



Navy Region 3 REC Update



May 2004

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SPOTLIGHT ON



(Back row) l-r Rear Admiral Stephen Turcotte, Commander of the Navy Mid-Atlantic Region and DOD Regional Environmental Coordinator; Donald Boesch, UMCES president; Bill Dennison, UMCES vice president; Alex Beehler, Assistant Deputy Undersecretary of Defense for Environment, Safety, and Occupational Health; and Don Schregardus, Deputy Assistant Secretary of the Navy. (Front row) l-r Christine Porter, head of the DOD/Navy's Regional Environmental Coordination Office for EPA Region III, Glenn Markwith, Department of Defense Chesapeake Bay Program coordinator; and Ann Swanson, Chesapeake Bay Commission executive director.

RDML Turcotte, “We Can Continue To Make The Difference”

By Glenn Markwith, DOD Chesapeake Bay Coordinator

Commander, Navy Region, Mid-Atlantic sponsored a Department of Defense (DOD), Chesapeake Bay Commander's Conference on 27 April 2004 at Naval Air Station Patuxent River, Maryland. The conference was designed to educate Installation Commanding Officers on the requirements of the Federal Agencies' Chesapeake Ecosystem Unified Plan (FACEUP), the Chesapeake 2000 agreement (C2K) and the Chesapeake Bay Restoration Act (CBRA). Introductory remarks were provided by the Assistant Deputy Undersecretary of Defense for Environment, Safety and Occupational Health, Mr. Alex Beehler; the Assistant Secretary of the Navy for the Environment, Mr. Don Schregardus; and the DOD executive lead agent for the Chesapeake Bay Program, Commander, Navy Region Mid-Atlantic, Rear Admiral Steve Turcotte.

The conference is the first collaborative effort between DOD and the University of Maryland, Center for Environmental Sciences under the recently established

Chesapeake Watershed Cooperative Ecosystem Studies Unit (CW CESU) concept. The CW CESU is a partnership between federal agencies and academic institutions in the six state Bay watershed and is designed to provide technical assistance, research and education services in the most timely and cost-effective manner possible.

“These partnerships are the key to the future for the Chesapeake Bay”, according to Rear Admiral Turcotte, “Establishing and maintaining effective partnerships is the key to protecting and restoring the living resources, vital habitat and overall water quality of the Chesapeake Bay and its tributaries. We have utilized the CW CESU partnership to bring the best available science to the table and educate our senior military leadership regarding requirements for federal agencies under the Chesapeake Bay Restoration Act. We need to continue to identify such potential partnerships at the regional and subwatershed level and effectively leverage our available funding to meet the commitments outlined in both the Federal Agencies’

Chesapeake Ecosystem Unified Plan and the Chesapeake 2000 agreement. DOD is committed to working with local, state and federal government, local watershed planning and non-governmental organizations to meet our common goal of long-term protection and restoration of the Chesapeake Bay ecosystem - together, through such partnerships, we can continue to make the difference."

The University of Maryland provided an overview of the five major focus areas under the Bay program (protection

and restoration of living resources; vital habitat; water quality; sound land use; and stewardship/community engagement). DOD bay program coordinators supplemented the general information provided by University of Maryland with lessons learned, case studies and examples, and suggestions for practical application of bay program initiatives on federal lands in the watershed. The conference was well attended with approximately 90 representatives from Army, Air Force, Navy, Marine Corps, DLA and Army Corps of Engineers. [Table of Contents](#)



Jim Bright, State Forester and CAPT Jerry Becker, CO, Naval Station Norfolk

Local Naval Installations Named Tree City USA

By John Ballinger, CNRMA Regional Outreach Coordinator

Naval Station Norfolk, Naval Air Station Oceana, Dam Neck Annex, Naval Support Activity Northwest, and Naval Amphibious Base Little Creek were named Tree City USA by the National Arbor Day Foundation to honor their commitment to the communities' forests. The National Arbor Day Foundation sponsored the Tree City USA program in cooperation with the National Association of State Foresters and the United States Department of Agriculture Forest Service. All of these installations have met the four standards to become Tree City USA: a tree board or department, a care ordinance, a comprehensive community forestry program, and an Arbor Day

observance. "This year's record number of Tree City USA communities shows a growing level of dedication and care for our urban forest," said John Rosenow, president of the National Arbor Day Foundation. "It shows the people from these installations value trees for the beauty, grace, comfort and practical blessings they bring." "The trees at these installations help clean the air, conserve soil and water, and reduce heating and cooling costs by moderating temperatures," he added. "Tree City USA honors the countless men, women, and children at these Naval Installations who are working hard to ensure a greener, healthier tomorrow for us all." [Table of Contents](#)

