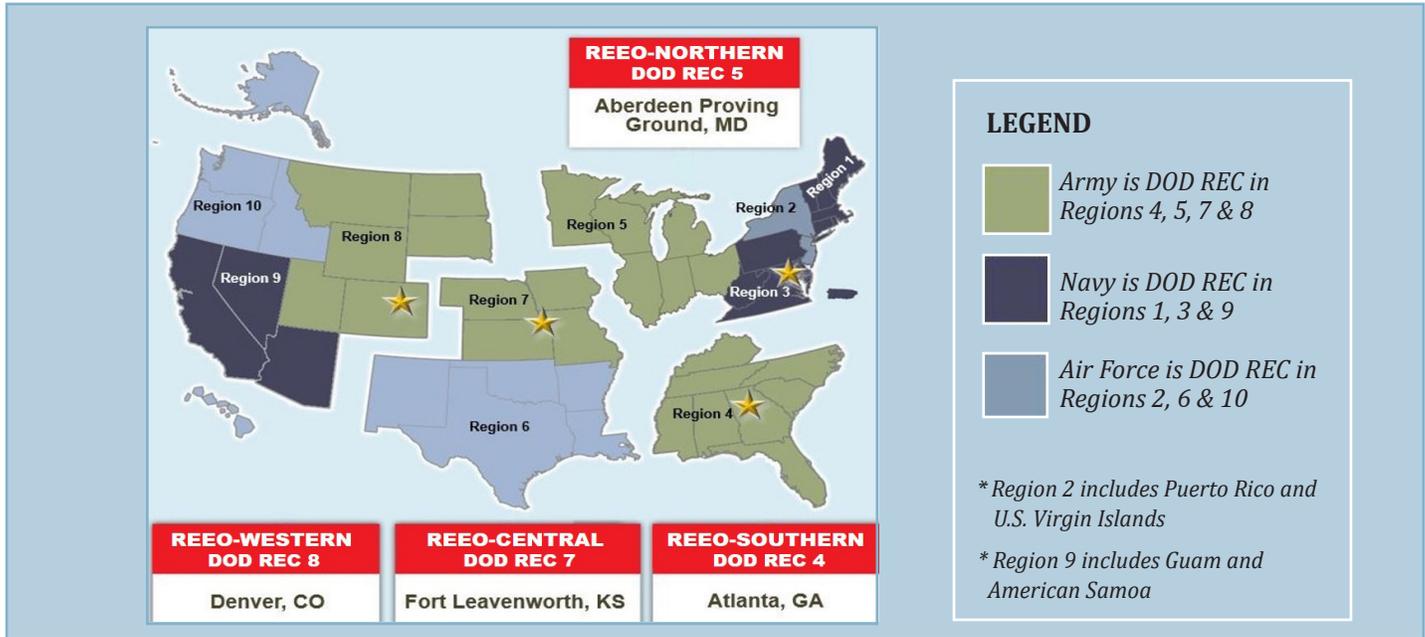


U.S. ARMY REGIONAL ENVIRONMENTAL & ENERGY OFFICES

FISCAL YEAR 2019 ANNUAL SUMMARY REPORT

The U.S. Army Regional Environmental and Energy Offices (REEOs) represent Army and Department of Defense (DOD) environmental and energy interests at the state and regional level to support and advocate for military missions and facilities.



Each office is led by a REEO Director, who serves as the DOD Regional Environmental Coordinator (REC) for an assigned U.S. Environmental Protection Agency (EPA) region. Directors are supported by dedicated Counsel, Army Regional Environmental Coordinators, and Regulatory Affairs Specialists.

SUPPORTING ARMY & DOD MISSION

The REEOs ensure close coordination between military and regional policymakers, working to resolve potential mission impacts before adverse proposals become laws or regulations.

Key activities include:

- Monitoring and reporting on state legislative and regulatory activities that could affect installations' abilities to perform their missions
- Developing consolidated Army and DOD responses to state and federal regulators
- Engaging state legislators, federal and state regulators, and non-governmental organizations to advance Army and DOD interests
- Sustaining military readiness by maintaining strategic partnerships with state and federal agencies

The REEOs execute the DOD REC mission assigned under Department of Defense Instruction 4715.02 to advance Army and DOD interests in state legislative and regulatory actions, support Army activities, and support Army energy program initiatives.

