



Southern Review of Legislative & Regulatory Actions

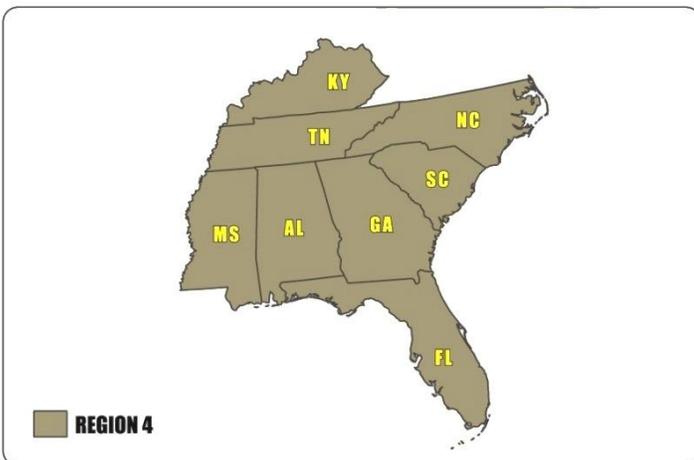
The U.S. Army Regional Environmental & Energy Office

March 2021

The *Southern Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the eight states in Federal Region 4, the *Southern Review* gives early notice of legislative and regulatory activities relevant to DOD interests. For installations that implement an environmental management system in accordance with ISO 14001 specifications, the content of the *Review* may help them identify emerging requirements.

The *Review* is published under contract to the U.S. Army Corps of Engineers (USACE). The information in this publication is derived from a variety of sources and is not created by USACE.

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MEET MR. RICHARD KIDD

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Environment & Energy Resilience*

Mr. Richard Kidd, a member of the Senior Executive Service, is the [Deputy Assistant Secretary of Defense for Environment & Energy Resilience](#). In this position, he provides policy and governance for programs and activities that enable resilience and cyber-secure energy for weapon systems and installations. This includes budgetary, policy, and management oversight of programs related to climate change, compliance with environmental laws, prevention of pollution, management of natural and cultural resources, and cleanup of contaminated sites, as well as energy resilience, risk, and performance.

Prior to his current position, Mr. Kidd served as the Deputy Assistant Secretary of the Army for Strategic Integration where he led the strategy development, resource requirements, and overall business transformation processes within the Office of the Assistant Secretary of the Army for Installations, Energy and Environment. He was responsible for developing and monitoring performance metrics for the Army's installation management community as well as leading a strategic effort to examine options for future Army installations.

Throughout Mr. Kidd's career, he has served in various leadership positions including Executive Director for the Federal Permitting Improvement Steering Council, a federal entity, which he helped stand up. He was the Deputy Assistant Secretary for Energy and Sustainability within the Army and was responsible for the oversight and implementation of all programs and initiatives related to Energy Security and Sustainability. Mr. Kidd also held a position with the Department of Energy's Office of Energy Efficiency and Renewable Energy where he was responsible for leading the Federal Energy Management Program.

Mr. Kidd received a Bachelor of Science degree from the United States Military Academy at West Point in 1986 and attained a master's degree in Public and Private Management from Yale University in Connecticut in 1993.

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Region 4

For more information or to comment on any state issue in Region 4, contact [Dave Blalock](#), REEO-S Regional Counsel, (404) 545-5655.



Alabama

LEGISLATIVE SESSION: 2 FEB 21 THROUGH 18 MAY 21

SB 80, WIND ENERGY SITING. The bill requires a county or municipality to give notice and an opportunity for DOD to review any proposed tall structure or wind energy facility for potential mission impacts. The bill passed the House with an amendment 4 MAR 21.

REGULATORY ACTIVITY

There are no significant regulatory activities to report.

Florida

LEGISLATIVE SESSION: 2 MAR 21 THROUGH 30 APR 21

CLIMATE

SB 1236 (HB 617), GREENHOUSE GAS EMISSIONS. The bill prohibits the adoption and enforcement of certain state and regional programs to regulate greenhouse gas (GHG) emissions without specific legislative authorization. The bill was introduced 18 FEB 21.

SB 1872 (HB 1623), CLIMATE CHANGE TASK FORCE. The bill requires the Commissioner of Insurance Regulation to convene a Climate and Resiliency Task Force for specified purposes. The bill was introduced 26 FEB 21.

COASTAL RESILIENCE

HB 1133 (SB 1504), COASTAL CONSTRUCTION AND PRESERVATION. The bill requires the Florida Department of Environmental Protection (FDEP) to issue permits for rigid coastal armoring structures and revises the definition for renewable energy. The bill was introduced 19 FEB 21.

HB 901 (SB 1252), INLAND AND COASTAL FLOOD CONTROL. The bill requires the Office of Economic and Demographic Research to include an analysis of future expenditures to improve inland and coastal flooding resilience in the annual assessment. The bill was referred to the Environment, Agriculture, and Flooding Subcommittee 22 FEB 21.

SB 1550, PUBLIC FINANCING OF POTENTIALLY AT-RISK STRUCTURES. The bill revises the definition for areas at risk due to sea level rise, redefines potentially at-risk structures, and requires state-financed constructors to include flood mitigation strategies in sea level impact projection studies. The bill was introduced 23 FEB 21.

SB 1690, CRITICALLY ERODED BEACHES. The bill requires FDEP to update and report a list of critically eroded beaches in the state and provide a comprehensive long-term management plan to include beaches eroded by certain hurricanes and identified by USACE as critically eroded. The bill was introduced 25 FEB 21.

