

Developments of Interest— August through October 2011

THIS ARTICLE HIGHLIGHTS significant environmental regulatory changes and indicators suggesting future changes to the regulatory landscape.

This quarter saw the release of several guidance documents relating to sustainability, environmental justice, and energy, including “Implementing Instructions on Sustainable Locations for Federal Facilities,” “National Strategy for Electronics Stewardship,” Memorandum of Understanding on Environmental Justice, and a Presidential Memorandum addressing energy efficiency and alternative energy that encouraged energy performance savings contracting, utility energy service contracts, and power purchase agreements.

- Promote accessibility to affordable housing.
- Maximize use of existing infrastructure; reuse existing sites including brownfield/greyfield development, infill development, and preservation of historic resources and other existing buildings.
- Avoid development of agricultural and other undeveloped lands.
- Preserve existing ecosystems and environmental resources—specifically including implementing the Energy Independence and Security Act 438 storm-water runoff requirements.
- Promote climate change adaptation planning.
- Maximize use of existing Federal space, by consolidation, co-location, disposing of unneeded facilities, and

This quarter saw the release of a Presidential Memorandum addressing energy efficiency and alternative energy that encouraged energy performance savings contracting, utility energy service contracts, and power purchase agreements.

The Implementing Instructions on Sustainable Locations for Federal Facilities, issued by the Council on Environmental Quality to provide for compliance with Executive Order (EO) 13514, provides a set of Principles for Sustainable Federal Locations. Each Federal agency’s June 2012 Strategic Sustainability Performance Plan submission shall provide evidence that the agency has integrated the Principles into written agency procedures for defining their facility requirements, formulating funding requests, and into the agency’s site selection and lease procurement procedures. The principles include:

- Participate in advancing local and regional planning goals—engage and consult with local officials; align Federal actions with local and regional plans.
- Seek Location-Efficient Sites; consider co-location and mixed-use siting of Federal facilities in central business districts or town centers.
- Give consideration to sites that are pedestrian friendly, are near existing employment centers, and accessible to public transit; are walkable, and bikeable.

by careful review of space utilization rates and needs in light of technological advances and new ways of doing business.

- Review standard security design requirements to reduce unnecessary costs.
- Reduce parking demand for single occupancy vehicles.

Regulatory and environmental news items of interest (January 2011 through April 2011) include the following:

Easy Access

FOR EASY AND direct access to the web addresses included in this regulatory summary, select the “Digital Currents” link next to the “Regulatory Corner” link on the *Currents* page on the Department of the Navy’s Energy, Environment and Climate Change web site—at <http://greenfleet.dodlive.mil/currents-magazine>.

Air

Mandatory Reporting of Greenhouse Gases— Minor Corrections: Proposed Rulemaking (2011-08-04)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-04/html/2011-18712.htm>

Mandatory Reporting of Greenhouse Gases (U.S. Environmental Protection Agency (EPA)): Change to the Reporting Date for Certain Data—Final Rule (2011-08-25)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-25/html/2011-21727.htm>

Addition of 26 Non-Ozone Depleting Substance Compounds for Significant New Alternatives Policy Program—Notice (2011-10-04)

<http://www.gpo.gov/fdsys/pkg/FR-2011-10-04/html/2011-25391.htm>

Secondary National Ambient Air Quality Standards for Oxides of Nitrogen & Sulfur (addition of secondary standards identical to primary)—Proposed Rulemaking (2011-08-01)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-01/html/2011-18582.htm>

President to Postpone Tightening of Ozone National Ambient Air Quality Standards (NAAQS)—Notice (2011-09-02)

<http://www.whitehouse.gov/the-press-office/2011/09/02/statement-president-ozone-national-ambient-air-quality-standards>

In response to the 2 September 2011 statement by the President on the Ozone NAAQS, EPA clarifies to states and local regulatory agencies the status of the Ozone NAAQS and outlines implementation steps of the 2008 Ozone NAAQS—EPA's Memo (2011-09-22)

<http://www.epa.gov/groundlevelozone/pdfs/OzoneMemo9-22-11.pdf>

Climate Change, Alternative Fuels

Energy Standards for New Federal Buildings—Final Rule (2011-08-10)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-10/html/2011-20024.htm>