Navy Celebrates Earth Day With Local Community

By John Ballinger, CNRMA Regional Outreach Coordinator

The weather was a great reflection on the meaning of Earth Day: to learn how to better care for the beauty and delicate

balance of nature. There were over 30 exhibitors contributing to the promotion of environmental awareness

at Hampton Roads Earth Day Celebration on 2 May. Approximately 3,000 people attended the festivities at Mount Trashmore, sponsored by the city Virginia Beach. The celebration at Mount Trashmore Park featured exhibits, local entertainment acts, a children's venue and stage, and food. To emphasize its commitment to environmental stewardship, the Navy Region Mid-Atlantic provided exhibits for Recycling, Environmental, Pollution Prevention, and Chesapeake Bay Programs. Besides having an interactive display for children to answer questions, they displayed posters, handed out environmental educational

material. This theme was intended to focus support and strengthen our nation's efforts to protect and restore water resources. Spectators were able to walk away with a better understanding of ways to care for the earth while enjoying an afternoon filled with entertainment.

In addition to the command exhibit volunteers that came out to assist at Earth Day, over 25 military and civilian employees were doing everything from helping with logistics and directing traffic to helping exhibitors.

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TRUE CRIME STORIES

Man Receives One Year In Jail For Illegal Dumping¹

A federal judge sentenced a Grand Junction, CO man to 12 months in prison for dumping industrial wastewater containing propylene glycol into the Colorado River. The judge also ordered David Enriquez Ortiz to pay a \$2,000 fine for the Clean Water Act violations. A jury found Ortiz guilty of knowingly and negligently discharging pollutants into the river, killing a "substantial number of fish," and resulting in an emergency environmental cleanup. According to an indictment, Ortiz, operator for Chemical Specialties in Grand Junction, a distiller of airplane de-icing chemicals used at several regional airports, dumped the wastewater into a storm sewer that drained into the Colorado River. [Table of Contents](#)

Refrigeration Equipment Maker To Pay \$1.5 Million Fine For CAA Violations

A St. Louis-area maker of commercial refrigeration equipment will be required to pay a \$1.5 million fine and spend an additional \$1.9 million on pollution-reduction projects to resolve a lawsuit filed by the Department of Justice and the EPA over Clean Air Act (CAA) Violations. The company, True Manufacturing Co. of O'Fallon, MO, was charged in the lawsuit with violating the Clean Air Act in connection with a silk-screen printing operation. The company uses a silk-screen process to print the logos of its customers on commercial refrigeration equipment it manufactures. The silk-screening operation produces "large amounts" of volatile organic compounds (VOCs). Under the terms of a consent decree filed in the U.S. District Court, Eastern District of Missouri, True will reduce its emissions of VOCs by more than 94 tons per year. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/29/Apr04/19.doc.html>. [Table of Contents](#)

Auto Parts Firm To Pay \$20,619 Penalty; Nearly \$900,000 In Punitive Fines Waived

Advance Auto Parts Inc. will have to pay more than \$20,000 in civil penalties for violating the record keeping and training requirements of a number of environmental laws, but will not have to pay almost \$900,000 in punitive penalties because the company self-reported the violations. Advance Auto, which operates about 2,400 retail stores, voluntarily disclosed to EPA a series of violations of environmental laws, including the Clean Water Act, the Emergency Planning and Community Right-to-Know Act, and the Resource Conservation and Recovery Act, at a number of facilities. The violations were mostly of an administrative nature and resulted in no environmental harm. More information is available:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/27/Apr04/26.doc.html>. [Table of Contents](#)

Alabama Man Gets 41-Month Prison Term And Fine For Sale Of Mislabeled Pesticides

A federal district court sentenced William C. Murphy of Glencoe, AL to 41 months in prison for trafficking in counterfeit goods and selling misbranded pesticides. In addition to the prison term, Murphy was sentenced to three years of supervised release and ordered to pay \$45,305 in restitution. The 28-count indictment charged Murphy with 11 counts of violating federal trademark laws by trafficking in counterfeit goods through the sale of what he claimed to be registered brand name pesticides when he knew they were not. The indictment also charged Murphy with 17 counts of having violated federal pesticide control laws by selling pesticides that bore false labels. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/26/Apr04/22.doc.html>. [Table of Contents](#)

GENERAL INTEREST

EPA Posts New EAID Site

The newly-posted EPA Region III Mid-Atlantic Environmental Assessment and Innovation Division (EAID) website's projects involve environmental data and

information and/or creative approaches to solving environmental problems. View the new EAID site at <http://www.epa.gov/reg3esd1/>.

