

TRANSCEND

GOING ABOVE & BEYOND, MAKING TRANSPORTATION SUSTAINABLE

Issue 5, January 2016

ALL STAR RECYCLING REPORTS: TIME TO GET READY

The Maryland Recycling Act (MRA) and legislative updates requires State Agencies to recycle 30 percent of their waste in 2014 with a goal of 40 percent in 2015. The Maryland All StAR (All State Agencies Recycle) Recycling Report is the mechanism by which MDOT and other Maryland State Agencies track the amount of waste recycled during the calendar year. MDOT is among the top 11 State Agencies that recycled more than 30 percent of their waste in 2014, reporting an overall recycling rate exceeding 40 percent.

The Facility Coordinator at each MDOT Transportation Business Unit (TBUs) submits their recycling

report to the Intermediate Coordinator (typically the Environmental Representative for the TBU). After the Intermediate Coordinator approves the facility report, it is then reviewed and approved by the Agency Coordinator (TSO Office of the Environment, TSO-OE) before it is submitted to the Maryland Department of Environment (MDE). The submission deadline for the final All StAR Recycling Report is February 28, 2016. To ensure that the reports can be submitted in a timely fashion, **Facility Coordinators must submit reports by February 22, 2016** for Intermediate Coordinator review and approval, and **Intermediate Coordinators must approve the reports by February 24, 2016.**

TSO-OE recognizes that Facility Coordinators may need assistance preparing their All StAR Reports. TSO-OE will assist Facility Coordinators and Intermediate Coordinators with questions or data issues to help complete the report.

It is important to provide the best data available to ensure that MDOT is able to accurately reflect, and take credit for, the Agency's extensive recycling efforts.

For questions or assistance in completing reports, please contact Michelle LaRue of TSO-OE at mlarue2@mdot.state.md.us or 410.865.1167.



Office of Environment
MDOT | The Secretary's Office

REGULATORY UPDATES

FEDERAL

FINAL:

Air Quality

USEPA has issued a final rule that strengthens the primary and secondary NAAQS for ground-level ozone to 70 parts per billion (ppb) from 75 ppb ([80 FR 65291](#)). The rule retains the indicator forms (fourth-highest daily maximum, averaged across three consecutive years) and averaging times (eight hours). The final rule becomes effective on 28 DEC 2015.

USEPA has issued a final decision on its reconsideration of the January 31, 2013 amendments to the NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, commonly referred to as the Boiler Maximum Achievable Control Technology (MACT) ([80 FR 72789](#)). USEPA is retaining a minimum carbon monoxide limit of 130 parts per million (ppm) and the particulate matter continuous parameter monitoring system requirements, consistent with the January 2013 final rule. The final rule addresses technical corrections, definitions, and clarifications of the rule. The corrections do not affect environmental, energy, or economic impacts associated with the rule. The final decision became effective on November 20, 2015.

USEPA has issued a final rule approving a SIP revision submitted by the state of Maryland ([80 FR 59055](#)). The revision includes amendments to Maryland's regulation for the control of VOCs. The revisions allow the state to meet the requirement to adopt reasonably available control technology (RACT) for sources covered by USEPA's Control Techniques Guidelines (CTG) standards for coatings for metal furniture and miscellaneous metal parts. The amendments will reduce emissions of VOC from these source categories and assist Maryland to attain and maintain the NAAQS for ozone. The final rule became effective on November 2, 2015.

Energy

The U.S. Department of Energy (DOE) has issued a final determination that energy conservation standards for high-intensity discharge (HID) lamps do not meet the criteria of being technologically feasible, economically justified, and resulting in significant energy savings ([80 FR 76355](#)). Specifically, DOE has concluded that standards for high-pressure sodium (HPS) lamps are not technologically feasible, and that standards for mercury vapor (MV) and metal halide (MH) lamps are not economically justified. The HPS, MV, and MH lamps are subcategories of HID lamps. The final determination became effective on December 9, 2015.

Hazardous Materials

USEPA has issued a final rule that adds 1-bromopropane to the list of toxic chemicals subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) ([80 FR 72906](#)). USEPA determined that 1-bromopropane meets the EPCRA section 313(d)(2)(B) criteria because it can reasonably be anticipated to cause cancer in humans. The final rule became effective on November 30, 2015. It applies for the reporting year beginning January 1, 2016 (reports due July 1, 2017).

Water

The Coast Guard has issued a final rule amending ballast water management reporting and recordkeeping requirements, 33 CFR 151 Subparts C and D ([80 FR 73105](#)). The final rule requires certain vessels with ballast tanks to submit an annual report of their ballast water management practices. This rule also simplifies and streamlines the ballast water report form. The final rule becomes effective on February 22, 2016.

