

EPA REGION III
REC NEWSLETTER
JUNE 2003

COMMANDER NAVY REGION
MID ATLANTIC REGION



*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 email DODRECREGION3@comar.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](#)

SPOTLIGHT ON Defense Supply Center Philadelphiaⁱ

SECDEF Environmental Award, Honorable Mention

The Defense Logistics Agency (DLA) supplies the Nation's military services with critical resources needed to accomplish their worldwide missions. The Defense Supply Center Philadelphia (DSCP) is one of the DLA Lead Centers. Traditionally, a large quantity of the general and industrial items contained asbestos, an identified carcinogen, and issues were raised about the advisability of DLA processing and providing such material. DSCP accepted the challenge to provide its customers with items that are safe and meet mission specifications.

One of DSCP's customers, the Department of the Navy, has made a conscientious effort to eliminate asbestos from shipboard use. To assist the Navy, representatives from DSCP and Naval Sea Systems Command (NAVSEA) formed a partnership to explore the funding and testing of non-asbestos packing material. This effort developed into the NAVSEA Asbestos Elimination Program.

DSCP's second initiative was to establish the Asbestos Task Team. This team helps resolve asbestos issues surrounding Federal Supply Class 5330, Packing and Gaskets. The task team members were selected from all areas of supply chain management to ensure that all supply chain issues were identified. DSCP has made noteworthy efforts, in coordination with the Navy, to reduce the number of National Stock Numbers (NSNs) containing asbestos. As a result of the Asbestos Task Team's proactive efforts, a 50 % replacement rate for asbestos-containing material (ACM) items has been accomplished.

DSCP and the Navy have spent thousands of hours verifying asbestos versus non-asbestos products by testing military specification items and by letters sent to the original equipment manufacturers to identify non-asbestos replacements. However, there are still some items that have no replacements. If acquisitions are suspected of containing asbestos, a call is placed to the item suppliers, and they are required to advise DSCP if asbestos was used in the manufacturing of the product. If asbestos was used, then submission of Material Safety Data Sheets and attachment of a Hazardous Warning Label to the product are required.

DSCP's third effort is to help customers identify Asbestos Containing Material (ACM) parts and to determine if a non-ACM replacement part is available. DSCP has developed an asbestos database to assist in recording the NSNs that

have been identified. This database identifies ACM, and non-ACM NSNs and NSNs that have been cancelled without replacement. DSCP was contracted by the Navy to make this database available via the Navy Bulletin Board System. Any DLA customer can access the website at: http://206.38.38.10/misc/qbe.asp?dsn=asbestos&table=asbest_e

In summary, through DSCP's diligent work, most of their managed ACM items have been identified and Non-ACM replacements have been verified through testing and contact with the original equipment manufacturers. ACM items without replacements, due to their application, are still maintained, stocked, and carefully monitored. These items are stored at minimum levels. DSCP technical specialists, item managers, and contract specialists are all trained and aware of the importance of providing non-asbestos replacements for their customers. DSCP's relationship with the depots that store the asbestos items is one that promotes interaction of procedures and provides assistance. DSCP and the depots work together as a team committed to providing customers with an environmentally safe product of choice. For more information contact Joann Glasgow at: Joann.Glasgow@dla.mil [Table of Contents](#)



Typical Packing Material

GENERAL INTEREST

The REC Staff, They Are A'Changin'

Commander Michael Palmer, our former Regional Environmental Counsel, has departed for the bluer water of Hawaii. Mike will serve as Assistant Prosecutor for Trial Service Office, Pacific. Besides being an integral member of the REC team, during his tenure here Mike penned "The Chesapeake Bay Restoration Act: New Requirements for Federal Agencies" which was accepted for publication by the University of William and Mary Environmental Law and Policy Review. Mike was fond of saying that he could talk an hour on any subject, two if he knew anything about it. Mike will be missed but he sure as heck won't be forgotten. [Table of Contents](#)

Please join us in welcoming our new Regional Environmental Counsel, [LCDR Dominick Yacono](#). See "Meet The REC" for LCDR Yacono's biography.