FEDERAL NEWS

AFFIRMATIVE PROCUREMENT

Comprehensive Procurement Guidelineⁱⁱ

The Comprehensive Procurement Guideline (CPG) implements portions of the Resource Conservation and Recovery Act (RCRA) and the Executive Order "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition," which require EPA to designate items that are or can be made with recovered materials and to recommend practices that procuring agencies can use to procure such designated items. Once EPA designates an item, any procuring agency that uses appropriated federal funds to procure that item must purchase the item

containing the highest percentage of recovered materials practicable.

EPA is amending the CPG by designating seven new items that are or can be made with recovered materials, including: modular threshold ramps; nonpressure pipe; roofing materials; office furniture; rebuilt vehicular parts; bike racks; and blasting grit. In addition, EPA is revising the designations for three items, including cement and concrete, railroad grade crossing surfaces, and polyester carpet. The rule is effective on 2 May 05. For more information go to: <http://www.epa.gov/cpg/>. [Table of Contents](#)

CAA

Clean Air Rules Of 2004ⁱⁱⁱ

The Clean Air Rules are a suite of actions designed to dramatically improve America's air quality. Three of the rules specifically address the transport of pollution across state borders. These rules provide national tools to achieve significant improvement in air quality and the associated benefits of improved health, longevity and quality of life for all Americans. The Clean Air Rules of 2004 encompass the following major rules:

Interstate Air Rule^{iv}

The Clean Air Interstate Rule (proposed as the Interstate Air Quality Rule) provides states with a solution to the problem of power plant pollution that drifts from one state to another. The rule uses a cap and trade system to reduce the target pollutants by 70%.

Mercury Rule^v

The Clean Air Mercury Rule (proposed as the Utility Mercury Reductions Rule) will regulate mercury from power plants – the largest domestic source of mercury emissions. This is the first time power-plant mercury emissions will be regulated.

Nonroad Diesel Rule^{vi}

The Clean Air Nonroad Diesel Rule will change the way diesel engines function to remove emissions and the way diesel fuel is refined to remove sulfur. The black puff of smoke you see coming from construction and other nonroad diesel equipment will be gone forever. The Rule is one of EPA's [Clean Diesel Programs](#), which together will result in the most dramatic improvement in air quality since the catalytic converter was first introduced a quarter century ago.

Ozone Rules^{vii}

The Clean Air Ozone Rules (dealing with 8-hour ground-level ozone designation and implementation) will designate those areas whose air does not meet the health-based standards for ground-level ozone. The ozone rules will classify the seriousness of the problem and require states to submit plans for reducing the levels of ozone in areas where the ozone standards are not met.

Fine Particle Rules^{viii}

The Clean Air Fine Particle Rules (dealing with 8-hour PM 2.5 designation and implementation) will designate those areas whose air does not meet the health-based standards for fine-particulate pollution. This will require states to

submit plans for reducing the levels of particulate pollution in areas where the fine-particle standards are not met.

Electric Generating Unit NOx Emission Limits Have Reasonable Basis

A federal appeals court ruled electric generating unit growth determinations used by the EPA to set emission limits for nitrogen oxides (NOx) on the units were adequately supported in an EPA order. The U.S. Court of Appeals for the District of Columbia Circuit rejected challenges by **West Virginia**, Illinois, and several businesses alleging EPA's growth projections for emissions through 2007 were arbitrary, its modeling was unsupported, and its predictions of future electricity demand were unreasonable. EPA explained it used an existing model to generate a growth rate to apply to 1995 and 1996 base-line figures to determine 2007 projected levels for setting NOx limits for power plants. EPA stated it was balancing the costs and complexities of more elaborate models versus the oversimplification of simpler models. The court found that EPA's explanations and the evidence added to the administrative record on remand were sufficient to uphold EPA's determinations under the extreme degree of deference used to review agency actions that evaluate scientific data within the agency's area of expertise. More information is available at:

https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/12_Apr04/13.doc.html. [Table of Contents](#)

Regional Haze Regulations And Guidelines For BART Determinations^{ix}

EPA released a proposed rule to amend its regional haze regulations to provide guidelines for state and tribal air quality agencies to use in determining how to set air pollution limits for a number of older, large utilities and other industrial plants, in order to address visibility impairment in scenic areas. The best available retrofit technology (BART) requirements of the regional haze rule apply to facilities built between 1962 and 1977 that have the potential to emit more than 250 tons a year of visibility-impairing pollution (NOx, SOx, and PM). Those facilities fall into 26 categories, including utility and industrial boilers, and large industrial plants such as pulp mills, refineries and smelters. Many of these facilities previously have not been subject to federal pollution control requirements for these pollutants. If you have comments or concerns, send them to [Gary Koerber](#) by 30 June 04. The proposed rule is available at:

http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e_docket.access.gpo.gov/2004/pdf/04-9863.pdf.

