake Bay Program office awarded Commander, Navy Region Mid-Atlantic (CNRMA) the 2003 Businesses for the Bay Outstanding Achievement Award for a government facility. RDML Stephen Turcotte, DoD Regional Environmental Coordinator for EPA Region III, accepted the award. The Chesapeake Bay Program office recognized CNRMA for its contribution to the long-term improvement of the quality of the Chesapeake Bay and its rivers through widespread, voluntary implementation of pollution prevention practices throughout the Chesapeake Bay watershed. CNRMA is committed to implementing pollution prevention in their daily operations and reducing releases of chemical contaminants and other wastes to the Chesapeake Bay. Many of the Pollution Prevention (P2) program's accomplishments have been exported to other members of the community through the Virginia-DoD P2

Partnership, the Elizabeth River Project's River Stars program, and other venues. Environmental staff members routinely present case studies of new technologies or processes to technical conferences. The Hampton Roads area is also a popular spot for visitors from DoD, Congressional staffers, and Navy officials from other countries; P2 technologies are highlighted on those visits. [Table of Contents](#)

A. P. Hill Earns Award For Preventing Pollution^y

By Rusty Dennen, Fort A.P. Hill
Fort A.P. Hill was recognized for its pollution-prevention efforts. The Caroline County Army post was awarded the 2003 Businesses for the Bay Outstanding Achievement Award for a federal facility. Fort A.P. Hill received the award, given by the Environmental Protection Agency's Chesapeake Bay Program, earlier this month. Units on the post are encouraged to suggest pollution-prevention ideas, conserve resources, identify, and eliminate pollution sources. Before heading to the post for training,

Army units' representatives are briefed on local regulations and other environmental issues. Fort A.P. Hill also has an incentive program to reward those who go above and beyond their duties in protecting the environment. The post has representatives on both the York and Rappahannock river tributary committees, in a cooperative effort to improve water quality and protect plants and animals in local waters and the Chesapeake Bay. [Table of Contents](#)

National Pollution Prevention And Toxics Advisory Committee

EPA's National Pollution Prevention and Toxics Advisory Committee will meet 7-8 Jan 04 in Washington, DC. The

proposed agenda includes: High Production Volume Challenge Program, New Chemicals Program, Pollution Prevention, Risk Assessment, Risk Management, and Risk Communication. For more information, contact: Mary Hanley, EPA Office of Pollution Prevention and Toxics, Washington, DC, (202) 564-9891, npptac.oppt@epa.gov. The complete article is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/pdf/03-30048.pdf>
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RCRA

Proposed Relief For Solvent-Contaminated Industrial Wipes^{vi}

EPA is proposing relief from RCRA regulation for certain solvent-contaminated materials, such as reusable shop towels, rags, disposable wipes and paper towels. EPA is proposing a conditional exclusion from the definition of hazardous waste for disposable industrial wipes that are contaminated with hazardous solvents and are going to

disposal or combustion, and for reusable industrial shop towels and rags that are contaminated with hazardous solvents and are sent for laundering or dry cleaning. If you have questions or comments, email them to [Gary Koerber](#) by 11 Feb 04. [Table of Contents](#)

RECYCLING

Phone Portability Rule Hazardous To Waste Stream?

The Federal Communications Commission's (FCC) recently implemented local phone number portability rule could result in more hazardous materials entering the waste stream. Cell phones will be discarded at a predicted rate of 130 million per year by 2005, resulting in 65,000 tons of waste. This additional surge in cell phone waste is expected to follow the portability rule as millions of consumers change wireless services and discard their incompatible cell phones. On 24 Nov, the FCC announced that most consumers who seek to switch wireless providers or move from a local exchange carrier to a wireless carrier will be able to retain their existing telephone numbers. The EPA wants to encourage businesses and consumers to recycle their cell phones either by contacting local government officials for information on electronic waste pickups or contacting cell phone manufacturers or the stores where they purchased their phones to see if they can be recycled. To find more information on recycling your phone, go to:

<http://www.epa.gov/epaoswer/osw/conserves/plugin/index.htm>. The complete article is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/28Nov03/23.doc.html> [Table of Contents](#)