We also have a new legislative analyst, Gene Beale. Gene has a degree in biology from Old Dominion University and has held a variety of positions ranging from Environmental Health Assistant to Aquarium Manager. One of Gene's primary duties will be to compile this newsletter, so if you have any complaints you know whom to call. © [Table of Contents](#)

Whitman Resigns As Administrator Of EPA

On 20 MAY 03, EPA Administrator Christie Whitman met with President Bush at the White House and tendered her resignation as Administrator of the U.S. Environmental Protection Agency, effective 27 JUN 03. The complete article may be found at:

http://www.epa.gov/newsroom/headline_052103.htm

College Students Use Alternative Fuel And Alternative Colors

A group of Vermont college students have embarked on a cross-country journey powered by vegetable oil. They converted their diesel engine bus to run on used vegetable oil from fast-food restaurants and cafeterias. Said one of the students, "It's a free reusable resource that was going to be thrown away". For the complete story, go to:

www.projectbiobus.com [Table of Contents](#)



EPA Plans To Promote Environmental Responsibility On TV

EPA is launching a first-of-its-kind program seeking to promote environmentally beneficial behavior on television shows in an effort to mimic the way private companies call attention to their products on TV and in films, agency sources say. The agency is negotiating voluntary agreements with TV producers to show actors on popular programs engaging in activities aimed at waste reduction, energy conservation and recycling. Examples of such activities include using cloth grocery bags and recycled products. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/CAR/05Jun03/12.doc.html> [Table of Contents](#)

TRUE CRIME STORIES

Former Manager Of Tyco Treatment Plant Pleads Guilty

BOSTON--A Connecticut man pleaded guilty in federal court 19 MAY 03 to a felony charge of violating the Clean Water Act while working as a wastewater treatment department supervisor at a factory owned by a subsidiary of Tyco International (United States v. Smith, D. Conn., No. 3:03-CR-139, 19/5/03). Robert Joseph Smith of Enfield, Conn., said in U.S. District Court for the District of Connecticut that in FEB 00 he assisted in the falsification of reports submitted to the state Department of Environmental Protection while employed at a factory owned by Tyco

Printed Circuit Group in Manchester, Conn. According to federal prosecutors, Smith engaged in a scheme in which he failed to report to the DEP samples of wastewater discharges that exceeded permit levels for copper. Prosecutors explained that Smith engaged in this process on several occasions in order to avoid disclosing violations of the company's discharge permit. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/21May03/21.doc.html> [Table of Contents](#)

Alaska Pipeline Shooter Gets 16 Years In Prison

The man convicted of shooting a hole in the trans-Alaska pipeline in 2001 and causing a 285,000-gallon spill was sentenced 6 JUN 03 in Fairbanks to serve 16 years in prison, plus an additional five years of probation (Alaska v. Lewis, Alaska Super. Ct., No. 4FA-S01-3111-CR, 6/6/03). State District Court Judge Jane Kauvar imposed the sentence on Daniel Lewis, who was found guilty 6 DEC 02 of all five state charges that he faced in connection with the 4 OCT 01, pipeline shooting. After a three-week trial, a jury convicted him of criminal mischief, assault, drunk driving, oil pollution, and misconduct involving a weapon (238 DEN A-2, 12/11/02). For the complete article, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/11Jun03/27.doc.html> [Table of Contents](#)

Oil Refining Firm Owner Sentenced To Prison

RALEIGH, N.C.--The owner of a North Carolina oil refining company was sentenced to two years in prison and

fined \$50,000 on 2 JUN 03 after pleading guilty to illegally discharging oil into the Cape Fear River and violating provisions of the tax code In addition to the fine and jail time, Andrew Jackson Simmons Jr., president and owner of Leland-based High Rise Services Co., was sentenced to a supervised release term of three years and was ordered to pay the costs of prosecution on the tax charges, the Justice Department said. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/03Jun03/26.doc.html> [Table of Contents](#)

FEDERAL NEWS

CAA

Proposal Would Offer Exemptions In Exchange For Pollution Prevention Actions

Facilities that emit hazardous air pollutants would be able to comply with emissions standards through pollution prevention measures rather than emissions controls under an Environmental Protection Agency rule proposed 15 MAY 03. The proposal would allow facilities that eliminate all hazardous air pollutant (HAP) emissions through pollutant prevention techniques, such as installation of more efficient manufacturing equipment or switching to low-emission raw materials, to request that they no longer be covered by the emissions standards that apply to their industries. Under a second option, if a facility uses pollution prevention to reduce emissions to a level at or below what is required under national emissions standards for hazardous air pollutants (NESHAPs), the company could apply for "alternative compliance requirements" that would allow it to demonstrate compliance through monitoring, recordkeeping, reporting or other measures. For more information go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/15May03/19.doc.html> [Table of Contents](#)

Implementation of the 8-Hour Ozone NAAQSⁱⁱ

EPA has published a proposed rule that outlines steps that nonattainment areas will have to take to meet the national health-based 8-hour ozone standard. The proposal seeks comment on options for: planning requirements, control requirements, and options for making the transition from the 1-hour ozone standard to the more protective 8-hour standard. Comments are due 01 AUG 03. The REC is

accepting comments for consolidations until 24 JUL 03. Please submit them to [Gary Koerber](#). For more information, go to:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-13254.pdf> [Table of Contents](#)