Air Quality Designations And Classifications For The 8-Hour Ozone National Ambient Air Quality Standards^x

In advance of formal publication, EPA has posted the final Air Quality Designations and Classifications for the 8-Hour Ozone National Ambient Air Quality Standards. The rule

contains a list of counties identified as ozone non-attainment areas. Part or all of 474 counties nationwide are in nonattainment for either failing to meet the 8-hour ozone standard or for causing a downwind county to fail. 2,668 counties meet the new ozone standards. Approximately 159 million people live in areas that do not meet the new ozone standard.

A map showing nonattainment areas for the 8-hour ozone standard is available at:

<http://www.epa.gov/ozonedesignations/nonattainingreen.htm>.

A detailed list of nonattainment areas for the 8-hour ozone standard is available at:

<http://www.epa.gov/ozonedesignations/statedesig.htm>.

More information is available at:

<http://www.epa.gov/ozonedesignations/nfr41604.pdf>.

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States Recommend Non-Attainment Status For 145 Counties On Fine Particulates Rule

In the first step of the process to designate areas in violation of the new federal standard for particulate matter, States have recommended to EPA that scores of counties in those states be classified as non-attainment areas. These States have identified 145 counties with 82 million people that are potentially in non-attainment of the new standard for particles smaller than 2.5 microns in diameter (PM-2.5). The States that recommended nonattainment areas are: Alabama, California, **Delaware**, **District of Columbia**, Georgia, Illinois, Indiana, Kentucky, **Maryland**, Michigan, Missouri, Montana, New Jersey, New York, North Carolina, Ohio, **Pennsylvania**, Tennessee, and **West Virginia**.

EPA is scheduled to make preliminary designations of non-attainment areas for the fine particle standard in August. EPA is also scheduled to respond to States in July and August regarding recommended designations of areas. Unlike the ozone nonattainment areas, which were subject to seven classifications of nonattainment based on severity, the fine particle implementation rule will not include classifications. For more information go to:

https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/26_Apr04/14.doc.html. [Table of Contents](#)

Particulate Matter Research^{xi}

EPA has posted a website that discusses research being done by EPA related to particulate matter. Subject areas addressed by the research includes understanding:

- how particles are emitted into the air,
- how particulates form in the air from gaseous pollutants,
- how particulates are transported,
- how people are exposed to them, and
- the health effects people may experience after they breathe in particles.

The site is available at: <http://www.epa.gov/pmresearch/>.

NESHAP-Surface Coating Of Automobiles And Light-Duty Trucks^{xii}

EPA is releasing the national emission standards for hazardous air pollutants (NESHAP) final rule for automobile and light-duty truck surface coating operations located at major sources of hazardous air pollutants (HAP). The standards take effect 25 Jun 04. The standard affects manufacturers that paint or otherwise coat automobiles, light-duty trucks or body parts. **This rule does not affect military installations.** More information is available at: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2004/pdf/04-8215.pdf>.

NESHAP-Surface Coating Of Plastic Parts And Products

EPA has finalized national emission standards for hazardous air pollutants (NESHAP) for plastic parts and products surface coating operations located at major sources of hazardous air pollutants (HAP). The rule covers facilities that apply surface coatings to any plastic part or product. **The rule does not apply** to surface coating of plastic performed on-site at installations owned or operated

by the **Armed Forces of the United States** (including the Coast Guard and the National Guard) or the National Aeronautics and Space Administration (NASA), or the surface coating of **military munitions** manufactured by or for the **Armed Forces of the United States**. More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2004/pdf/04-9.pdf>. [Table of Contents](#)

NESHAP-Hazardous Waste Combustors^{xiii}

EPA has proposed phase II national emission standards for hazardous air pollutants (NESHAP) for new and existing hazardous waste combustors. Combustors covered by the rule include: hazardous waste burning incinerators, cement kilns, lightweight aggregate kilns, industrial/commercial/institutional boilers and process heaters, and hydrochloric acid production furnaces that burn hazardous waste. Send comment to [Gary Koerber](#) by 31 May. The proposed rule is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2004/pdf/04-7858.pdf>.

CERCLA

Superfund Sediment Resource Center

EPA's project managers often rely on contractor support to provide technical assistance in developing or in reviewing documents and deliverables as part of the site cleanup process. However, in some cases, EPA Regions have found this support not to be sufficient in providing the needed technical expertise, or have found it difficult to easily access this expertise. To meet this need, the Superfund Sediment Resource Center was established to assist EPA staff working on contaminated sediment sites.