Survey Shows Recycling Rate Disparity Between Consumer Actions And Responses

Despite steadily declining aluminum can recycling rates, more than two-thirds of Americans report they are recycling aluminum cans, suggesting a disparity between their words and actions, according to an industry survey, [U.S. Omnibus Report: Attitudes of Americans Toward Recycling](#), released 10 Nov. About 70% of those surveyed said they recycle aluminum cans, always or often. The most recent industry data found that in 2002 the recycling rate for used aluminum cans was 53.4%, a significant drop from the 67% recycling rate reported in 1997. **Nearly half** of all recyclable aluminum, worth an estimated **\$800 million**, winds up in landfills. The survey is available at: <http://www.alcan.com>. More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/13Nov03/24.doc.html> [Table of Contents](#)

WATER

Small Systems Guide to Safe Drinking Water Act Regulations

The EPA Office of Water's Drinking Water Utilities Team recently published a booklet entitled "Small Systems Guide to Safe Drinking Water Act Regulations – The First STEP to Providing Safe and Reliable Drinking Water – One of the Simple Tools for Effective Performance (STEP) Guide Series". The booklet serves as a resource for small drinking water systems and others working with small systems. The guide provides general information about the various Safe Drinking Water Act regulations, how the regulations relate to each other, and how drinking water regulations fit into the multi barrier approach to drinking water protection. To access the booklet on-line, go to:

<http://www.epa.gov/safewater/smallsys/ssinfo.htm>
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Perchlorate Toxicological Review^{vii}

EPA has released a report summarizing a National Academy of Sciences peer review of EPA's "Draft Perchlorate Environmental Contamination: Toxicological Review And Risk Characterization." Generally the review panel was supportive of EPA's work, but the report concludes with a page-long list of recommendations for additional research covering a wide range of areas. Most reviewers were opposed to one of several uncertainty factors applied by EPA in calculating a proposed reference dose of 0.00003 mg/Kg/Day. Removal of this uncertainty factor for "database insufficiencies in immunotoxicity" would presumably increase the reference dose by a factor of three. The report is available at

<http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=51762>. More information is available at:

<http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=72117>
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State Funding Woes May Hinder EPA Watershed Permitting Approach

States, industry and publicly owned treatment works (POTWs) are worried that the current state budget crisis may prevent implementation of a recent EPA guidance promoting a watershed-based approach to discharge permitting. The concerns are being expressed in comments to EPA in response to the agency's draft watershed permitting guidance. Various states and POTWs say the guidance is a meaningless exercise unless states have the funding to implement a watershed-based permitting program. Numerous commenters also told EPA it should place greater emphasis on nonpoint source pollution control approaches in the guidance, in order to avoid putting an undue regulatory burden on point source dischargers. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/18Nov03/22.doc.html> [Table of Contents](#)

Long Term 2 Enhanced Surface Water Treatment Rule^{viii}

EPA has released draft guidance for implementing the Long Term 2 (LT2) Enhanced Surface Water Treatment Rule. If you have comments, send them to [Will Bullard](#) by 8 Apr 04. The Draft LT2 Implementation Guidance document is at:

http://www.epa.gov/safewater/lt2/pdfs/lt2eswtr_ig_11-11-03.pdf. The Draft LT2 Implementation Guidance - Appendices are at:

http://www.epa.gov/safewater/lt2/pdfs/lt2eswtr_ig_appendices_11-11-03.pdf. More information is available at:
http://www.epa.gov/safewater/lt2/pdfs/lt2eswtr_ig_11-11-03.pdf. [Table of Contents](#)

Stage 2 Disinfectants And Disinfection Byproducts Rule

EPA has released draft implementation guidance for the Stage 2 Disinfectants and Disinfection Byproducts Rule. If you have comments, send them to [Will Bullard](#) by 8 Apr 04. The Draft Stage 2 Implementation Guidance document is at:

http://www.epa.gov/safewater/stage2/pdfs/st2_dbpr_ig_11-11-03.pdf. The Draft Stage 2 Implementation Guidance - Appendices is at:

http://www.epa.gov/safewater/stage2/pdfs/st2_dbpr_ig_appendices_11-11-03.pdf. More information is available at:
http://www.epa.gov/safewater/stage2/pdfs/st2_dbpr_ig_11-11-03.pdf. [Table of Contents](#)