NESHAPS For Source Categoriesⁱⁱⁱ

EPA is proposing to amend the NESHAP General Provisions, subpart A, that would provide regulatory relief to facilities that use pollution prevention (P2) to achieve and maintain hazardous air pollutant (HAP) emissions reductions equivalent to or better than the maximum achievable control technology (MACT) level of control required under applicable NESHAP. Comments are due 14 JUL 03. For complete text, go to:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-12180.pdf>

Proposed Nonroad Diesel Engines And Fuel Standards^{iv}

EPA has published proposed nonroad diesel engine and fuel standards (68 FR 28327). Nonroad diesel fuel currently has sulfur levels of about 3,400 parts per million (ppm) on average. This proposal would reduce the sulfur levels to 500 ppm in 2007 and 15-ppm in 2010. The 500 ppm sulfur fuel standard will provide an immediate emission reductions from the existing diesel vehicle fleet. The 15 ppm sulfur fuel standard will allow for implementation of aftergas treatment systems to reduce PM and NOx emissions. Comments are due 20 AUG 2003. Complete text can be found at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-9737.pdf>

NESHAP: Surface Coating Of Metal Furniture^v

EPA is finalizing national emission standards for hazardous air pollutants (NESHAP) for new and existing metal furniture surface coating operations located at major sources of hazardous air pollutant (HAP) emissions (68 FR 28605). **The final rule for metal furniture includes an exemption for military coatings. Coatings used on military items will be grouped into a new source category for specialized military coatings.** For more information, go to:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-5623.pdf>

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Air Toxics Emissions Limits Apply Only To New Engine Testing Sites

More than 1,000 existing facilities that test engines for stationary and automotive use will be unaffected by hazardous air pollutant emissions limits being published Tuesday by EPA in a final rule under the Clean Air Act. Instead, the emissions limits will apply to an estimated 18 facilities that will construct new engine testing stands over the next five years and are located at a major source of hazardous air pollutants. The rule is effective immediately upon publication. More information can be found at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/27May03/32.doc.html> [Table of Contents](#)

Rule On Stationary Gas Turbines Withdrawn

EPA withdraws a direct final rule to amend new source performance standards for stationary gas turbines to codify modern emissions testing and monitoring procedures and to harmonize the standards with continuous emissions monitoring provisions in the Acid Rain Program. Along with the withdrawal, EPA proposes extending the public comment period on the rule. After the agency published the direct final rule in April, it received adverse public comment, prompting it to withdraw the rule and to continue proceeding on the amendments under a proposed rule. Stationary gas turbines use natural gas to generate electricity or to power industrial machinery. More information can be found at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/28May03/25.doc.html> [Table of Contents](#)

Control Technology Determinations For Major Sources^{vi}

EPA is adopting amendments to the general provisions for national emission standards for hazardous air pollutants

(NESHAP). Regulatory changes include: 1) changes requirements for startup, shutdown, and malfunction plans, 2) changes related to Section 112(j)(NESHAP Permit Hammer) Part 1 and Part 2 application schedules, changes to requests for applicability determinations, and changes the content of Part 2 Applications. For the complete article, go to:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-5738.pdf>

NESHAP: Printing, Coating, And Dyeing Of Fabrics And Other Textiles^{vii}

EPA has finalized national emission standards for hazardous air pollutants (NESHAP) for existing and new fabric and other textile coating, printing, slashing, dyeing, and finishing operations. The coating and printing subcategory includes any operation that coats or prints fabric or other textiles. More information can be found at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-5738.pdf>

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NESHAPs: Engine Test Cells/Stands^{viii}

EPA has published national emission standards for hazardous air pollutants (NESHAP) for engine test cells/stands. The final rule covers four subcategories of engine test cells/stands used for testing 1) internal combustion engines with rated power of 25 hp (19 kW) or more, 2) internal combustion engines with rated power of less than 25 hp, 3) combustion turbine engines, and 4) testing rocket engines. Complete text can be found at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-5521.pdf>

EPA Publishes Final Rule Setting Deadlines For Toxics Permit Applications^{ix}

The Environmental Protection Agency published a final rule 30 MAY 03 setting deadlines for thousands of industrial facilities to submit applications for individual determinations of hazardous air pollutant emissions limits over the next 30 months (68 Fed. Reg. 32,585). The rule affects more than 40 source categories of air toxics, but the deadlines would apply only if EPA fails to complete final action setting national emissions standards for hazardous air pollutants (NESHAPs) at least 60 days before a source category's deadline for individual determinations. For complete article, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/02Jun03/22.doc.html> [Table of Contents](#)