The Superfund Sediment Resource Center is designed to assist EPA staff (and by extension, partnerships) on

technical issues related to the cleanup of contaminated sediment sites. The Center focuses on providing timely and helpful input on site-specific issues for topics related to sediment site characterization such as: data collection and evaluation; sediment stability; modeling (e.g., hydrodynamic, contaminant fate and transport, and food chain); ecological and human health risks; and the efficacy of remedies such as capping, dredging, monitored natural recovery (MNR), and treatment technologies. For more information go to:

<http://www.epa.gov/superfund/resources/sediment/ssrc.htm>. [Table of Contents](#)

NATURAL RESOURCES

Review Of Rapid Assessment Methods For Assessing Wetland Conditions^{xiv}

EPA has released a review of rapid assessment methods for assessing wetland conditions. The 16 methods that were reviewed were developed for a variety of purposes including use by regulatory agency decision making, land use planning, assessment of ambient ecosystem conditions. More information is available at:

<http://www.epa.gov/nheerl/publications/files/rapidmethodreview.pdf>. [Table of Contents](#)

President Announces Policy To Create, Improve And Preserve 3 Million Acres

President Bush announced a new policy initiative to create, improve, or preserve at least 3 million acres of wetlands over five years to increase overall wetland acreage and quality. Speaking on Earth Day 2004 at Wells National Estuarine Research Reserve in Wells, ME, Bush emphasized the important role of wetlands by saying, "Up to half of all North American bird species nest or feed in wetlands. About half of all threatened and endangered species use wetlands." Bush said, while "the old policy of wetlands was to limit the loss of wetlands," his will be a "new policy and a new goal for our country" that builds

more on limiting losses and expanding and increasing wetland acres. More information is available at:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/23Apr04/34.doc.html>. [Table of Contents](#)

RCRA

Hazardous Waste Generator Program Evaluation^{xv}

EPA is requesting comments on the RCRA hazardous waste generator regulatory program, to evaluate program effectiveness and identify areas for potential improvement. EPA, along with their State partners, will evaluate the information received in response to this notice to determine whether changes to the hazardous waste generator program are appropriate. EPA is requesting comment on all aspects of hazardous waste generator requirements - including large quantity, small quantity and conditionally exempt small quantity generators. Send comments to [Gary Koerber](#) by 18 May 04. More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2004/pdf/04-9141.pdf>.
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ROD For The Final Mercury Management Environmental Impact Statement^{xvi}

Defense Logistics Agency is releasing the Record of Decision (ROD) for the Final Mercury Management Environmental Impact Statement. The Defense National Stockpile Center (DNSC) has decided to consolidate its commodity-grade, elemental mercury stockpile at one site. DNSC will select a site for consolidated storage after completion of a procurement process. If a site other than one of those evaluated in the Final EIS is selected, additional environmental documentation may be required. An executive summary and the Final EIS are at: <http://www.mercuryeis.com>. More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e.docket.access.gpo.gov/2004/pdf/04-9726.pdf>.

RECYCLING

Nonprofit Launches Cell Phone Recycling Events

About 30,000 retail locations are being set up around the nation where consumers can donate cell phones for recycling or refurbishment, under a new program sponsored by the Rechargeable Battery Recycling Corp (RBRC). RBRC commissioned an independent survey finding that 56 percent of those surveyed still had old cell phones and 90 percent said they would recycle or donate them if there was a convenient way to do so. The nonprofit has several retail partners including Sears, Radio Shack, Cingular Wireless, and Best Buy. Under RBRC's Call2Recycle program, consumers will be able to visit participating retailers. They may find participants by calling (877) 2-RECYCLE or accessing: www.call2recycle.org.

Recycling Report Available^{xvii}

EPA Region III announced the release of the eCycling final report on the Mid-Atlantic States Electronics Recycling Pilot Project that ran from 1 Oct 01 to 31 Dec 02. The final report marks a 14-month collaboration between government and members of the electronics industry to find a sustainable way to remove residential electronic discards from the municipal waste stream in this region and how to build and sustain a national electronics collection system. Visit the EPA Region III website:

<http://www.epa.gov/reg3wcmd/eCycling.htm> for the eCycling Final Report and to learn more about the electronics collection programs in the Mid-Atlantic States.
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WATER

Lead In Potable Water

Regardless of the age of your city's water distribution system or your property, lead could be affecting the quality of your drinking water.