SB 1954, COASTAL RESILIENCY PLANNING. The bill establishes the Resilient Florida Grant Program and requires FDEP to develop a Statewide Flooding and Sea Level Rise Resilience Plan. The plan consists of ranked projects that address risks of flooding and sea level rise to coastal and inland communities. The bill was introduced 1 MAR 21.

ENERGY

HB 775 (SB 208), RENEWABLE ENERGY SOURCE DEVICES. The bill authorizes certain entities to install, maintain, and operate renewable energy source devices and to sell electricity generated from the devices; authorizes utilities to recover the full cost of providing services to energy-producing businesses or customers; exempts from regulation the sale of electricity produced by such devices; and authorizes utilities to recover certain costs. The bill was referred to the Tourism, Infrastructure and Energy Subcommittee 22 FEB 21.

SB 1362, STATEWIDE EMERGENCY SHELTER PLAN. The bill requires the Division of Emergency Management Statewide Emergency Shelter Plan to identify the capacity of backup power generation systems and fuel types available at each shelter. The bill was introduced 17 FEB 21.

HB 761 (SB 1008), RENEWABLE ENERGY SITING. The bill provides that solar facilities are permitted use in all agricultural land use categories and certain agricultural zoning districts. The bill also requires solar facilities to comply with specified criteria, authorizes counties to adopt certain ordinances, and increases the capacity threshold of solar facilities exempt from certification under the [Florida Electrical Power Plant Siting Act](#). The bill was referred to Tourism, Infrastructure and Energy Subcommittee 18 FEB 21.

PFAS

HB 705, SOIL AND GROUNDWATER CONTAMINATION. The bill directs the Office of Program Policy Analysis and Government Accountability to conduct an analysis of programs in other states for the assessment and cleanup of soil and groundwater contamination. The bill asserts that certain airports are not liable for costs, damages, penalties relating to certain contamination, discharge, evaluation, or assessment if dispensing in compliance with federal requirements and procedures. The bill was referred to the Environment, Agriculture and Flooding Subcommittee 18 FEB 21.

SB 1054, PFAS CONTAMINATION. The bill requires the adoption of rules for statewide cleanup target levels for per- and polyfluoroalkyl substances (PFAS) in soils and groundwater. It also requires FDEP to provide constructive notice to local governmental entities and to certain property owners and residents when the department issues a site rehabilitation completion order that relies on intuitional controls not recorded in public records. The bill was referred to the Environment and Natural Resources Committee 10 FEB 21.

WATER

HB 1225, STORMWATER SYSTEM INSPECTION. The bill requires FDEP to implement stormwater system inspections and monitoring programs. Owners are required to have onsite sewage treatment and disposal systems periodically inspected. The bill was introduced 23 FEB 21.

SB 94, WATER STORAGE NORTH OF LAKE OKEECHOBEE. The bill requires the South Florida Water Management District (SFWMD) to request that USACE seek congressional approval of a project implementation report for the Lake Okeechobee Watershed Restoration Project by specified dates. The bill was introduced 19 FEB 21.

WASTE

HB 773, SANITARY SEWER LATERALS. The bill authorizes each county and municipality to develop specifications to repair leaking, damaged, or clogged sanitary sewer laterals on residential and commercial properties. The bill was introduced 22 FEB 21.

HB 1764, RECYCLING OF ORGANIC WASTE MATERIAL. The bill requires certain commercial waste generators and institutions of higher education to ensure organic waste materials are separated and recycled at specified recycling facilities. The bill provides an exception for facilities that perform composting or treat organic waste material onsite. The bill was introduced 26 FEB 21.

HB 1369, DISPOSAL OF FOOD WASTE MATERIAL. The bill requires certain food outlets, food service establishments, schools, and educational facilities to recycle food waste materials at specified locations. It authorizes the Department of Agriculture and Consumer Services to waive requirements for disposal of food waste materials under certain circumstances. The bill was introduced 26 FEB 21.

MISCELLANEOUS

SB 1524, CARBON MONOXIDE ALARMS. The bill requires the inclusion of a carbon monoxide alarm with the transaction, sale, lease, or rent of a generator and recommends the buyer, lessee, or renter use the alarm while the generator is in use. The bill was introduced 22 FEB 21.

HB 1357 (SB 1796), ENCROACHMENT PROTECTIONS. The bill authorizes conveyance to a person or private entity property taken by eminent domain if it is used in buffering military installations against encroachment. The bill was introduced 25 FEB 21.

REGULATORY ACTIVITY

ENDANGERED AND THREATENED SPECIES LIST. The Fish and Wildlife Conservation Commission [adopted](#) rules to incorporate by reference and link to the approved guidelines for the Southeastern American kestrel (*Falco sparverius paulus*), and revise rule provisions associated with species classified as endangered, threatened, or species of special concern. The final rule was effective 9 FEB 21.

GENERIC PERMITS FOR DISCHARGE OF STORMWATER. FDEP has [proposed](#) rulemaking to revise and update forms for the existing Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems for consistency with current U.S. Environmental Protection Agency (EPA) requirements. The final rule was effective 16 FEB 21.

WATER RESERVATIONS. The SFWMD has [adopted](#) rulemaking to identify and reserve water needed for the protection of fish and wildlife in the Kissimmee River and the Headwaters Revitalization Lakes. The final rule was effective 10 MAR FEB 21.



LEGISLATIVE SESSION: 11 JAN 21 THROUGH 30 APR 21

CHEMICALS

SB 262, COAL TAR SEALANT. The bill prohibits the application of coal tar sealant products on asphalt paved surfaces and the sale of such products, providing for exceptions. The bill was introduced 25 FEB 21.