NUMBERS AT A GLANCE

Fiscal Year 2019 Activity



23,607 legislative actions reviewed



3,326 regulatory actions reviewed



200 state & federal agencies engaged



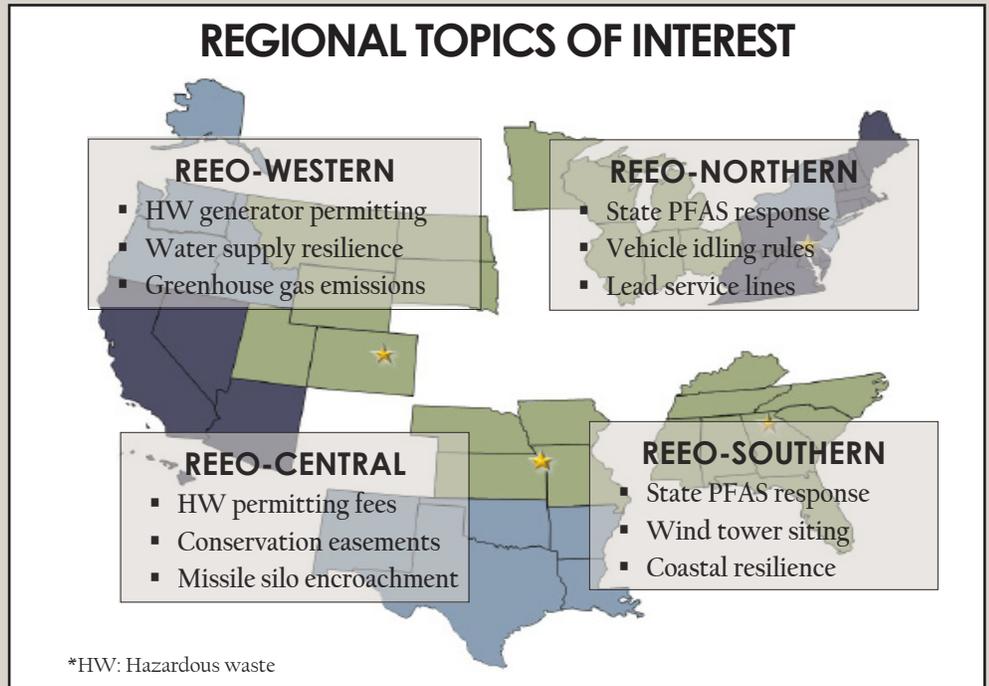
In support of military readiness & mission sustainment

MONITORING & REPORTING

KEEPING STAKEHOLDERS INFORMED

In fiscal 2019, the REEOs tracked the movement of nearly 27,000 state regulatory and legislative actions in state legislatures and environmental regulatory agencies.

As a result, installation and federal agency stakeholders were alerted to more than 3,300 state actions in the REEOs' monthly regional *Review* publications in fiscal 2019. This includes regional issues highlighted in the adjacent map.



TOPICS TO WATCH IN FISCAL YEAR 2020

The REEOs will be tracking these and other issues of interest for DOD facilities and operations in the year ahead:

TOPIC	SIGNIFICANCE TO ARMY	REEO ACTIONS
PFAS <i>per- and polyfluoroalkyl substances</i>	PFAS were previously used in firefighting foam both on and off military installations. EPA has established neither federal standards nor restrictions, so some states are setting their own.	Monitoring and reporting state PFAS actions with a tracking tool developed by REEO Southern that is shared with DOD's PFAS Task Force; informing installations of evolving compliance requirements.
Water supply resilience	Sufficient water supply is necessary to support military bases in the event of disruptions in service, especially in areas prone to drought.	Educating state policymakers on DOD's water rights and needs to sustain military readiness today and in the future.
Energy supply resilience	Availability of an adequate energy supply on military bases is essential to maintain readiness requirements.	Informing installations of evolving compliance requirements.
Wildfire risk management/ Coastal hardening	Fire and weather dangers leave families, commerce, military facilities, and training capabilities subject to loss. Managing wildfires and coastal flooding requires preparedness across jurisdictional boundaries.	Monitoring state legislation or regulations that could affect how the military manages and hardens its assets to fire and weather events.
Endangered species on military installations	Federal changes to the Endangered Species Act could have a host of consequences, from how military installations manage training to the fate of DOD partnerships with state and federal agencies that focus on species protection.	Engaging with state and federal agencies in strategic partnering activities to work through challenging decisions from a place of mutual trust.
Increasing state agency environmental fees	State agencies are seeking increased fees due to reductions in revenues from EPA and other factors; military facilities may be subject to these higher fees.	Working with DOD counterparts and regional counsel to ensure fees constitute a service received by DOD are not a tax, and are not discriminatory to the military.
Food scrap recycling laws, plastic bag bans	States are proposing or enacting food scrap composting laws and plastic bag bans that can affect commissaries on military installations.	Watching for state agency rulemaking to be sure installations' existing recycling programs meet new state requirements.

FISCAL YEAR 2019 ACTIONS SUPPORTING ARMY & DOD MISSION

PROTECTING MILITARY OPERATIONS

- An Illinois House bill, still pending in the Legislature, would amend the Illinois Vehicle Code to allow limited operation of trucks in areas with poor air quality. As this also would apply to the military's use of trucks in training exercises, REEO-Northern requested the bill sponsor exempt military vehicles in the bill language. The sponsor has added the exemption.
- When a new regulation limiting human-caused emissions of fugitive dust took effect in New Mexico in January, it exempted lands used for state or federal military activities. REEO-Central has engaged since 2016 with the New Mexico Environment Department to include the military exemption in the regulation. Rulemaking can take years, which is why continued dialogue with states is so important.
- Sometimes state bills are written without enough understanding of the military's need to "train as we fight and fight as we train" on its military installations. A 2019 Kansas Senate bill on hazardous materials response would have expanded the definition of "pollutant" to include any unregulated constituent—and would have inadvertently made some routine activities "polluting." REEO-Central coordinated with Kansas installations to communicate concerns with the bill to the Kansas Department of Health and Environment and the Legislature's Committee on Agriculture and Natural Resources. The bill did not pass committee.

TRACKING STATE PFAS RESPONSE

- In fiscal 2019, the REEOs tracked state legislative and regulatory actions related to PFAS in Alabama, Alaska, Arizona, California, Colorado, Connecticut, Georgia, Guam, Iowa, Kentucky, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, Washington and Wisconsin. Of these actions, 12 were enacted and 74 are pending.

FACILITATING COMPLIANCE

- State Hazardous Waste Generator Improvements rules sometimes prevent small quantity generators, like Army National Guard (ARNG) sites, from transporting hazardous waste to offsite treatment and disposal facilities. REEO-Western worked with EPA Region 8 staff and Colorado regulators to craft guidance that now ensures state ARNG sites can continue to send hazardous waste to a treatment facility. Other states may follow suit.
- During Region 5 state partnership meetings co-hosted by REEO-Northern, installations gained valuable information from senior regulators who ran "Ask the Inspector" workshops. Naval Surface Warfare Center Crane worked with Indiana regulators at partnership meetings to resolve delays of a critical open burning/open detonation permit. Fort McCoy and Wisconsin regulators continued working toward renewal of an outdated Title V permit. Wright-Patterson Air Force Base reduced the cost of a PFAS pilot project by engaging one-on-one with Ohio EPA. These workshops helped build trust and clarify regulatory requirements within the region's installations.