Lead was often used in the construction of water service lines. Service lines are the water pipes connecting a property (homes, apartment buildings, etc.) to street mains. Aside from lead, service lines were also made of plain iron or steel; galvanized iron or steel; and cement-lined iron. Relative to these other materials, lead had two features that made it attractive to the engineers who designed public water systems: it was both malleable and durable. Malleability reduced labor costs by making it easier to bend

the service main around existing infrastructure and obstructions, and compared to iron, lead was a soft and pliable metal. As for durability, the life of the typical lead service pipe was thirty-five years. By contrast, plain iron or steel pipe lasted sixteen years; galvanized pipe twenty years; and cement lined pipe twenty-eight years. Based solely on engineering concerns, these characteristics made lead the ideal material for service lines. If a property was built before 1963 it may also contain lead water lines within the structure itself. Properties constructed after 1963 are unlikely to contain lead pipes. However, another source of lead that could affect even the newer properties is lead contained in solder used to seal joints in copper pipe.

Current regulations prohibit the use of lead in solder used for potable water pipes.

The effects of lead water lines vary depending on the age of the pipe and the corrosiveness of the water. Age of pipe influences lead content because, over time, oxidation forms a protective coating on the interior of pipes. As for corrosiveness, acidic water removes more lead from the interior of pipes than does non-acidic water. Recently, there are concerns that chloramines, which are used to minimize the amount of disinfection by-products in drinking water, will also leach lead from lead pipes and brass plumbing materials.

The District of Columbia is currently wrestling with the issue of lead service lines.

For more information on lead in DC drinking water, go to : <http://emergencycenter.dc.gov/eia/cwp/view.asp?a=3&Q=562950&PM=1> and

<http://www.time.com/time/2004/innovators/200404/edwards.html>. [Table of Contents](#)

CWA Survey For Range Complexes And Stand-Alone Ranges

The Department of Defense (DOD) is evaluating issues presented by potential Clean Water Act (CWA) regulation of operational ranges. The data call request in attachment A is designed to identify ranges that may be subject to

regulatory requirements under the CWA and requests input on range best management practices. Each military department shall provide the data required in Attachment B to the DOD CWA Service Steering Committee by 25 Sep 04. The data survey with attachments and more information is available at:

<http://www.cnrma.navy.mil/REC/a40329%20DoD%20CWA%20Range%20memo%20final.pdf>. [Table of Contents](#)

Effluent Limitations Guidelines For The Construction And Development Category WITHDRAWN

EPA has withdrawn the proposed effluent guidelines for storm water discharges from construction sites, published on 24 Jun 02 (67 FR 42643). The proposal contained several options for the control of storm water discharges from construction sites, including effluent limitations guidelines and new source performance standards. EPA will continue to rely on the range of existing National Pollution Discharge Elimination System storm water program regulations, and other initiatives at the Federal, State, and local level for the control of storm water discharges from construction sites rather than a new national effluent guideline. The withdrawal was issued on 10 May 04. More information is available at:

<http://a257.g.akamaitech.net/7/257/2422/14mar20010800/e-docket.access.gpo.gov/2004/pdf/04-7865.pdf>.

STATE NEWS



PENNSYLVANIA



Eggs Hatch!

Sometime over the weekend of 1 May, three of the four eggs hatched. The next big event will be the banding of the nestlings at the end of May. Click [here](#) for up to date information on the chicks.



Peregrine chicks

Clean Fill Policy^{xviii}

The Department of Environmental Protection (DEP) announced a final Clean Fill policy that is more consistent with standards already put in place to facilitate the redevelopment of our older boroughs, towns and cities. Under the new policy, fill that contains substances with concentration levels under the Residential Statewide Health

Standard, as defined by the Land Recycling and Environmental Remediation Standards Act (Act 2 of 1995), may be used as Clean Fill. For this newly defined Clean Fill, best management practices must be followed prior to demolition activities to remove materials like lead-based paint surface, asbestos or other hazardous materials, such as mercury switches, PCB ballasts and fluorescent light bulbs. To further ensure that Clean Fill is properly managed and used, DEP is requiring that all other applicable departmental regulations be complied with and, through a simple one-page tracking form, is requiring certification of lab tests as well as identification of the origin of the materials for Clean Fill materials affected by concentrations of regulated substances.

This policy also creates and defines a new classification of Regulated Fill, which will be available for beneficial use under a proposed General Permit for Use of Regulated Fill as a Construction Material. The general permit sets

standards for use of Regulated Fill in commercial and industrial settings under the Non-Residential Statewide Health Standards of Act 2 for use in conjunction with approved construction projects. For more information on the final Clean Fill policy, visit the DEP Web site at:

<http://www.dep.state.pa.us/dep/deputate/airwaste/wm/MRW/cleanfill/MgtCleanFillPolicy041304.htm>.
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VIRGINIA



Encroachment Legislation.