SB 180 (HB 3), ETHEYLENE OXIDE. The bill revises permit requirements and provides conditions for monitoring and reporting for facilities that emit ethylene oxide. The bill was introduced 11 FEB 21.

CLIMATE AND COASTAL RESILIENCE

SR 169, SHORELINE PROTECTION STUDY COMMITTEE. The resolution creates the Senate Shoreline Protection Study Committee to study the conditions, needs, issues, and problems in protecting Georgia's shoreline. The bill was introduced 26 FEB 21.

HB 355, GEORGIA CARBON SEQUESTRATION REGISTRY. The bill provides for the inclusion of building products in construction on the Georgia Carbon Sequestration Registry. The bill would also provide for certified third-party organizations to measure the amount of carbon sequestered from building materials that sequester carbon dioxide. The bill was introduced 8 FEB 21.

ENVIRONMENTAL JUSTICE

HB 339 (HB 432), ENVIRONMENTAL JUSTICE COMMISSION. The bill creates the Environmental Justice Commission, provides for membership, duties of the commission, and defines relevant terms. The bill states that governmental agencies shall consider the disproportionate effect of environmental hazards on people of color or people from low-income families in implementing certain environmental policies and provides that no person in Georgia shall be excluded from any state funded program or activity because of race, color, or national origin. The bill also provides a prerequisite for obtaining certain permits in neighborhoods consisting of persons of color or from low-income families, and requires applicants to take certain actions to mitigate health hazards. The bill was introduced 8 FEB 21.

HB 431, OVERBURDENED COMMUNITIES LIST. The bill provides for a list of overburdened communities and environmental justice requirements for environmental permit applications. The bill was introduced 11 FEB 21.

WASTE

HB 557, SOLID WASTE MANAGEMENT. The bill revises limitations on permitting of landfills near significant groundwater recharge areas and prohibits permitting of new landfills within 50 miles of existing landfills. The bill also requires a demonstration of need for new landfills to the director of the Department of Natural Resources and requires buffer areas around landfills. The bill was introduced 18 FEB 21.

REGULATORY ACTIVITY

There are no significant regulatory activities to report.



LEGISLATIVE SESSION: 5 JAN 21 THROUGH 30 MAR 21

WATER

HB 535 (SB 261), COMPENSATORY MITIGATION. The bill re-establishes the Kentucky Wetland and Stream Mitigation Fund and requires funds representing an unsatisfied liability under the 2008 Mitigation Rule issued by the Department of Army to be put out for contract under [KRS Chapter 45A](#). The bill was introduced 2 FEB 21.

CONTAMINANTS

HB 386, MIXING ZONES FOR BIOACCUMULATIVE CHEMICALS. The bill requires that mixing zones for bioaccumulative chemicals of concern established on or before 8 SEPT 04 remain in effect until explicitly extinguished by the Kentucky Energy and Environment Cabinet (KEEC). The bill passed the House and was transferred to the Senate 24 FEB 21.

HB 559, MAXIMUM PFAS CHEMICAL LIMITS. The bill requires KEEC to promulgate administrative regulations establishing maximum PFAS chemical limits and monitoring requirements for drinking water provided by public and semi-public water systems. The bill also requires that firefighting personal protection equipment that contains intentionally added PFAS chemicals shall not be used for training purposes. The bill was introduced 23 FEB 21.

HJR 82, PFAS AWARENESS. The resolution raises awareness for PFAS and urges EPA to set limitations for PFAS exposure. The bill was introduced 1 MAR 20.

ENERGY

SB 14, ELECTRICITY GENERATION. The bill proposes updates to the state's program for locating and marking underground facilities pursuant to the Underground Facility Damage Prevention Act of 1994. The bill was introduced 2 FEB 21.

WATER

SCR 64, PUBLIC WATER AND WASTEWATER SYSTEM INFRASTRUCTURE TASK FORCE. The resolution reestablishes the Public Water and Wastewater System Infrastructure Task Force. The task force evaluates policy options on how to address Kentucky's troubled public water and wastewater systems. The resolution was introduced 3 FEB 21.

REGULATORY ACTIVITY

There are no significant regulatory activities to report.



LEGISLATIVE SESSION: 5 JAN 21 THROUGH 15 MAR 21

LAND USE

SCR 531, COMPATIBLE LAND USE. The resolution encourages local governments to transmit land use and development information that would affect the intensity, density, or use of the land adjacent to or in close proximity to military installations. The resolution passed the Senate and was transferred to the House 1 MAR 21.

MISCELLANEOUS

SB 2972, MISSISSIPPI SITE DEVELOPMENT GRANT FUND. The bill authorizes the issuance of state general obligation bonds to provide funds for the Mississippi Site Development Grant Fund. The bill passed the Senate and was transferred to the House 22 FEB 21.

SB 2895, RENEWABLE ENERGY PROJECTS. The bill authorizes the board of supervisors of any qualifying county to designate projects as transformative renewable energy projects; to provide the assessment ratio for property owned by transformative energy projects, which relates to rates of assessment for property, to conform; and to bring forward section 27-31-104, [Mississippi Code of 1972](#), which relates to grant of fee-in-lieu of taxes for certain projects, for purposes of amendment. The bill passed from the Senate to the House 24 FEB 21.

REGULATORY ACTIVITY

TITLE V PERMIT FEE. The Mississippi Department of Environmental Quality has proposed rulemaking regarding changes to the Title V Permit fee for 1 SEPT 21 through 31 AUG 22. The public hearing and comment deadline are scheduled for 18 MAR 21.