CERCLA

Massachusetts Issues Notice To Military After Perchlorate Detected In Well

In the wake of the discovery of perchlorate in a private water supply well adjacent to the Massachusetts Military Reservation on Cape Cod, state environmental officials call on the federal government to submit a plan to address the release of the substance. The Massachusetts Department of Environmental Protection tells the U.S. Army Environmental Center located at Camp Edwards on the military reservation that it believes the center is the potentially responsible party for the release. Perchlorate is becoming an important area of concern across the country. If perchlorate is becoming an issue at your installation, please contact the REC at [DOD REC Region III](#) for a coordinated response. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/23May03/19.doc.html> [Table of Contents](#)

EPA Database To Help Citizens Measure Pace Of Site Cleanups

EPA is developing a new database to help communities determine the pace of cleanup at nearby Superfund sites as they compare to other sites in their region with an eye toward eventually using the information to set new national cleanup performance measures for Superfund cleanups, an agency source says. Industry sources and environmentalists are applauding the move for giving citizens the information they need to push for additional funds and personnel at adjacent sites. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/PAL/28May03/13.doc.html> [Table of Contents](#)

EPA Approves Export Of Obsolete Military Ships For Dismantling

Under a one-time exemption from requirements of the Toxics Substances Control Act, the U.S. Maritime Administration will export to the United Kingdom 13 obsolete ships containing hazardous materials for dismantling and recycling, according to the Environmental Protection Agency. The ships contain millions of gallons of fuel, as well as oil, asbestos, lead, and other toxic substances such as polychlorinated biphenyls. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/02Jun03/21.doc.html> [Table of Contents](#)

Maryland Citizens Threaten Suit Over Withheld Superfund Data

A Maryland citizens group is threatening to sue the Army and other federal agencies for allegedly violating public participation requirements under the Superfund law, without legitimately following procedures for a national security exemption from such requirements. Based on the censored information it was given, the group says it cannot "reasonably evaluate" conclusions the Army makes in the second phase of a remedial investigation it has done at Aberdeen Proving Ground. The Aberdeen Proving Ground Superfund Citizens Coalition on 19 MAY 03 filed a 60-day notice of intent to sue the federal government for allegedly violating the Comprehensive Environmental Response, Compensation & Liability Act (CERCLA). For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/03Jun03/05.doc.html> [Table of Contents](#)

NATURAL RESOURCES

Interior Department Issues First Guidance For Habitat Protection

The Department of the Interior is hoping new guidelines establishing Endangered Species Act conservation banks will result in the protection of larger tracts of land inhabited by listed plants and animals. The guidelines are similar to wetland mitigation banks authorized under Section 404 of the Clean Water Act. The Fish and Wildlife Service will allow developers, state and local governments, private landowners, and others to create conservation banks to preserve or enhance species habitats. Information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/29May03/17.doc.html> [Table of Contents](#)

Falcon Cam

Atop the Rachel Carson office building in Harrisburg, PA, peregrine falcon nestlings have increased their species' numbers. Four eggs hatched from Sunday May fourth to May sixth. The nestlings will grow at an extraordinary rate and the adults will hunt continuously as the nestlings grow and develop. The peregrine nestlings were banded on Tuesday, 03 JUN 03. Scientists will be able to study the falcons as they migrate, pair with other peregrines and set up breeding territory. The falcon's progress can be

monitored at: <http://www.dep.state.pa.us/dep/falcon/>. For more information on the banding, go to:

<http://www.dep.state.pa.us/newsreleases/default.asp?ID=2363> [Table of Contents](#)



TANKS

Draft UST Workbook Available For Comment

EPA is requesting comments on its draft Environmental Results Program workbook for underground storage tank owners and operators. The workbook is a tool to educate owners and operators about their underground storage tank (UST) responsibilities and help them determine their compliance with the federal UST regulations. The workbook is approximately 160 pages and includes requirements, best management practices, and compliance checklists for USTs, along with example forms for keeping records. All interested parties are welcome to provide EPA with comments and suggestions to make this book

complete, accurate, and easy for owners and operators to understand. EPA will accept comments until 03 JUL 2003. After reviewing all comments EPA receives about the workbook, we expect to have the final version of the workbook available by the fall of 2003. [Click here to view or download the brochure entitled: "Environmental Results Program for Underground Storage Tanks"](#). For a copy of the workbook contact [Paul Miller](#) of EPA at (703)-603-7165. If you are interested in commenting on the draft workbook, contact [Gary Koerber](#) no later than 30 JUN 03.