In April, Governor Mark Warner signed into law House Bill 714. The law is a mandatory notification procedure requiring local governments to notify a military installation commander of any proposed rezoning within 3,000 feet of any military installation. The bill provides the installation commander with an opportunity to provide comments to the local planning commission. However, the comments or recommendations of the installation commander do not bind the planning commission and governing body. The law is effective 1 Jul 04. More information is available at: <http://leg1.state.va.us/cgi-bin/legp504.exe?041+ful+HB714>.
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New And Modified Sources

The Department of Environmental Quality (DEQ) issued an exempt action final regulation for new and modified stationary sources. The regulations reflects changes in the federal regulations as published on 1 Jul 03. The following is a list of the new standards in the federal regulations being incorporated into the regulations by reference: (1) standards of performance for new stationary sources; and (2) national emissions standards for hazardous air pollutants. No new regulations are being incorporated to the above; however, the date of the Code of Federal Regulations book being

incorporated by reference is being updated to the latest version. More information is available at:

<http://www.townhall.state.va.us/index.cfm?passthrough=http://www.townhall.state.va.us/stage/viewStage.cfm?vac=102&chapter=50&action=1471&Stage=2680>.

Major Hazardous Air Pollutants

The DEQ issued an exempt action final regulation for control technology determinations for major sources of hazardous air pollutants. The DEQ adopted in 1 Jan 01 an equivalent to the federal rule in 9 VAC 5-60-120 et seq. This regulation now needs updating to conform to recent changes in the federal regulations. The amendments establish a new timetable for the submission of section 112(j) Part 2 applications, which is based on the timetable that EPA agreed to follow for promulgation of the remaining NESHAP, and modify the content requirements for Part 2 applications. The amendments also establish revised procedures for requests for applicability determinations previously submitted under the section 112(j) rule, and for section 112(j) applications submitted by sources that previously obtained a case-by-case determination under CAA section 112(g). More information is available at:

<http://www.townhall.state.va.us/index.cfm?passthrough=http://www.townhall.state.va.us/stage/viewStage.cfm?vac=102&chapter=60&action=1473&Stage=2681>.



WEST VIRGINIA



Proposed UST Registration Fee Increase

The Department of Environmental Protection (DEP) is accepting comments on a proposed permanent regulation in order to satisfy the legislature's passage of HB 4521 which requires the Department to increase the current annual registration fee for underground storage tanks (UST) from \$25 per tank to \$65 per tank. More information is available at:

http://129.71.164.29/Bill_Text_HTML/2004_SESSIONS/R_S/House/H_BILLS/hb4521%20enr.htm. Please send comments and concerns to [Gary Koerber](mailto:Gary.Koerber) by 31 May 04.

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State Of The Environment

DEP Cabinet Secretary Stephanie R. Timmermeyer released West Virginia's first ever State of the Environment report. The report provides data on the state's air quality, water quality and land remediation and reclamation. An electronic copy of the report is available by clicking [here](#). To receive a hard copy, contact:

jgreathouse@wvdep.org or call (304) 558-4253.

Tire Amnesty Week

West Virginia residents once again have an opportunity for free tire disposal by the Division of Highways (DOH). The DOH has designated the week beginning 17 May as Tire Amnesty Week, with the last collection day falling on 22 May. Since the Waste Tire Program was instituted in 2000,

DOH workers have collected well over one and a half million junk tires that might otherwise be an unsightly breeding ground for mosquitoes. For more information on collection sites and times along with what tires can be disposed of, go to:

http://www.wvdot.com/13_news/13_news_dtl.cfm?s=502.

CHESAPEAKE BAY PROGRAM

State Legislators Seek Presidential Order On 'National Treasure,' Federal Funding

Legislators from **Maryland, Pennsylvania, and Virginia** asked President Bush for an executive order declaring the Chesapeake Bay a national treasure to elevate the importance of restoration efforts in the estuary. Members of the Chesapeake Bay Commission, composed of legislators and other officials from, met with James Connaughton, Chairman of the White House Council on Environmental Quality, and Benjamin Grumbles, Acting Assistant Administrator in the Environmental Protection Agency Office of Water to request the order. In addition,

commission members sent a letter to President Bush. Ann Swanson, executive director of the Chesapeake Bay Commission, said that the executive order would help elevate to a national scale the recognition that the bay is one of the United States' greatest resources. The commission is part of a consortium that signed onto an agreement in 2000 that called for reducing pollution running into the bay from the member states in order to restore the ecosystem. The entire restoration effort is expected to cost more than \$18 billion. More information is available at:

https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/06_May04/25.doc.html. [Table of Contents](#)

ECO TIP OF THE MONTH

'Tis The Season For Ground-Level Ozone

Ozone season is here. As the days get hotter, so too will the levels of ground-level ozone increase. Here are some tips to follow during high-level ozone days that will help you and your atmosphere stay healthy:

- Refuel vehicles in the morning or after dark. The fumes you see when refueling in the afternoon contribute directly to ground level ozone. Avoid spilling gasoline and stop fueling when the pump shuts off automatically.
- Conserve energy. Don't overcool homes. Turn off lights and appliances that are not in use. Wash clothes and dishes only in full loads.
- Limit daytime driving. Consider carpooling or taking public transportation.
- Properly maintain vehicles.
- Limit outdoor activities such as lawn mowing or sports to the evening hours.