North Carolina

LEGISLATIVE SESSION: 13 JAN 21 THROUGH 30 JUL 21

HB 80 (SB 98), SOLID WASTE MANAGEMENT REGULATORY RULES. The bill disapproves certain rules related to solid waste management facilities adopted by the Environmental Management Commission on 15 OCT 20. The bill was referred to the Regulatory Reform Committee 16 FEB 21.

HB 181, WILDLIFE RESOURCES COMMISSION. The bill changes various statutes governing the Wildlife Resources Commission and provides for several hunting and fishing provisions. The bill was introduced 25 FEB 21.

REGULATORY ACTIVITY

UNDERGROUND STORAGE TANKS. The North Carolina Department of Environmental Quality readopted rulemaking regarding underground storage tanks and operators of underground storage tanks. The final rule was effective 15 JAN 21.

South Carolina

LEGISLATIVE SESSION: 12 JAN 21 THROUGH 3 JUN 21

SB 603, SITE REMEDIATION. The bill amends section [44-56-200](#) of the 1976 code relating to hazardous waste cleanup, providing standards for conducting certain cleanup, removal, remediation, and site-specific remediation standards. The bill was introduced 24 FEB 21.

HB 3892, SOLID WASTE MANAGEMENT. The bill prohibits the Department of Health and Environmental Control from issuing any permit for the construction of a solid waste management facility or mining activities if located within a certain proximity to a public park or other public natural area. The bill was introduced 16 FEB 21.

REGULATORY ACTIVITY

ASIAN LONGHORNED BEETLE (ALB) QUARANTINE. The State Crop Pest Commission has issued an emergency rulemaking to establish boundaries extending to approximately one and one-half miles from the nearest known tree infested with ALB and will limit the movement of regulated articles from within those boundaries. This restriction prevents human-assisted movement of ALB during the eradication efforts. The emergency rule will expire 11 APR 21.

LEGISLATIVE SESSION: 12 JAN 21 THROUGH 6 MAY 21

MISCELLANEOUS

SB 1609 (HB 1423), HISTORIC ZONING COMMISSION. The bill reduces the period within which a historic zoning commission or regional historic zoning commission must grant or deny a request for a certificate of appropriateness from 30 to 20 days. The bill was referred to the State and Local Government Committee 22 FEB 21.

HB 546 (SB 202), HYDROGEN SULFIDE. The bill requires the Air Pollution Control Board to promulgate rules establishing ambient air quality standards for hydrogen sulfide. The bill was referred to the Agriculture and Natural Resources Subcommittee 10 FEB 21.

WASTE

SB 1456, SOLID WASTE WATER FACILITIES. The bill increases the time an interested party has from notice to written comment submittal from 30 days to 35 days on the tentative determinations made regarding a proposed solid waste facility. The bill was referred to the Agriculture and Natural Resources Committee 22 FEB 21.

SB 1253, MEDICAL WASTE. The bill requires the Board of Pharmacy to promulgate rules for a facility to accept, or facilitate the disposal of, unused controlled substances and prescription drugs. The bill was referred to the Health and Welfare Committee 22 FEB 21.

WATER

HB 861 (SB 789), PUBLIC SCHOOL LEAD LEVELS IN DRINKING WATER. The bill clarifies that local boards of education are required to implement a policy that incorporates biennial testing for lead levels in drinking water. The bill was referred to the K-12 Subcommittee 20 FEB 21.

HB 1144 (SB 790), SURFACE WATER DISCHARGE. The bill directs the Board of Energy and Natural Resources to create a system of incentives for alternatives to discharges to surface waters. The bill was referred to the Agriculture and Natural Resources Subcommittee 24 FEB 21.

HB 764 (SB 719), SOIL AND WATER CONSERVATION DISTRICTS LAW. The bill rewrites the Soil Conservation Districts Law to be the Soil and Water Conservation Districts Law, amending various provisions of existing statute to emphasize protection of water quality. The bill was introduced 9 FEB 21.

SB 1043, LAND APPLICATION SYSTEM PERMITTING. The bill prohibits the Tennessee Department of Environment and Conservation (TDEC) from requiring a permit for the construction, installation, or modification of a land application system authorized by the Board of Water Quality, Oil and Gas. The bill was referred to the Agriculture and Natural Resources Committee 22 FEB 21.

HB 227 (SB 1049), WATER POLLUTION. The bill directs TDEC to take certain actions to ensure that in-lieu fee sponsors secure mitigation for permanent impacts to waters. The bill was referred to the Agriculture and Natural Resources Subcommittee 10 FEB 21.

SB 1410 (HB 46), DRINKING WATER IN PUBLIC SCHOOLS. The bill requires the Tennessee Department of Education to develop a water testing program to reduce potential lead contamination in public school drinking water, including public

charter schools and childcare programs that are certified by the department. The bill was referred to the Agriculture and Natural Resources Committee 22 FEB 21.

SB 1492 (HB 1136), WATER RESOURCES. The bill requires persons who withdraw 10,000 or more gallons of water per day without registering with the TDEC commissioner, in order to respond to an emergency, to report such withdrawals to the director of the Water Resources Division within 90 days of the withdrawal. The bill was referred to the Agriculture and Natural Resources Committee 22 FEB 21.

REGULATORY ACTIVITY

HAZARDOUS WASTE MANAGEMENT. The Underground Storage Tanks and Solid Waste Disposal Control Board adopted rulemaking regarding hazardous waste management to conform to federal requirements and update standards for universal waste. The final rule is effective on 13 MAY 21.

CLASSIFICATION AND MANAGEMENT OF PESTICIDES. The Department of Agriculture has proposed rulemaking to reduce the volume of statewide pesticide regulations and simplify requirements for the sale, distribution, and application of pesticides in the state. A hearing will be held 22 APR 21.