Department of Energy Adopting Full-Fuel-Cycle Analyses Into Energy Conservation Standards Program—Notice (2011-08-18)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-18/html/2011-21078.htm>

Faucets, Showerheads, Water Closets and Urinals Efficiency—Notice and Request for Comments (2011-08-23)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-23/html/2011-21494.htm>

Commercial Building Workforce Job/Task Analyses—Notice (2011-10-14)

<http://www.gpo.gov/fdsys/pkg/FR-2011-10-14/html/2011-26645.htm>

Energy Conservation Standards for Residential Refrigerators and Freezers—Final Rule (2011-09-15)

<http://www.gpo.gov/fdsys/pkg/FR-2011-09-15/html/2011-22329.htm>

Energy and Sustainability Efficiency and Clean Energy Technology—Executive Order, Implementation (2011-08-16)

http://www1.eere.energy.gov/femp/pdfs/ceq_espc_memo082011.pdf

Water, Drinking Water

California Adopts Non-Regulatory Public Health Goal For Hexavalent Chromium in Drinking Water—Notice (2011-07-27)

http://www.oehha.ca.gov/public_info/press/Chrom6_072911.html

National Environmental Planning Act & Planning, Natural Resources

Submarine Cable Projects in National Marine Sanctuaries—Notice (2011-09-15)

<http://www.gpo.gov/fdsys/pkg/FR-2011-09-15/html/2011-23625.htm>

Presidential Memorandum of Understanding on Environmental Justice and EO 12898—Presidential Memo or Proclamation (2011-08-04)

<http://yosemite.epa.gov/opa/admpress.nsf/bd4379a92ceceeac8525735900400c27/28420a5ae8467cf5852578e200635712!OpenDocument>

Occupational Safety & Health

National Institute for Occupational Safety and Health Antineoplastic List and Other Hazardous Drugs in Healthcare Settings 2012—Notice and Request for Comments (2011-08-02)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-02/html/2011-19460.htm>

Occupational Injury and Illness Recording and Reporting Requirements—Proposed Rulemaking, Reopening (2011-09-28)

<http://www.gpo.gov/fdsys/pkg/FR-2011-09-28/html/2011-24779.htm>

Recommendations on the Annual Radiological Dose Limit to the Lens of the Eye—Notice and Request for Comments (2011-08-30)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-30/html/2011-21900.htm>

Green Products Compilation Version 9 Released—Notice (2011-08-23)

http://www.fedcenter.gov/Documents/index.cfm?id=19300&pge_id=1854

Toxics

Lead Clearance and Clearance Testing Requirements—Final Rule (2011-08-05)

<http://www.gpo.gov/fdsys/pkg/FR-2011-08-05/html/2011-19417.htm>

100 parts per million Lead Content Limit in Children's Products—Notice (2011-07-26)

<http://www.gpo.gov/fdsys/pkg/FR-2011-07-26/html/2011-18510.htm>

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Other

Sustainable Locations for Federal Facilities—Notice, Guidance (2011-09-15)

http://www.fedcenter.gov/Documents/index.cfm?id=19447&pge_id=1854

Exposure Factors Handbook—Notice (2011-10-03)

<http://www.gpo.gov/fdsys/pkg/FR-2011-10-03/html/2011-25412.htm>

Procurement

Improving Sustainable Acquisition and Reporting—Presidential Memo or Proclamation (2011-10-05)

http://www.whitehouse.gov/sites/default/files/omb/assets/procurement_green/improving-sustainable-acquisition-and-reporting.pdf

Additional Biobased Items Designated for Federal Procurement—Final Rule (2011-07-22)

<http://www.gpo.gov/fdsys/pkg/FR-2011-07-22/html/2011-18478.htm>

Designation of Additional Biobased Procurement Product Categories—Proposed Rulemaking (2011-09-14)

<http://www.gpo.gov/fdsys/pkg/FR-2011-09-14/html/2011-23067.htm>

Waste & Recycling

National Strategy for Electronics Stewardship—Notice (2011-07-20)

<http://yosemite.epa.gov/opa/admpress.nsf/1e5ab1124055f3b28525781f0042ed40/030075aab3c88984852578d300566b3b!OpenDocument>

Definition of Solid Waste—Proposed Rulemaking (2011-07-22)

<http://www.gpo.gov/fdsys/pkg/FR-2011-07-22/html/2011-17031.htm>

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