For more information on the daily status of your air, click [here](#). [Table of Contents](#)

PERSONAL DEVELOPMENT

CONFERENCES

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National Source Water Protection Conference, 2-4 JUN, Washington, DC,

More information is available at:

<http://www.epa.gov/safewater/protect/swpconf.html>.

National Recycling Coalition 23rd Annual Congress & Expo, 29 AUG-1 SEP, San Francisco, CA.

More information is available at: <http://www.nrc-recycle.org/congress/index.htm>.

Deconstruction Conference, 1-3 SEP, Oakland, CA.

More information is available at:

<http://www.DECON04.com>.

Low Impact Development Conference, 21-23 SEP, College Park, MD.

More information is available at:

www.mwcog.org/environment/lidconference.

DOD Solid Waste/Recycling Workshop and Wastecon, 21-23 SEP, Phoenix, AZ.

More information is available at:

http://www.magnetmail.net/actions/email_web_version.cfm?recipient_id=8486881&message_id=36626&user_id=swana.

TRAINING

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Department of Defense Perchlorate Workshop, 1-2 JUN Virginia Beach, VA; 9-10 San Antonio, TX; 30 JUN-1 JUL, San Diego, CA.

This information exchange will provide updates on risk assessment, toxicology, and risk communication as it relates to health effect and remediation of perchlorate. For information or to register, email maupinh@nehc.med.navy.mil and indicate the location you wish to attend.

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

More information is available at: <http://chppm-www.apgea.army.mil/risk/>.

Natural Resources Compliance Course, 22-25 JUN, Aberdeen, MD

More information is available at:

<https://www.cecos.navy.mil>.

Historic Preservation Law And Section 106 Compliance Course, 20-22 JUL, Jacksonville, FL, San Antonio, TX, Annapolis, MD.

More information is available at:

<https://www.cecos.navy.mil>.

Natural Resources Compliance Course, 22-25 JUN, San Antonio, TX, Aberdeen, MD.

More information is available at:

<https://www.cecos.navy.mil>.

Introduction To Cultural Resource Management Laws and Regulations, 17-19 AUG, New Orleans, LA, Bangor, ME.

More information is available at:

<https://www.cecos.navy.mil>.

Qualified Recycling Program Course Multiple Dates/Multiple Locations

More information is available at:

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

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

More information is available at:

www.trainex.org.

FY04 Capital Hill Workshop, Washington DC.

More information is available at:

<http://www.georgetown.edu/ssce/gai>.

MEET THE REC

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ⁱ <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/30Apr04/27.doc.html>

ⁱⁱ <http://www.epa.gov/fedrgstr/EPAFR-CONTENTS/2004/April/Day-30/contents.htm>

ⁱⁱⁱ <http://www.epa.gov/cleanair2004/>

^{iv} <http://www.epa.gov/interstateairquality>

^v <http://www.epa.gov/air/mercuryrule>

^{vi} <http://www.epa.gov/nonroad-diesel/>

^{vii} <http://www.epa.gov/ozonedesignations>

^{viii} <http://www.epa.gov/pmdesignations>

^{ix} Weekly Federal Register Summary, Week of 4/11/2004, Prepared By Naval Facilities Engineering Service Center

^x Weekly Federal Register Summary, Week of 4/11/2004, Prepared By Naval Facilities Engineering Service Center

^{xi} Federal Register Summary, Week of 4/11/2004, Prepared By Naval Facilities Engineering Service Center

^{xiii} Weekly Federal Register Summary, Week of 4/26/2004, Prepared By Naval Facilities Engineering Service Center

^{xiii} Weekly Federal Register Summary, Week of 4/18/2004, Prepared By Naval Facilities Engineering Service Center

^{xiv} Weekly Federal Register Summary, Week of 4/26/2004, Prepared By Naval Facilities Engineering Service Center

^{xv} Weekly Federal Register Summary, Week of 4/18/2004, Prepared By Naval Facilities Engineering Service Center

^{xvi} Weekly Federal Register Summary, Week of 4/26/2004, Prepared By Naval Facilities Engineering Service Center

^{xvii} http://www.epa.gov/region03/ebytes/ebytes05_07_04.html

^{xviii} <http://www.dep.state.pa.us/newsreleases/default.asp?ID=2839>