Federal Activity

CLIMATE CHANGE

INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS: 1990-2019. On 12 FEB 21, EPA published the draft [Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2019 \(86 FR 9339\)](#). This annual report provides a comprehensive accounting of total GHG emissions for all man-made sources in the U.S. The gases covered by the inventory include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride. The inventory also calculates carbon dioxide removal from the atmosphere by "sinks"; e.g., through the uptake of carbon and storage in forests, vegetation, and soils. Emissions decreased from 2018 to 2019 by 1.8% (after accounting for sequestration from the land sector). This decrease was driven largely by a decrease in emissions from fossil fuel combustion resulting from a decrease in total energy use in 2019 compared to 2018 and a continued shift from coal to natural gas, particularly in the electric power sector. EPA has developed an interactive tool, the [Greenhouse Gas Inventory Data Explorer](#), that provides access to data allowing users to create customized graphs, examine trends and download the data. EPA requests recommendations for improving the overall quality of the inventory report to be finalized in April 2021, as well as subsequent inventory reports. Written comments are due by 15 MAR 21.

ENERGY

DOE ENERGY CONSERVATION PROGRAM PRIORITIZATION. On 19 FEB 21, the U.S. Department of Energy (DOE) published a proposed rule regarding "Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment" (Process Rule). The Process Rule provides that stakeholders will have the opportunity to provide input on the prioritization of energy conservation rulemakings as DOE begins its preparation of the Spring Regulatory Agenda ([86 FR 10211](#)). DOE requests that stakeholders use the [Fall 2020 Unified Agenda of Regulatory and Deregulatory Actions](#) as the common frame of reference. The 2020 Fall Agenda shows the two basic categories of agency actions: (1) active rulemakings; and (2) long-term actions. Written comments were due 11 MAR 21.

NIST FRAMEWORK AND ROADMAP FOR SMART GRID INTEROPERABILITY STANDARDS. In February 2021, the National Institute of Standards and Technology (NIST) issued [Release 4.0 of NIST Framework and Roadmap for Smart Grid Interoperability](#)

[Standards](#). The 4.0 version of the framework describes the economic and environmental benefits that could stem from enhanced interoperability and outlines a new strategy for supporting the development of interoperable devices and equipment. This revision examines the impacts changing grid technologies will have on four key areas — grid operations, cybersecurity, grid economics, and standards testing and certification — and the associated evolution of grid interoperability requirements.

EXECUTIVE OFFICE OF THE PRESIDENT

EXECUTIVE ORDER (EO) 14007 — PRESIDENT’S COUNCIL OF ADVISORS ON SCIENCE AND TECHNOLOGY. On 27 JAN 21, President Biden issued EO 14007 establishing the President's Council of Advisors on Science and Technology (PCAST) ([86 FR 7615](#)). PCAST will advise the president on matters involving policy affecting science, technology, and innovation, as well as on matters involving scientific and technological information that is needed to inform public policy relating to the economy, worker empowerment, education, energy, the environment, public health, national and homeland security, racial equity, and other topics. PCAST will terminate two years from the date of this order unless extended by the president.

EO 14008 — TACKLING THE CLIMATE CRISIS AT HOME AND ABROAD. On 27 JAN 21, President Biden issued EO 14008, Tackling the Climate Crisis at Home and Abroad ([86 FR 7619](#)). This EO places the climate crisis at the forefront of the nation's foreign policy and national security planning, including submitting the U.S. instrument of acceptance to rejoin the Paris Agreement. The EO directs the Secretary of Defense, in coordination with the Department of Commerce, to develop and submit to the president within 120 days an analysis of the security implications of climate change (Climate Risk Analysis) that can be incorporated into modeling, simulation, war-gaming, and other analyses. DOD and the Chairman of the Joint Chiefs of Staff also are to report on national security implications of climate change to the president within 120 days, include those implications in future planning, and make annual updates beginning in 2022. The Secretary of Defense will become a member of a newly established National Climate Task Force, and also will become a member of a newly established White House Environmental Justice Interagency Council.

EO 14013 — REBUILDING AND ENHANCING PROGRAMS TO RESETTLE REFUGEES AND PLANNING FOR THE IMPACT OF CLIMATE CHANGE ON MIGRATION. On 4 FEB 21, President Biden issued EO 14013, Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration ([86 FR 8839](#)). The EO directs that within 180 days, the Secretary of State, in consultation with the secretaries of Defense and Homeland Security, shall complete a review of the Iraqi and Afghan Special Immigrant Visa programs and submit a report to the president, and also conduct a review and submit a report to the president identifying whether additional populations are at risk as a result of their service to the U.S. Government. Within 180 days, the Assistant to the President for National Security Affairs, in consultation with the secretaries of State, Defense, Homeland Security, the Administrator of the U.S. Agency for International Development, and the Director of National Intelligence shall submit a report on climate change and its impact on migration, including forced migration, internal displacement, and planned relocation.

HAZARDOUS MATERIALS

HAZARD COMMUNICATION STANDARD. The Occupational Safety and Health Administration’s proposed rule, published 16 FEB 21, seeks to modify the Hazard Communication Standard (HCS) to conform to the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Revision 7, published in 2017 ([86 FR 9576](#)). GHS is updated with improvements and clarifications every two years. The proposed modifications to the HCS include: revised criteria for classification of certain health and physical hazards to better capture and communicate the hazards to downstream users; revised provisions for labels (including proposed provisions addressing the labeling of small containers and the relabeling of chemicals that have been released for shipment); technical amendments related to the contents of Safety Data Sheets; and new provisions relating to concentrations or concentration ranges being claimed as trade secrets. Written comments are due 19 APR 21.