EPA Advances Plan To Evaluate State Clean Water Permitting

EPA has laid out detailed plans for its effort to improve clean water permitting by calling on states and regions to submit assessments of state permitting programs by January 2004, but state officials say they may have insufficient time to conduct thorough assessments. Under the Clean Water Act, states receive delegated authority from EPA to implement the National Pollutant Discharge Elimination System (NPDES) program. EPA regional offices oversee the delegated state programs, and implement the program for those states that do not have delegated authority. The first deadline under the system is for assessments of each state's NPDES permitting program to be submitted to EPA by 9 Jan 04. EPA regions are to submit assessments of their oversight of the NPDES program by 15 Feb 04. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/18Nov03/23.doc.html> [Table of Contents](#)

STATE NEWS



DELAWARE



Let's Talk Turkey

Wild turkeys are a species native to Delaware. In the early 1800s, the native population was wiped out due to unregulated hunting and habitat changes. The Delaware Department of Natural Resources and Environmental Control began restoring turkeys back into Delaware in 1984

with the donation of 34 turkeys from New Jersey, Pennsylvania, and Vermont. The turkeys were released in Sussex County at Milford Neck and Cypress Swamp near

Dagsboro. With careful management, Delaware's turkey population has since exploded to an estimated 4,000 birds. The restoration of the wild turkey is truly a modern success story. A great deal of the credit goes to the Delaware National Wild Turkey Federation members. For more information, go to:

<http://www.dnrec.state.de.us/dnrec2000/admin/press/story1.asp?PRID=1102> [Table of Contents](#)



DISTRICT OF COLUMBIA



Comments For Soil Quality Standards

The Department is proposing a new amendment, chapter 75, which will establish cleanup standards for contaminated properties that would allow a property to be used for residential or commercial and industrial purposes. The amendments consist of soil quality standards. The

proposed amendments include: (1) solid sampling and analysis; (2) soil quality and cleanup standards; (3) exposure pathways and routes; (4) nature and magnitude of contamination; (5) site information; (6) soil investigation; and others. The period for comments has been extended. Please send them to [Gary Koerber](#) by 17 Dec.



MARYLAND



Increased Regulations For Stationary Sources In The Washington, DC Area.^{ix}

The Maryland Department of the Environment adopted to bump up regulations for major stationary sources in the Washington, DC ozone nonattainment area to conform to federal requirements. This is because USEPA redesignated Washington, DC from serious to severe ozone nonattainment area. Therefore, requirements in the Washington area are identical to requirements in the Baltimore and Cecil County severe ozone nonattainment areas. The recent redesignation of the Washington, DC

ozone nonattainment area to "severe" requires a major source in the Washington area to be defined as a source having 25 tons or more per year of NOx or VOC, similar to the major source definition in the Baltimore and Cecil County severe nonattainment areas. This means that sources with total plant-wide NOx emissions of 25 tons or more per year will be subject to Reasonably Available Control Technology requirements. This action was submitted to the U.S. EPA as a revision to the State Implementation Plan. This action went into effect 24 Nov 03.



PENNSYLVANIA



Proposed TMDL For Neshaminy Creek

The REC Office submitted comments for a proposed TMDL by the Department of Environmental Protection for

Neshaminy Creek Watershed in Bucks and Montgomery Counties. These TMDLs were established to satisfy requirements of section 303(d) of the Federal Clean Water

Act. The state's 303(d) list of impaired waters includes several stream segments in this watershed caused by excessive nutrients and organic enrichment from point and nonpoint sources. The TMDL will impact Naval Air Station Joint Reserve Base, Willow Grove. If you have questions or concerns, contact [Will Bullard](#).

Pennsylvania Seeks \$13 Million In Penalties From Firm Charged With Polluting Ohio River

Pennsylvania environmental regulators are seeking \$13 million in civil penalties against the Neville Chemical Co.