USEPA has issued a final rule that requires the electronic reporting and sharing of NPDES program information ([80 FR 64063](#)). The final rule requires permittees and regulators to electronically report information and data related to the NPDES permit program in lieu of filing

paper-based reports. Authorized NPDES programs may adopt USEPA data systems or elect to use their own data systems. The final rule became effective December 21, 2015. Implementation will be in phases, with certain reports required electronically beginning December 21, 2016.

PROPOSED:

Air Quality

USEPA has withdrawn a proposed rule published on May 8, 2009 ([74 FR 21594](#)). The 2009 proposed rule disapproved the ozone attainment demonstration portion of Maryland's 2007 comprehensive SIP revision request for the Baltimore Area ([80 FR 75845](#)). The withdrawal became effective on December 4, 2015.

USEPA has issued a proposed rule to extend management standards and prohibitions associated with air conditioning equipment containing ozone depleting substances to equipment containing non-ozone depleting substitute refrigerants, such as hydrofluorocarbons ([80 FR 69457](#)). The proposed rule: (1) strengthens leak repair requirements; (2) establishes recordkeeping requirements for the disposal of appliances containing five to 50 pounds of refrigerant; (3) makes changes to the technician certification program; and (4) makes changes for improved readability, compliance, and restructuring of the requirements.

OTHER:

Air Quality

The U.S. Court of Appeals for the District of Columbia has granted a USEPA motion regarding an emergency demand-response program regulatory exemption. The ruling delays, until May 1, 2016, the implementation of the [May 1, 2015 ruling](#) that vacated a regulatory exemption that allows backup generators to operate up to a 100 hours per year without emissions controls. When the exemption is vacated, engines operating under the demand-

REGULATORY UPDATES

response program will no longer qualify as emergency engines under USEPA regulations, and will therefore be subject to certain pollution control requirements. USEPA argued that the delay was needed to ensure grid reliability and give engine operators time to install pollution controls.

Climate Change

USEPA has released the draft document, [Stormwater Management in Response to Climate Change Impacts: Lessons from the Chesapeake Bay and Great Lakes Regions \(80 FR 60667\)](#). A series of workshops, held in the Chesapeake Bay and Great Lakes area with local communities, addressed how projected land use and climate change could impact local water conditions and how adaptation actions such as green infrastructure and low impact development can fit into decision-making processes. The report will assist local and state planners and managers engaged in the development and implementation of stormwater management policies and practices and local climate change or sustainability coordinators.

Environmental Management

The International Organization for Standardization (ISO) released an updated version of its environmental management standard, [ISO 14000:2015](#). The revised ISO standard accommodates factoring of both external and internal elements that influence impact, including climate volatility. Other key improvements in the new version are: (1) greater commitment from leadership; (2) increased alignment with strategic direction; (3) greater protection for the environment, with a focus on proactive initiatives; (4) more effective communication, driven through a communications strategy; and (5) life-cycle thinking, considering each stage of a product or service, from development to end-of-life.

Water

USEPA has requested public input and information on existing public and private sector programs that address stormwater discharges from forest roads ([80 FR 69653](#)). The requested information will assist USEPA in responding to court remand that requires USEPA to consider whether CWA requires the agency to regulate forest roads. USEPA plans to assess a variety of existing programs, including federal, state, local, tribal, third party certifications, and combinations of these approaches, as well as voluntary best management practice (BMP) based approaches. USEPA is coordinating with other federal agencies, and will assess whether any additional stormwater controls are called for, consistent with federal law, including the recent 2014 CWA amendments.

STATE

FINAL:

The Maryland Department of the Environment (MDE) has [adopted](#) amendments to the air quality regulations at COMAR 26.11.02, Permits, Approvals, and Registration. The amendments implement statutory requirements of SB 1065, Acts of 2009, which expanded standing for challenges to most of MDE's major permits and substituted direct judicial review for the previous contested case process for those same permits. The amendments also incorporate requirements of HB 554 and HB 95, Acts of 2013, which deal with the public participation process for sources subject to expanded public participation. The amendments became effective on December 10, 2015, and will be submitted as a SIP revision to USEPA for approval.

MDE has [adopted](#) amendments to regulations for the vapor recovery at gasoline dispensing facilities, at COMAR 26.11.24. The amendments grant new gasoline dispensing facilities (GDFs) and GDFs undergoing major modifications the option to choose not to install or decommission existing Stage II vapor

recovery equipment. Existing GDFs may decommission Stage II vapor recovery equipment after October 1, 2016. The amendments will be submitted as a SIP revision to USEPA for approval. The amendments became effective on November 23, 2015.