NEPA

CEQ GUIDANCE ON CONSIDERATION OF GHG EMISSIONS UNDER NEPA. The Council on Environmental Quality (CEQ) is [rescinding](#) its "Draft National Environmental Policy Act (NEPA) Guidance on Consideration of Greenhouse Gas Emissions," consistent with [Executive Order \(E.O.\) 13990](#), "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis." CEQ will address in a separate notice its review of and any appropriate revisions and updates to the 2016 GHG guidance. In the interim, agencies should consider all available tools and resources in assessing GHG emissions and climate change effects of their proposed actions, including, as appropriate and relevant, the 2016 GHG Guidance.

SUSTAINABILITY

AGRICULTURAL CONSERVATION EASEMENT PROGRAM. On 4 FEB 21, the U.S. Department of Agriculture (USDA) released the final rule for its [Agricultural Conservation Easement Program \(ACEP\)](#), which enables agricultural producers and private landowners to protect farmlands, grasslands, and wetlands with conservation easements ([86 FR 8113](#)). The rule updates ACEP as directed by the 2018 Farm Bill and incorporates public comments made on an interim rule. A summary of the updates can be found [here](#).

TOXICS

1,4-DIOXANE GUIDANCE WEBSITE. The Interstate Technology Regulatory Council (ITRC) has created a [website](#) for documents and fact sheets providing information and resources related to 1,4-dioxane, as well as 1,4-dioxane internet-based training sessions.

CONGRESSIONAL PFAS TASK FORCE LETTER TO PRESIDENT BIDEN. On 29 JAN 21 the [Congressional PFAS Task Force](#), a bipartisan caucus, sent a [letter](#) to President Biden, signed by 132 members, that urges immediate steps to reduce PFAS releases, phase out non-essential uses of PFAS in everyday products, and clean up legacy PFAS pollution. Among other things, the letter urges the administration to meet regularly with members of the bipartisan Congressional PFAS Task Force, with agency participation from EPA, the Food and Drug Administration, and DOD. The letter also urges the administration to direct DOD to accelerate efforts to end the use of firefighting foam made with PFAS; to impose a moratorium on the incineration of legacy foam and accelerate PFAS cleanup at DOD and Base Realignment and Closure installations; and to test for PFAS in the blood of all service members.

WATER

2021 MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY. EPA has finalized the 2021 National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges associated with industrial activity, also referred to as the 2021 Multi-Sector General Permit (MSGP) ([86 FR 10269](#)). EPA is issuing this permit for five years to provide permit coverage to operators of eligible facilities in areas of the country where EPA is the NPDES permitting authority, including: Idaho (until 1 JUL 21); Massachusetts; New Hampshire; New Mexico; the District of Columbia; Puerto Rico; most U.S. territories and protectorates; and Indian country lands. The final permit became effective 1 MAR 21 and replaces EPA's administratively continued 2015 MSGP that expired 3 JUN 20.

PFAS IN DRINKING WATER. On 22 FEB 21, EPA [announced](#) it is taking two actions to protect public health by addressing PFAS in drinking water. EPA is reproposing the Fifth Unregulated Contaminant Monitoring Rule (UCMR 5) to collect new data on PFAS in drinking water and is reissuing final regulatory determinations for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) under the Safe Drinking Water Act (SDWA). With the final regulatory determinations for PFOA and PFOS, EPA will implement the national primary drinking water regulation development process for these two PFAS. The regulatory determinations also outline avenues that the agency is considering to further evaluate additional PFAS chemicals and provide flexibility for the agency to consider groups of PFAS. EPA will accept public comment on the proposed

UCMR 5 for 60 days, following publication in the Federal Register. EPA will also hold a virtual stakeholder meeting twice during the public comment period. For more information about the UCMR 5 action, click [here](#). For more information about the determination to regulate PFOA and PFOS in drinking water, click [here](#).

Department of Defense Activity

DEFENSE PROGRAM SEEKS INNOVATIVE TECHNOLOGIES FOR DEMONSTRATION AND VALIDATION. The [National Defense Center for Energy and Environment \(NDCEE\)](#) is accepting project proposals from 1 MAR 21 through 1 APR 21 for innovative military technologies to demonstrate and validate at active DOD installations. Since the organization's creation in 1991, NDCEE has supported hundreds of successful projects from across the military services, realizing millions in cost savings in the areas of energy, environment, and occupational safety and health; as well as improved operations, reduced risks, and enhanced energy, environmental, and safety stewardship. More information on NDCEE or how to submit a project proposal can be found [here](#).

Professional Development

DOD TRAINING SOURCES

US ARMY CORPS OF ENGINEERS PROSPECT TRAINING. The USACE FY 2021 PROSPECT (Proponent-Sponsored Engineer Corps Training) purple book describes courses that are open to federal, state, county, and city employees and contractors. Refer to the [course schedule](#) for the latest information relating to PROSPECT courses. Environmental courses include, but are not limited to:

- The Complete RCRA Course (Course Control Number (CCN) 226).
- Environmental Regulations Practical Application Course (CCN 398).
- CERCLA/RCRA Process (CCN 356).
- Hazardous Waste Manifesting & DOT Certification (CCN 223).
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN 429).
- Radioactive Waste Transport (CCN 441).
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141).
- Environmental Remediation Technologies (CCN 395).
- Environmental Laws and Regulations (CCN 170).

USACE ENGINEERING WITH NATURE PODCAST SERIES. The podcast series tells the stories of a growing international community of scientists, engineers, and researchers who are applying Engineering With Nature (EWN) principles and practices to solve problems and diversify infrastructure value. USACE developed the podcast to mark the EWN initiative's 10th anniversary. The first season includes 10 episodes that are available on the EWN [website](#).