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WATER

Metal Products And Machinery*

EPA is publishing final regulations establishing Clean Water Act (CWA) technology-based effluent limitations guidelines for the metal products and machinery (MP&M) point source category. This point source category includes facilities that manufacturer, rebuild, or maintain metal products, parts, or machines. The rule applies only to facilities that directly discharge wastewaters from oily operations in the Oily Waste Subcategory. This regulation

shall become effective 12 JUN 2003. Complete text can be found at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2003/pdf/03-4258.pdf>

EPA To Produce Guidance On Pesticides

Environmental Protection Agency officials plan to produce guidance by the end of 2003 to clarify when or if pesticide applications require a permit under the Clean Water Act, an

EPA Office of Pesticide Programs official said 28 APR 03. Multiple legal cases have challenged the use of pesticides near or in waters to control mosquitoes without a National Pollutant Discharge Elimination System permit under the Clean Water Act. The challenges arose after localities

began to apply pesticides to control mosquitoes and the West Nile virus. More information can be found at: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/01May03/24.doc.html> [Table of Contents](#)

STATE NEWS

DELAWARE

EPA Orders Cleanup At Delaware Refinery

The Environmental Protection Agency has ordered Motiva Enterprises LLC to take immediate actions to protect public health and the environment from chemical spills at the company's refinery in Delaware City, Del. The 28 MAY 03 order comes on the heels of a release of several thousand gallons of sulfuric acid and hydrocarbons caused by

overpressurization of a sulfuric acid storage tank at the Motiva facility, EPA said in a news release. For the complete article, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/06Jun03/25.doc.html> [Table of Contents](#)

MARYLAND

Governor Signs Bill To Raise Fines For Water Pollution Violations

Governor Ehrlich signed legislation that increases potential penalties for certain water pollution violations and a bill that amends the state's brownfields restoration statute. Ehrlich also agreed to continue an existing Commission on Environmental Justice and Sustainable Communities and directs the panel to report findings and recommendations annually. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/28May03/27.doc.html> [Table of Contents](#)

Multiple Counties Authorized To Designate Priority Funding Area

Governor Ehrlich signed legislation that authorizes the governing bodies of two or more counties to appoint a priority funding area under the state Smart Growth law. The law authorizes a state-funding agency to give priority consideration to funding a project in a priority funding area designated by two or more counties. It also requires that the area designated be located in part of each of the designated counties. This bill goes well with the Chesapeake Bay Program's sound land use/sustainable design and development goals. For the complete bill, go to: <http://mlis.state.md.us/2003rs/bills/hb/hb0256f.rtf>

Hybrid Vehicles Excluded From Emissions Inspection Requirements

Governor Ehrlich signed into legislation a bill exempting certain qualified vehicles from motor vehicle emissions inspections obligations under certain conditions. This bill supports the Chesapeake Bay Program by indirectly supporting the use of hybrid vehicles and therefore reducing

nitrogen loading by way of atmospheric deposition. More information can be found at:

<http://mlis.state.md.us/2003rs/bills/hb/hb0061f.rtf> [Table of Contents](#)

Maryland Military Strategic Planning Council Established

Governor Ehrlich signed a bill that established the Maryland Military Strategic Planning Council. This legislation provides for the membership, purposes, and staffing of the Council. Maryland plays an important role in our nation's defense through its many defense laboratories, private sector companies, and military installations. Those military installations will be scrutinized as part of the United States Department of Defense's Efficient Facilities Initiative. This initiative is a review process that is expected to close up to 25% of the existing military bases in the United States. This legislation can be helpful, as other states have used these councils for developing zoning legislation helpful to the bases. For more information, go to:

<http://mlis.state.md.us/2003rs/bills/hb/hb0888t.rtf>

Invasive Species Take Direct Hit From Governor

Governor Ehrlich signed a bill authorizing the Secretary of Natural Resources to adopt regulations to prohibit the possession, importation, or introduction of nonnative aquatic organisms. The bill authorizes the Department of Natural Resources to enter and inspect specified property to confiscate and dispose of nuisance organisms. This legislation directly supports the Chesapeake Bay Program's goals of protecting preserving native living resources and habitat. The complete bill can be viewed at:

<http://mlis.state.md.us/2003rs/bills/sb/sb0287t.rtf>

PENNSYLVANIA

Senate Confirms McGinty As Secretary Of DEP

The Pennsylvania Senate today confirmed Kathleen A. McGinty as Secretary of the Department of Environmental Protection. She is the first woman ever to hold the state's top environmental post. "Secretary McGinty has the creativity, drive and spirit to reinvent environmental regulation and build with the people of Pennsylvania a very bright and promising future," Governor Edward G. Rendell said. "With her experience at the federal level and in the private sector, we have someone who not only has a realistic view of what needs to be done and but also knows how to do it." For the complete article, go to:

<http://www.dep.state.pa.us/newsreleases/default.asp?ID=2364> [Table of Contents](#)

State Adopts New Exhaust Emission Standards

The Department of Transportation adopted amendments to Chapter 177, relating to emission inspection program, by adding provisions to include alternative final exhaust emission standards recently developed by the EPA. The alternative exhaust emission standards were generated in response to evaluations of the original final exhaust emission standards that suggested application of the original exhaust emission standards would result in false failures. The regulation went into effect 24 MAY 03. For the complete regulation, go to:

<http://www.pabulletin.com/secure/data/vol33/33-21/981.html> [Table of Contents](#)

VIRGINIA

Governor Establishes Commission On Base Retention

Governor Mark Warner today named two prominent leaders of U.S. defense policy to co-chair the commission that will spearhead the state's efforts to protect its military installations during the upcoming round of the Base Realignment and Closure (BRAC), which is currently set for 2005. The co-chairmen named by the Governor are former Virginia Congressman Owen Pickett (D-Va.) and former Under-Secretary of the Army Joe Reeder. The co-chairmen will lead a larger commission that will eventually include up to 25 members. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/06Jun03/28.doc.html> [Table of Contents](#)

Solid Waste Management Facility Permit Application Fees.

Governor Warner passed House Bill 1257, amending regulation 9 VAC 20-90. The regulation allows the Virginia Waste Management Board's Solid Waste Management Facility to: (1) increase fees up to 300% of the existing fee; and (2) establish a fee schedule sufficient to cover up to 20% of the direct cost of the hazardous and solid waste management programs based on allocations made to these programs in the 2002 Appropriation Act. The effective date is 01 JUL 03. For more information, go to:

<http://legis.state.va.us/codecomm/register/vol19/iss18/v19i18.pdf> page 2672. [Table of Contents](#)

Amendments For Permits And Applications Passed.

Governor Warner approved an emergency regulatory action revising the maximum allowable fees in 9 VAC 25-20 to reflect the revisions in § 62.1-44.15:6 of the Code of Virginia. An emergency regulation is necessary because the Acts of Assembly require the State Water Control Board to promulgate regulations to implement the provisions of the act to be effective within 280 days of its

enactment. The fees specified in 9 VAC 25-20-110, 9 VAC 25-20-120, and 9 VAC 25-20-130 are multiplied by a factor of three, or increased to the maximum amounts specified in § 62.1-44.15:6 B of the Code of Virginia, whichever is lower. This will have a minor impact on DoD as budgets will have to be adjusted for higher fees. The effective date is 01 JUL 03. For complete article, go to:

<http://legis.state.va.us/codecomm/register/vol19/iss18/v19i18.pdf> page 2680. [Table of Contents](#)

Amendment To Hazardous And Solid Waste Fee Regulations Passed

A VA Waste Management Board final regulation was passed by Governor Warner and published 19 MAY 03. This amends current hazardous and solid waste fee regulations. The individual permit fees may not increase more than 300 percent. Under this regulation, each permit fee is multiplied by three in order to establish the new permit fee. The regulation assures that adequate funds are available to allow the continuation of permitting activities and ensures the protection of human health and the environment. The effective date is 01 JUL 03. For more information, go to:

<http://legis.state.va.us/codecomm/register/vol19/iss18/v19i18.pdf> pages 2664 and 2672. [Table of Contents](#)

Regulations For The Control Of Motor Vehicle Emissions

The Department of Environmental Quality is amending the regulation for the control of motor vehicle emissions in Northern Virginia concerning high emitting vehicles identified by remote sensing. The proposed amendments would (1) revise the existing provisions affecting the on-road testing (remote sensing) of emission from motor vehicles located in or primarily operated in Northern Virginia, including out of area commuters, and the

subsequent testing of those motor vehicles; and (2) establish a program to subsidize repair costs of some vehicles identified by remote sensing. A public meeting will be held 02 JUL 03 to receive comments on the notice of intent to

amend the regulation. The public comment period is 02 JUN 03 to 03 JUL 03. For more information, go to: <http://legis.state.va.us/codecomm/register/vol19/iss19/v19i19.pdf> page 2785. [Table of Contents](#)

WEST VIRGINIA

Public Hearing For Water Quality Standards

The State Environmental Quality Board will hold a public hearing on revisions to state water quality standards 18 JUN 03. The hearing will be held at the board offices located at 1615 Washington Street, East, in Charleston. The hearing will begin at 7 p.m. in the second floor hearing room. Citizens will have the opportunity to comment on the EQB's triennial review of West Virginia's water quality standards. Copies of the proposal can also be obtained by contacting the EQB at 1615 Washington Street East, Suite