VIRGINIA



Maryland Cannot Bar Virginia's Withdrawal Of Water From Potomac

The U.S. Supreme Court ruled 9 Dec Virginia has the right to withdraw water from the Potomac River and to build a 725-foot pipe extending into the river without interference from by Maryland. Exercising its original jurisdiction, the court upheld the right of Fairfax County, VA to erect a water-intake structure extending into the Potomac without obtaining a permit from Maryland. The river forms the southern border of Maryland and the northern border of

for alleged violations of state law in connection with groundwater contamination at the company's facility on Neville Island in the Ohio River. As a result of on-site disposal, leaks, and spills during the 70-year history of the Neville facility, groundwater under the site is polluted with oils containing hazardous substances such as benzene, naphthalene, and toluene. More information is available at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/07/Nov03/20.doc.html> [Table of Contents](#)

Virginia. The pipeline project is intended to improve water quality for Fairfax County residents, but Maryland opposed construction because it would increase urban sprawl in Virginia. The Maryland Department of the Environment rejected the requested permit in 1997. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/10/Dec03/26.doc.html> [Table of Contents](#)

CHESAPEAKE BAY PROGRAM

CBF Petitions EPA To Require Nitrogen Limits For Dischargers

The Chesapeake Bay Foundation (CBF) petitioned the Environmental Protection Agency 1 Dec to set nitrogen limits and require discharge permits containing nitrogen controls for sewage treatment plants and other industrial dischargers to the Chesapeake Bay. The petition states EPA should amend its secondary treatment standards

regulation to include an effluent limit of 3 mg/liter of total nitrogen for the bay and its tributaries. Imposing such a limit could reduce nitrogen loadings from publicly owned treatment works by 73 percent and help meet a goal set by states within the bay's watershed and EPA to restore the estuary by 2010. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/03/Dec03/25.doc.html> [Table of Contents](#)

ECO TIP OF THE MONTH

The following AUTOMOBILE TRIVIA was obtained from the Ohio Office of Pollution Prevention Website (<http://www.epa.state.oh.us/opp/consumer/carp2.html>).

- More than 80% of auto emissions come from less than 30% of the cars.
- Each year over 140 million gallons of [used motor oil](#) end up in our landfills.
- Clean out that trunk! You get four percent less gas mileage for every 100 pounds of excess cargo in your automobile, and that means increased air emissions.
- [Emissions](#) from the nation's nearly 200 million cars and trucks account for about half of all air pollution in the U.S. and more than 80 percent of air pollution in cities.
- America's cars are more efficient than ever, but our rate of fuel use continues to grow. Since 1980, the [miles-per-gallon rating of passenger cars](#) has improved 39 percent, yet fuel consumption is up 19 percent. A key reason: we are driving 50 percent more miles.
- Give your car a rest at the Daily Pie café in Pietown, NM. Say hi to Mike and Peggy. And since Pietown is on the Continental Divide, you'll

be able to coast to your next destination. Now that's fuel economy! [Table of Contents](#)

CONTINUING EDUCATION

CONFERENCES

Conference On Sustainable Range Management, 5-8 JAN 04, New Orleans, LA

Battelle is organizing the conference to provide a venue for exchange of information benefiting all stakeholders involved with range management issues. The conference will be at the Astor Crown Plaza, Alexa Hotel 5-8 Jan 04 in New Orleans, LA. The technical programs will involve urban growth and encroachment, management of airspace, noise abatement, air quality management, threatened and endangered species habitat protection, military munitions response program, and cleanup of munitions and explosives of concern. For further information, visit the conference website at: www.battelle.org/rangecon. [Table of Contents](#)

30th Environmental And Energy Symposium & Exhibition, 5-8 APR 04, San Diego, CA

The National Defense Industrial Association presents the 30th Environmental and Energy Symposium & Exhibition. The theme of this year's symposium is "DoD Transformation Leading Towards Results-Based Environmental And Energy Programs." The Manchester Grand Hyatt San Diego is the headquarter hotel for the symposium. For reservations, call (619) 232-1234. For more information on how your organization can increase it's exposure at this event, please contact [Sam Campagna](#) at (703) 247-2544. [Table of Contents](#)

TRAINING

Natural Resources Compliance Course, 27-30 JAN 04, 22-25 JUN 04, San Antonio, TX, Aberdeen, MD

This is an ISEERB - approved course. The course offers instruction in specific natural resources law, regulations, policies, Executive Orders, DOD instructions, and other guidance, noting Service-specific requirements. The course 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. For further information, visit <https://www.cecos.navy.mil>.