DOD ENVIRONMENTAL MONITORING AND DATA QUALITY WORKSHOP. The DOD Environmental Data Quality (EDQW) [workgroup](#) — whose primary mission is to develop and recommend DOD policy pertaining to environmental sampling, laboratory testing operations, and data quality — announced the 2021 DOD Environmental Monitoring and Data Quality Workshop, tentatively planned for May 2021. Due to travel restrictions, the workshop will be held as a virtual multi-part series. The 2021 workshop's topics include DOD Data Validation Guidelines Development, DOD Data Usability Guidelines Development, DOD/DOE QSM Version 6.0, ISM-2, and PFAS. The workshop is open to all interested members of the

environmental community involved with DOD sites or projects including representatives from the DOD services; other federal agencies; state, local, and tribal governments; academia; and the private sector. Questions regarding the 2021 Environmental Monitoring and Data Quality Workshop may be directed to [Mr. Mathew Lloyd](#), with copies to [Mr. Jeremy Voiner](#) and [Ms. Alyssa Wingard](#).

NAVY CIVIL ENGINEER CORPS OFFICERS SCHOOL TRAINING. The [Navy Civil Engineer Corps Officers School](#) (CECOS) offers training on environmental management, pollution prevention, environmental compliance, environmental conservation and planning, and environmental restoration. Energy course offerings include Leadership in Energy and Environmental Design, Energy Information Administration, and Energy Technology Information. Click [here](#) for information on course offerings and times. Courses offered by CECOS are available to all military and civilian employees of the U.S. government, free of charge. Travel costs are borne by the student.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING. The [Air Force Civil Engineer School](#) offers a variety of environmental management courses and seminars, including Interservice Environmental Education Review Board (ISEERB) offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government, free of charge. Due to COVID-19, all resident courses with the exception of WMGT 101, 400, and WMSS 700 have been converted to distance learning methods or delayed through the end of June 2021.

REPI WEBINAR SERIES. DOD's Readiness and Environmental Protection Integration Program (REPI) Webinar Series showcases best practices and lessons learned from REPI partnerships nationwide that support military missions, accelerate the pace of conservation, and promote military installation and community resilience. All webinars begin at 1:00 p.m. EST unless otherwise noted. Part 1 of the 2021 REPI Webinar Series (3 FEB, 3 MAR, 7 APR, 5 MAY, and 2 JUN) is available for download [here](#).

STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM (SERDP) AND ENVIRONMENTAL SECURITY TECHNOLOGY CERTIFICATION PROGRAM (ESTCP) WEBINAR SERIES. DOD's environmental research and development funding programs ([SERDP and ESTCP](#)) launched a [webinar series](#) to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding. Live webinars are offered every two weeks on Thursdays from 12:00 p.m. Eastern for 90 minutes. Most webinars feature two 30-minute presentations and interactive question and answer sessions on topics targeted for DOD and Department of Energy audiences. Prior presentations are archived for viewing any time. Recently archived webinars are available on demand [here](#).

RESILIENCE WEBINAR SERIES. The [Resilience Webinar Series](#) is presented by the Readiness and Environmental Protection Integration Program, Southeast Regional Partnership for Planning and Sustainability (SERPPAS), and Western Regional Partnership. Recordings of previous webinars in this series are available [here](#).

FEDERAL TRAINING SOURCES

FEDERAL ENVIRONMENTAL SYMPOSIUM WEBINAR SERIES. The Federal Environmental Symposium is sponsoring a series of virtual webinar training sessions to help share best practices across the federal government on important environmental issues. Sessions are generally held on Wednesdays, from 12:30-4 p.m. Eastern time. Registration is available [here](#).

- 22 April, Sustainability. The goal of this webinar is to share best practices and promote collaboration across federal agencies on common sustainability topics. This half-day event will feature several presentations from federal government sustainability professionals on climate resiliency, electric vehicle infrastructure, renewable energy, sustainable purchasing and more.
- 28 July, Environmental Management Systems (EMS). The goal of this webinar is to share information on the implementation of an effective EMS and promote collaboration across federal agencies. This webinar will feature a review of the EMS process, specific EMS elements, and significant aspects connected to the mission.

ECHO COMPLIANCE WEBINAR. The EPA [webinar](#) will provide an overview about the data in the [Enforcement and Compliance History Online](#) (ECHO) portal and guide users through how to use ECHO to answer environmental enforcement and

compliance questions. The webinar will focus on a collection of short, step-by-step demonstrations geared toward new and infrequent users.

WATER RESEARCH WEBINAR SERIES. EPA's Office of Research and Development hosts this [webinar series](#) to share current research activities and results. The webinars are available in real time or on demand for previously held events. A [September webinar](#), SARS CoV-2 in Wastewater Monitoring: Linking Research and Application to Meet Immediate Needs, is available on demand. Scheduled events include:

- 31 MAR 21 Fit-for-Purpose Water Updates and Life Cycle Comparisons of Non-Potable Water Reuse Scenarios.

FRTR WEBINARS ON PFAS. The Federal Remediation Technologies Roundtable ([FRTR](#)) hosts webinars to identify and discuss emerging science behind PFAS characterization and remedial technologies. Webinars are archived for viewing at any time. Upcoming and archived webinars can be found [here](#).

ITRC TRAINING. The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition working with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division, ITRC delivers [training courses](#) to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus based ITRC guidance documents.