301, Charleston, W.Va. 25311-2126. Requests can also be made by phone at (304) 558-4002, (800) 480-4598, by fax at (304) 558-4116, or by e-mail at clerk@aqbeqb.state.wv.us. The proposed rule is available online at <http://www.state.wv.us/eqb/statutes.asp>. The deadline to submit comments to the state is 23 JUN 03. The REC is accepting comments and concerns through 20 JUN 03. Send them to [DOD REC Region III](#). [Table of Contents](#)

CHESAPEAKE BAY PROGRAM

Decline In Bay Pollution Attributed To New Technology^{xi}

The use of nutrient reduction technology (NRT) by wastewater treatment facilities has resulted in the treatment of a higher percentage of municipal wastewater flow into the Chesapeake Bay. As of April, 91 wastewater treatment facilities in the watershed used NRT and 55 percent of the municipal wastewater flow to the Bay was being treated. Plans are in place to have NRT at 136 facilities by 2005 (an increase of 68 percent) and 159 facilities by 2010 (an increase of 81 percent). The updated indicators can be viewed at the Chesapeake Bay Program web site: <http://www.chesapeakebay.net/status.cfm?SID=139>

Virginia Announces Plan For Clean Up Of Chesapeake Bay

Along with four other states, Virginia, under a new cleanup plan that could cost the state billions, is moving to improve the Chesapeake Bay's 64,000 square-mile watershed before a 2010 deadline imposed by the Environmental Protection Agency. In an announcement 28 MAY 03, Virginia Secretary of Natural Resources W. Tayloe Murphy Jr. announced a new proposal containing individual cleanup goals for the state's five major tributaries of the bay--the Potomac, the Shenandoah, the Rappahannock, the York, and the James rivers. For the complete article, go to: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/06Jun03/28.doc.html> [Table of Contents](#)

PERSONAL DEVELOPMENT

CONFERENCES

CNO P2, Clean Air And Clean Water Conferences Canceled

CNO (N45) will not be holding its annual P2, Clean Air and Clean Water conferences in FY03 due to funding limitations. If you want to attend a P2 Conference for this year, consider attending the 8th Annual Joint Services Pollution Prevention Conference & Exhibition which will be held 11-14 AUG 03 in San Antonio, TX. Conference details, hotel information, and registration can be found at the conference web site:

<http://www.p2hwmconference.com> [Table of Contents](#)

Invasive Species Advisory Committee, 24-25 JUN 03, Chicago, IL

The Invasive Species Advisory Committee will meet 24 - 25 JUN 03, in Chicago, IL to discuss implementation of action items outlined in the National Invasive Species Management Plan. The National Invasive Species Management Plan, finalized on 18 JAN 01, is available at: <http://www.invasivespecies.gov/council/nmp.shtml>. For further information contact: Kelsey Pass [acute], National Invasive Species Council Program Analyst; Phone: (202) 513-7243; Fax: (202) 371-1751. [Table of Contents](#)

Resource Conservation And Recovery Act National Meeting, 12-15 AUG 03, Washington, DC

The meeting is being cosponsored by EPA, the Air & Waste Management Association, the Solid Waste Association of North America, the International City/County Management Association and the Association of State and Territorial Solid Waste Management Officials as well as state governments and tribes. This year's meeting focuses on the Resource Conservation Challenge; a major national effort to conserve natural resources through waste reduction and energy recovery programs. A registration fee applies (\$295 for federal employees). Registration and meeting details are available at:

<http://www.epa.gov/osw/meeting/>. The agenda and listing of all presentations is available at: <http://www.epa.gov/epaoswer/osw/meeting/pdf02/agenda.pdf>. [Table of Contents](#)

Region 3 EPA/State/DoD Environmental Colloquium 9-11 SEP 03, Williamsburg, VA

The Colloquium is scheduled for 9-11 SEP 03. It will be held at the Williamsburg Marriott Hotel, Williamsburg, Virginia from. For further information, contact the DoN Regional Environmental Coordinator's Office, (757) 445-8899, DSN 565, e-mail: dodrecregion3@cmar.navy.mil

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Emergency Preparedness And Prevention Conference 16-19 NOV 03, Norfolk, VA

The U.S. EPA Region III Emergency Preparedness and Prevention Conference will be held 16-19 NOV 2003 in Norfolk, VA. For more information, go to:

www.2003conference.org or call the Conference hotline at 1-800-364-7974. [Table of Contents](#)

TRAINING

USEPA EMS Workshop 5-7 AUG Kansas City, KS

USEPA Regions 5 and 7 are hosting, "Designing Your EMS: A Federal Facilities Workshop." The workshop is appropriate for federal facility environmental managers and staff who have responsibilities for implementing Executive Order 13148. Topics covered include the basic elements of an EMS and the steps required to implement an EMS. For further information, contact Diana Jackson, USEPA Region 7 Federal Facilities Manager, (913) 551-7744, e-mail: jackson.diana@epa.gov. [Table of Contents](#)