PROPOSED:

MDE has [proposed](#) a rule to amend Regulation .03 (Water Supply, Sewerage, Solid Waste, and Pollution Control Planning and Funding) under COMAR 26.03.13, Bay Restoration Fund Implementation. The rule amends the existing regulations to implement statutory changes created by SB 863 and SB 133, Acts of 2015. Changes include allowing up to \$60 million per year of the Bay Restoration Fund wastewater fees deposited to MDE to be used to provide grants to local governments for authorized wastewater related uses.

MDE has [proposed](#) amendments to the water pollution permit regulations at COMAR 26.08.04. The amendments eliminate annual fees related to certain general discharge permits issued by the Oil Control Program. The amendments address notice of intent coverage under general discharge permits for stormwater and hydrostatic test water from an oil terminal and treated groundwater. The annual fee of \$120 is also being eliminated for coverage under both general discharge permits.

MDE has [proposed](#) amendments to the regulations at COMAR 26.10.06, Underground Storage System Technician, Remover, and Inspector Certification. The amendments eliminate fees associated with certain certifications issued through the Oil Control Program. The amendments eliminate the fees for the following MDE certification categories: (1) Underground Storage System Technician; (2) Underground Storage System Heating Oil Technician; (3) Underground Storage System Remover; (4) Underground Storage System Inspector.

PROJECT HIGHLIGHT: SHA INTEGRATED ROADSIDE VEGETATION MANAGEMENT PROGRAM

The Maryland State Highway Administration’s (SHA) Office of Environmental Design (OED) strives to establish native vegetated roadsides which are functional and healthy, safe for the traveling public and, environmentally and fiscally sustainable. With this vision in mind, OED developed SHA’s Integrated Roadside Vegetation Management (IRVM) Program. The IRVM program is a long term management plan that focuses on the safety of Maryland commuters, as well as improving the overall function of Maryland’s vegetated roadsides and providing long-term benefits to the Chesapeake Bay.

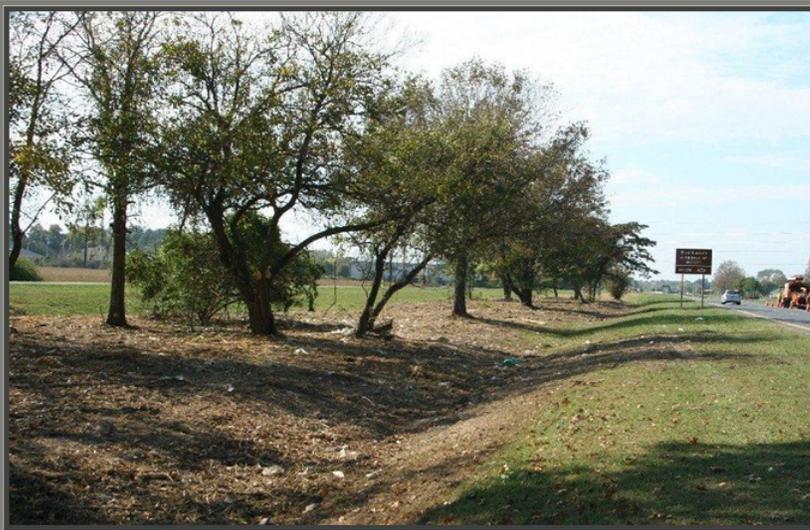
Benefits of IRVM Program

SHA’s IRVM Program is a systematic approach to establishing safety setbacks for woody vegetation on SHA roadsides by creating Corridor Management Zones (CMZs). Within the CMZs, SHA removes invasive plant species and other vegetation, and restores native plants where appropriate. Native plants typically contribute to self-sustaining and diverse communities which support year-round wildlife populations, while many invasives displace native species without providing similar support. Healthy native roadside ecosystems are often better able to withstand adverse roadside conditions. Once established, diverse native plant communities are adapted to the local climate and soils and collectively have greater resistance to droughts, insects and diseases. These native roadside plant communities connect to other nearby ecosystems and help to stabilize and protect the function of neighboring streams, wetlands and forests.

OED began administering projects for SHA’s IRVM Program in 2012 with completion for most of the projects in 2015. As a result, hundreds of acres of invasive plants have been removed and more than 36,000 native trees and shrubs have been installed. For these efforts, OED was awarded FHWA’s 2013 Environmental Excellence Award for the Roadside Resource Management and Maintenance category.



Invasive infestation



Invasive species removed

By early 2014, it had become clear that SHA's IRVM Program was successful and preparation began on additional IRVM projects. In an effort to continually improve the program, OED formed a multidisciplinary IRVM Design Team including staff members and consultants from OED's Landscape Operations Division, Environmental Programs Division, and Landscape Architecture Division. The IRVM Design Team reached out to stakeholders to develop the Corridor Vegetation Management Specification and compile CMZ maps. The team also coordinated efforts with various enforcing agencies to ensure a structured and transparent IRVM Program with clear, achievable, long-term goals.