13-21 APR 21, ITRC ANNUAL SPRING MEETING. ITRC's [Annual Spring Meeting](#) is an opportunity to learn more about ITRC and its technical teams. The virtual meeting will include environmental leaders and professionals from state agencies; tribes; EPA, DOE, DOD and other federal agencies; industry; and nongovernmental organizations. The meeting will include technical team meetings and events for the following program areas: Effective Application of Guidance Documents to Hydrocarbon Sites; Environmental Data Management Best Practices; Microplastics; PFAS; Soil Background and Risk; and Strategies for Preventing and Managing Harmful Cyanobacterial Blooms (Benthic).

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER. [FedCenter.gov](#) is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information, such as:

- Program development (e.g., environmental management systems, green procurement program).
- Federal and state regulatory requirements for various facility activities.
- Access to [environmental assistance](#).
- Access to free, [FedCenter-sponsored courses](#).
- [Partnerships](#).

FedCenter also provides member assistance services such as collaboration tools for workgroups, environmental reporting tools, and daily newsletter and subscription services.

BIOBASED PRODUCT TRAINING SERIES. The U.S. Department of Agriculture offers a series of on-demand training modules about biobased products and the [BioPreferred® Program](#). View training modules [here](#).

FEMP eTRAINING COURSES. The U.S. Department of Energy's Federal Energy Management Program (FEMP) offers interactive, [eTraining courses](#) to help federal agencies develop core competencies and comply with energy efficiency, renewable energy, water management, and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide to host these comprehensive, FEMP-developed eTraining courses.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY. Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of [live and archived webinars](#). Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management is a systemic approach that seeks to

reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

SMALL DRINKING WATER SYSTEMS MONTHLY WEBINAR SERIES. EPA's Office of Research and Development and Office of Water offer free monthly drinking water-focused webinars typically held on the last Tuesday of the month from 2:00-3:00 p.m. Eastern time with an optional Q&A session from 3:00-3:30 p.m. Eastern time. This [webinar series](#) communicates the latest information on solutions for challenges facing small drinking water systems. This forum allows EPA to communicate directly with stakeholders to provide training and foster collaboration and dissemination of information.

SUSTAINABLE ACQUISITION FOR FEDERAL AGENCIES. The two-hour [course](#) provides staff involved in specifying and purchasing with a thorough introduction to compliance requirements, processes, and tools for procuring sustainable products and services. Participants will receive specific guidance on how to meet executive order and Federal Acquisition Regulation requirements and understand how sustainable acquisition benefits their agency, community, and the environment.

SUSTAINABLE ACQUISITION TRAINING RESOURCES. The interagency federal Sustainable Acquisition & Materials Management Practices Workgroup compiled a [spreadsheet](#) of sustainable acquisition training resources developed or hosted by federal agencies that are available to government employees, businesses, and non-governmental organizations.

ENERGY STAR. EPA's [Energy Star program](#) helps identify and promote energy efficiency in products, homes, and buildings. EPA hosts a [webinar series](#) that covers a range of topics, from how to benchmark in Portfolio Manager to financing energy efficiency improvements to how to engage building occupants.

GENERAL CONFORMITY TRAINING MODULES. The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. EPA's [online conformity training program](#) covers all aspects of the rule and is divided into four modules.

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES. This U.S. Geological Survey [webinar series](#) was developed to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife and to help guide resource management decisions across the United States. Regional Climate Adaptation Science Centers also host [regional webinars](#) to spotlight local research.

WATER/WASTEWATER UTILITY ALL-HAZARDS BOOTCAMP TRAINING. Hosted by EPA, this [training course](#) is designed for water and wastewater employees responsible for emergency response and recovery activities. It also explains why and how to implement an all-hazards program, and will cover prevention and mitigation, preparedness, response, and recovery.

RESTORATION WEBINAR SERIES. The [Restoration Webinar Series](#), hosted by National Oceanic and Atmospheric Administration and U.S. Fish and Wildlife Service, is a venue for disseminating new approaches, best management practices, and innovative restoration techniques to some of the nation's greatest restoration challenges. The series covers topics including planning and implementing restoration projects, project monitoring and evaluation at multiple time scales, accounting for a changing climate in restoration, regional restoration planning and priority setting, and permitting. All webinars are recorded and available for public viewing at any time.

OTHER TRAINING RESOURCES

86TH NORTH AMERICAN WILDLIFE AND NATURAL RESOURCES CONFERENCE/WORKSHOP. The Wildlife Management Institute has [announced](#) that the 2021 conference will be implemented virtually, from 8-12 MAR 21. The North American Conference sessions, workshops and more than 150 separate meetings and functions serve as the annual forum to set conservation policy in North America.

PFAS ROUNDTABLE II. The [Interstate Technology and Regulatory Council](#) hosted an "ask the experts" roundtable on PFAS that focused on PFAS fate and transport in the environment, available physical and chemical properties of PFAS, and unique

considerations for PFAS site characterization. The roundtable session, held live 8 OCT 20, can be viewed anytime from Clu-In's [archived training seminars](#).

QUALITY CONSIDERATIONS FOR MUNITIONS RESPONSE SITES. ITRC has released an [on-demand training video](#) that provides a 30-minute introductory overview of ITRC's [Quality Considerations for Multiple Aspects of Munitions Response Sites](#) guidance document. The training explains the decision logic used throughout a munitions response (MR) project and assists in developing the quality assurance and quality control activities that ensure quality data and confidence in decisions. The training provides an overview of the MR process and identifies specific quality considerations at critical decision points for MR projects.

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How the Regional Offices Work for You

The [Army Regional Environmental and Energy Offices](#)' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations.

The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services' interests are represented.

To comment on items in the *Southern Review*, please contact the Regional Counsel listed at the top of page two.

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