DSMOA Training Multiple Dates/Multiple Locations

DOD is hosting a series of 12 DOD/State Memorandum of Agreement (DSMOA) training workshops to be held at various locations across the country. The training will focus on teaching a standardized approach to the six-step cooperative agreement process and promoting a productive dialogue between members of the DSMOA program. Both state and DOD DSMOA personnel are encouraged to attend. Please visit the website at:

<https://www.denix.osd.mil/denix/State/state.html> to determine the date and location of the session in which your state is participating. It is important that DSMOA personnel attend the training workshop identified for their state. The website should also be used to register and obtain agenda and hotel information. [Table of Contents](#)

Hazardous Substance Incident Response Management (HSIRM) Refresher

The NAVOSHENVTRACEN is offering three classes at Norfolk Naval Base to provide personnel with annual refresher training necessary to respond safely and effectively to releases of, or substantial threats of releases of, hazardous substances. For more information, go to:

<http://www.norva.navy.mil/navosh/coinfo.htm>

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> [Table of Contents](#)

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

USEPA 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 USEPA's training exchange website at: www.trainex.org. [Table of Contents](#)

MEET THE REC

REC Welcomes LCDR Dominick Yacono as REC Counsel

Lieutenant Commander Dominick Yacono, Judge Advocate General's Corps, U.S. Navy, was born in Brooklyn, New York, and is a native New Yorker. LCDR Yacono received his Bachelor of Arts (cum laude) in Economics, History, and International Relations from The American University, Washington, D.C. in May 1984. He continued his graduate school studies at Michigan State University, East Lansing, MI, and received a Masters Degree in Labor and Industrial Relations in December 1985. LCDR Yacono attended The Ohio State University, College of Law, Columbus, Ohio, and was awarded his Juris Doctor degree in May 1989. In 2000-2001, LCDR Yacono attended George Washington University Law School, Washington, D.C, and completed course studies for the Environmental Law L.L.M. program

LCDR Yacono was commissioned an Ensign in the Judge Advocate General's Corps Student Program in 1986. Between terms while in law school, LCDR Yacono was assigned to Naval Legal Service Office, New London, CT, and Naval Legal Service Office, Philadelphia, PA. Upon completing law school and before attending Naval Justice School, LCDR Yacono was assigned as an assistant staff judge advocate to Commander, Naval Base, Philadelphia, PA. After graduation from Naval Justice School in 1990,

he served as defense counsel, command services counsel, and legal assistance attorney at Naval Legal Service Office, San Diego, CA. In 1993 he was assigned to Naval Station, Annapolis, MD, as the command's staff judge advocate. In 1995, LCDR Yacono was assigned to the Office of the Judge Advocate General (Code 15, Federal Tort Claims Act Litigation Division), Alexandria, VA, as a claims attorney.

In 1998, LCDR Yacono reported to USS THEODORE ROOSEVELT (CVN 71) as Command Judge Advocate and made one deployment with the TR Battle Group participating in Operation Allied Force (Kosovo) and Operation Southern Watch (Arabian Gulf) in 1999. In June 2001, LCDR Yacono reported again to the Office of the Judge Advocate General as the Deputy Assistant Judge Advocate General for Admiralty and Maritime Law, Washington Navy Yard, D.C.

LCDR Yacono's personal decorations include the Navy Commendation Medal (4 awards), the Navy Achievement Medal, and various other awards. LCDR Yacono is married to the former Charlotte Ann Murphy of Southgate, Michigan, and has two children, Lucia and Dominick Jr.

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 with your name, command, address, phone number, and email.

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

ⁱ Submitted by: Joann Glasgow and Lloyd Stefanic

ⁱⁱ Weekly Federal Register Summary, Week of 6/01/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

ⁱⁱⁱ Weekly Federal Register Summary, Week of 5/11/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^{iv} Weekly Federal Register Summary, Week of 5/18/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^v Weekly Federal Register Summary, Week of 5/18/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^{vi} Weekly Federal Register Summary, Week of 5/25/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^{vii} Weekly Federal Register Summary, Week of 5/25/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^{viii} Weekly Federal Register Summary, Week of 5/25/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^{ix} Federal Register, Volume 68 Page 32,585

^x Weekly Federal Register Summary, Week of 5/11/2003, Prepared By Naval Facilities Engineering Service Center, Code 42

^{xi} http://www.epa.gov/region03/ebytes/ebytes05_16_03.html