SERVING AS A FORCE MULTIPLIER THROUGH PARTNERSHIPS

The REEOs continue to build and strengthen regional and state strategic partnerships in support of military readiness and sustainability across the nation, including:

- EPA Region 3 and 4 Tiered Restoration Partnerships
- EPA Region 5 Cleanup Collaborative
- Southeast (SE) Conservation Adaptation Strategy (SECAS)
- SE Regional Partnership for Planning & Sustainability (SERPPAS)
- SE Natural Resource Leaders Group (SENRLG)
- Western Regional Partnership
- Chesapeake Bay Partnership & Chesapeake Bay Action Team
- Northwest Regional Environmental Forum
- New Mexico Environmental Partnership
- Sustainability & Environmental Compliance Partnerships between EPA Region 3 and 5 states.
- Military Environmental Work Groups between DOD and EPA Region 2 states.
- Texas Environmental Partnership
- California Defense Summit
- Nevada Joint Military Affairs Committee
- Alaska Statement of Cooperation
- Renewable Energy Consortium



FISCAL YEAR 2019 ACTIONS SUPPORTING ARMY & DOD MISSION

PRESERVING CONSERVATION EASEMENTS

- Land surrounding military installations is often subject to encroachment from real estate developments and siting of wind towers that could impede military training and testing. Each year, the REEOs testify before state legislatures on the importance of conservation easements to help avoid encroachment on military lands. Following REEO-Western's testimony in 2019, the Colorado Legislature passed a House bill extending the state's conservation easement program until 2026. The bill was signed into law in June.
- The Florida Senate introduced a bill in 2019 to clarify easements executed to buffer military installations from encroachment should survive property tax sales and even the failure to pay property taxes. The bill also named military installations with which local governments must coordinate their comprehensive development plans. It also included proposals for military student residency and tuition benefits. REEO-Southern communicated its support for the bill in a letter to the Legislature. The bill passed and was signed into law in June.

ENSURING EQUITABLE TREATMENT

- Kansas has significantly higher electric rates in comparison to other states, including at military installations. The Kansas Senate introduced a bill requiring a study to examine why electric rates are higher in the state. REEO-Central activities in support of this bill included coordinating with the U.S. Air Force and the U.S. Army Corps of Engineers, sending a letter of support to the Legislature, and attending a legislative committee hearing on the topic. The bill passed and may reduce electricity costs at Kansas military installations.
- In Indiana, the Senate introduced a bill that would have allowed municipal or county stormwater management departments to collect user fees for operation of stormwater systems on military property, but not for property used by schools or for religious services. The REEO-Northern provided formal comments to the Legislature expressing concern for this discriminatory fee. The bill did not pass.

WORKING ACROSS DOD FOR RESULTS

- A New Mexico House bill would have allowed the state to assess the impact of any pollutant discharge anywhere within the watershed, rather than at the point of discharge, and determine the responsibility of the discharger at any point within the watershed. After REEO-Central coordinated with the Air Force, as DOD lead, about its concerns with the bill and potential impact to military bases in New Mexico, the Air Force passed those concerns to the bill sponsor. The point-of-discharge issue was corrected in committee, after which it did not pass.
- A Louisiana House Resolution proposed the state Department of Environmental Quality (DEQ) study the establishment of a voluntary compliance audit program. The program would encourage installations to voluntarily report self-identified violations to DEQ and receive extra time to resolve the violations without fines or penalties. REEO-Central and installations, in coordination with the Air Force, formally supported the resolution, which subsequently passed.
- A Washington Senate bill sought to establish an aviation coordinating commission to identify a new primary commercial aviation facility in the state. REEO-Western and Air Force, as DOD lead, recommended to the bill sponsor to include a military service representative as a non-voting member on the commission. The sponsor agreed and amended the bill, which was passed and signed into law.
- An Oklahoma Senate bill would allow for public-private partnerships near military installations for infrastructure projects—like roads, bridges, and treatment plants—by allowing cost-sharing to make the projects financially feasible. Public-private partnerships like these can benefit both the military and surrounding community. REEO-Central and installations coordinated their comments with the Air Force, and the bill's sponsor received a letter of support from DOD. The bill was signed into law.

FOR MORE INFORMATION

REEO-CENTRAL

(816) 389-3448

Fort Leavenworth, Kansas
DOD REC Region 7

REEO-NORTHERN

(410) 278-6991

Aberdeen Proving Ground, Maryland
DOD REC Region 5

REEO-SOUTHERN

(404) 562-5146

Atlanta, Georgia
DOD REC Region 4

REEO-WESTERN

(303) 844-0956

Denver, Colorado
DOD REC Region 8

Visit the USACE REEO Web page: <https://go.usa.gov/xnxtb>