Introductory Health Risk Communication Workshop, 17-19 FEB 04, 15-17 JUN 04, Washington D.C, Edgewood, MD.

Hosted by USACHPPM, the workshop will provide the participant with a basic understanding of concepts, principles, and process of effective risk communication, including building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. For further information, contact Kita Perry, (410) 436-3515, e-mail: suaquita.perry@apg.amedd.army.mil, or visit the website at:

<http://chppm-www.apgea.army.mil/risk/> [Table of Contents](#)

Historic Preservation Law and Section 106 Compliance Course, 24-26 FEB 04, 20-22 APR 04, 20-22 JUL 04, Jacksonville, FL, San Antonio, TX, Annapolis, MD

The course emphasizes legal compliance (the National Historic Preservation Act Section 106 process) through the use of 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. This is an Inter-Service Environmental Education Review Board (ISEERB) - approved course. For further information, visit <https://www.cecos.navy.mil> [Table of Contents](#).

2nd Annual Environmental Training Symposium, 1-5 MAR 04 Kansas City, MO

Hosted by the US Army Engineer School, the symposium offers an excellent opportunity to train individuals at minimal cost. There is no charge for the training. Training topics include: (1) satellite accumulation point operator, (2) hazardous material handler; (3) HAZWOPER 8 hour refresher, (4) P2, and (5) spill prevention and response. For further information, contact James Flores, US Army, (573) 563-4124. [Table of Contents](#)

Introduction To Cultural Resource Management Laws and Regulations 16-18 MAR 04, 17-19 AUG 04, New Orleans, LA, Bangor, ME

This is an ISEERB - approved course. The course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. For further information, visit <https://www.cecos.navy.mil> [Table of Contents](#).

Qualified Recycling Program Course Multiple Dates/Multiple Locations

The course provides hands-on training on how to identify and market recyclable materials. The course is for any person or organization that generates recyclable materials,

is associated with an installation recycling program or DoD precious-metals recovery program, or works for a Defense Reutilization and Marketing Office (DRMO). For further information, visit the Environmental Management Department's course information website at:

<http://www.almc.army.mil/EMD/Page5.html>

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EPA Regions 1, 2, 3, & 5 Training Courses Multiple Dates/Multiple Locations

EPA Regions 1, 2, 3, & 5 continually offer training on a variety of subjects. For further information regarding the

types of courses, dates, and locations, visit EPA's training exchange website at: www.trainex.org. [Table of Contents](#)

FY04 Capital Hill Workshop, Washington DC

A 4-day workshop is being held in Washington DC. The workshop is Navy specific. It focuses on the current status and insider analysis of legislative issues of most interest and importance to officials of the Department of the Navy. The workshop, made possible by the Government Affairs Institute, is on multiple dates with a tuition cost of \$800. Dates, deadlines and details are available at <http://www.georgetown.edu/ssce/gai>. [Table of Contents](#)

MEET THE REC

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For old issues go to Denix or www.cnrma.navy.mil/rec.

i http://www.mde.state.md.us/Programs/AirPrograms/air_planning/index.asp

ii Weekly Federal Register Summary, Week Of 11/16/2003, Prepared By Naval Facilities Engineering Service Center

iii Weekly Federal Register Summary, Week Of 11/16/2003, Prepared By Naval Facilities Engineering Service Center

iv <https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/18Nov03/04.doc.html>

v <http://www.freelancestar.com/News/FLS/2003/102003/10312003/1132145>

vi Weekly Federal Register Summary, Week Of 11/16/2003, Prepared By Naval Facilities Engineering Service Center

vii Weekly Federal Register Summary, Week Of 11/9/2003, Prepared By Naval Facilities Engineering Service Center

viii Weekly Federal Register Summary, Week Of 11/16/2003, Prepared By Naval Facilities Engineering Service Center

ix Maryland Register, volume 30, issue 23, Week of 11/14/2003