Native groundcover established

Long-Term Goal of IRVM Program

OED continues to develop additional IRVM projects. SHA's long-term goal is to continue to manage the roadsides and safeguard the integrity of the CMZs by continually scouting and controlling invasive species and other targeted vegetation, and ensuring the successful establishment of the native populations.

GRANT OPPORTUNITIES

MEA Combined Heat and Power (CHP) FY16 Grant Program: The [MEA CHP grant program](#) will provide grants to encourage the implementation of CHP technologies in eligible industrial facilities, critical infrastructure facilities (including healthcare, wastewater treatment, and essential state and local government facilities), and to encourage the implementation of CHP technologies that leverage biogas/biomass as a fuel source in industrial and critical infrastructure facilities. Award cap is \$500,000, subject to funding availability. Application period closes **February 8, 2016**.

MEA State Agency Loan Program (SALP): Established in 1991, the [State Agency Loan Program \(SALP\)](#) provides loans to State agencies for cost-effective energy efficiency improvements in state facilities. Since its inception, SALP has been used to upgrade lighting, controls, boilers, chillers, and other energy equipment in State buildings and facilities. State agencies pay zero interest with a 1 percent administration fee for SALP loans, which typically range from \$50,000 to \$250,000. Loan repayments are made from an agency's fuel and utility budget, based on the avoided energy costs of the project. As loan repayments are made, new SALP loans can be awarded each fiscal year.

Fish and Wildlife Service (FWS) Coastal Wetlands Conservation Grant Program: The Coastal Wetlands Planning, Protection, and Restoration Act established the [National Coastal Wetlands Conservation Grant Program \(NCWCG Program\)](#) to acquire, restore, and enhance wetlands in coastal states through competitive matching grants to state agencies. The primary goal of the NCWCG Program is the long-term conservation of coastal wetland ecosystems. The Final Rule establishing the requirements for participation in the NCWCG Program was published in the Federal Register July 30, 2002 (67 FR 49264). The program regulations are in 50 CFR 84. Additional Funding #F16AS00089, applications due **June 29, 2016**. Award cap is \$1,000,000. Contact: Christina Milloy 703-862-5761 christina_milloy@fws.gov.



EVENTS & TRAINING

CONFERENCES/MEETINGS

[Eastern Regional Climate Preparedness Conference \(Baltimore, MD\)](#) will be held April 4-6, 2016. This capacity-building, "how to" conference, convened by Antioch University's Center for Climate Preparedness & Community Resilience in partnership with the USEPA, is designed to build capacity for local decision makers from throughout the Eastern United States (EPA Regions 1-4). Full Conference Fee: \$550.00.

[The Center for Watershed Protection's 2016 National Watershed and Stormwater Conference \(Online\)](#) will take place in multiple locations of the US on April 12, 2016. The conference will also be available as a webcast. Major conference topics include: pollution prevention, IDDE4, post-construction stormwater management, and special MS4s. General Webcast Fee: \$269.00.

ONLINE RESOURCES

[TRB Webinar: EPA's Revised Ozone Standard](#) TRB will conduct a webinar on Thursday, February 25, 2016 from 2:00PM to 3:30PM ET that will discuss the process involved in setting and meeting the new ozone standard. There will be an opportunity for state DOT employees to ask about the new NAAQS.

[The TMIP Webinar: Introduction to GreenSTEP, the RSPM, and Related Strategic Planning Models](#) will be held on February 11, 2016 from 2:00pm to 4:00pm ET. This is the first of three webinars on the GreenSTEP and RSPM strategic planning models. GreenSTEP is an open-source model that was developed at the Oregon DOT to enable state planners and policy makers to analyze the effects of alternative strategies for reducing greenhouse gas emissions from the transportation sector.

The National Climate Change and Wildlife Science Center is partnering with the National Conservation Training Center to offer a [webinar series](#) 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 US.

USEPA offers guidance, training courses, workshops, and webcasts that explain the regulatory framework and technical considerations of the [NPDES permit program](#). They are designed for permit writers, dischargers, USEPA officials, and other interested parties.

USEPA's Office of Research Development and Office of Water are hosting a monthly [Small Drinking Water and Wastewater Systems webinar series](#) to communicate USEPA's current small systems research along with agency priorities. The site also includes an archive of past webinars.

The listing of any privately sponsored conferences or training events should not be interpreted as an endorsement of the conference or training by the government

COMMENTS?

THE TSO OFFICE OF ENVIRONMENT WELCOMES INFORMATION, NEWS, PHOTOS, ARTICLES, ANNOUNCEMENTS, SUGGESTIONS, QUESTIONS, ETC. TO CONTRIBUTE, EMAIL TSOOE@MDOT.STATE.MD.US