



# Regulatory Tracking Summary

26 February – 09 March 2007

This report summarizes United States federal regulatory items reviewed by the National Aeronautics and Space Administration (NASA) Principal Center for Regulatory Risk Analysis and Communication (RRAC PC) during the timeframe. Items that appeared to have limited interest to the NASA community are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under “Description.” Related documents and citations, such as “71 Federal Register (FR) 51967,” are linked to the appropriate document for quick access. The minimum suggested follow-up actions are noted with significant items; users should be advised that other follow-up actions may be appropriate for their program or facility.

Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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# 1.0 U.S. Federal Regulatory Review

## 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-20	CAA Greenhouse Gas Emissions	02/27/2007	<a href="#">72 FR 8731</a>	Notice of Document Availability	Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990 to 2005  Announces availability of <i>The Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2005</i> . Annual U.S. emissions from 1990 through 2005 are summarized and presented by source category and sector. The inventory contains estimates of CO <sub>2</sub> , CH <sub>4</sub> , N <sub>2</sub> O, HFC, PFC, and SF <sub>6</sub> emissions. The inventory also includes estimates of carbon fluxes in U.S. agricultural and forest lands. Comments due 03/22/2007 [FRL-8281-2].	
Fed-2007-21	CAA Mobile Sources	02/26/2007	<a href="#">72 FR 8427</a>	Final Rule	Control of Hazardous Air Pollutants from Mobile Sources [40 CFR Parts 59, 80, 85, and 86]  Adopts controls on gasoline, passenger vehicles, and portable fuel containers (primarily gas cans) that will significantly reduce emissions of benzene and other hazardous air pollutants ("mobile source air toxics"): <ul style="list-style-type: none"> <li>▪ Limits the benzene content of gasoline to an annual refinery average of 0.62% by volume, beginning in 2011.</li> <li>▪ Establishes a maximum average standard for gasoline for refineries of 1.3% by volume beginning on 07/04/2012.</li> <li>▪ Limits exhaust emissions of hydrocarbons from passenger vehicles when they are operated at cold temperatures, which will be phased in from 2010 to 2015.</li> <li>▪ Adopts evaporative emissions standards for passenger vehicles that are equivalent to those currently in effect in California.</li> <li>▪ Adopts a hydrocarbon emissions standard for portable fuel containers beginning in 2009, which will reduce evaporation and spillage of gasoline from these containers.</li> </ul> Effective 04/27/2007 [EPA-HQ-OAR-2005-0036; FRL-8278-4] RIN 2060-AK70.  <b>This regulation has requirements only for manufacturers and not end-users.</b>	
Fed-2007-22	CAA New Source Review	03/08/2007	<a href="#">72 FR 10445</a>	Proposed Rule	PSD and Nonattainment NSR: Reasonable Possibility in Recordkeeping [40 CFR Parts 51 and 52]  Clarifies the "reasonable possibility" recordkeeping and reporting standard of the 2002 NSR reform rules. The "reasonable possibility" standard identifies, for sources and reviewing authorities, the circumstances under which a major stationary source undergoing a modification that does not trigger major NSR must keep records. Comments due 03/22/2007 [EPA-HQ-OAR-2001-0004; FRL-8284-1] RIN 2060-AN88.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-23	CAA New Source Review	03/08/2007	<a href="#">72 FR 10367</a>	Final Rule	Nonattainment NSR [40 CFR Part 51]  Finalizes revisions to the nonattainment NSR program. These revisions implement changes to the preconstruction review requirements for major stationary sources in nonattainment areas in interim periods between the designation of new nonattainment areas and the adoption of a revised SIP. These changes do not include NSR reform provisions for "clean units" or "pollution control projects." In addition, these changes include an interim interpretation of the NSR reform provision for a "reasonable possibility" standard for recordkeeping and reporting requirements. This interim interpretation to the "reasonable possibility" standard applies for Appendix S purposes, pending the completion of rulemaking to develop a more complete interpretation. Effective 05/07/2007 [EPA-HQ-OAR-2001-0004; FRL-8283-9] RIN 2060-AM59.	
Fed-2007-24	CAA Ozone Monitoring	02/28/2007	<a href="#">72 FR 8985</a>	Notice	Ambient Air Monitoring Reference and Equivalent Methods: Designation of a New Equivalent Method  Notice of designation of a new equivalent method for measuring concentrations of O <sub>3</sub> in the ambient air as follows: <ul style="list-style-type: none"> <li>EQSA-0207-164, "SIR S.A. Model S-5014 Photometric O<sub>3</sub> Analyzer," operated on the 0- to 500-ppb measurement range, within an ambient temperature range of 20 to 30 C, with a sample inlet particulate filter, and with or without an optional (PCMCIA) card.</li> </ul> [FRL-8282-4]	
Fed-2007-25	General IRIS	02/27/2007	<a href="#">72 FR 8728</a>	Notice	Draft Toxicological Review of 1,1,1-Trichloroethane: In Support of the Summary Information in the IRIS  Announces a public comment period and peer-review workshop to review the external review draft document titled, <i>Toxicological Review of 1,1,1-Trichloroethane: In Support of Summary IRIS</i> (NCEA-S-1606). The report is available via the Internet on the NCEA home page under the Recent Additions and the Data and Publications menus at <a href="http://www.epa.gov/ncea">http://www.epa.gov/ncea</a> . Comments due 04/13/2007 [FRL-8281-6; Docket ID No. EPA-HQ-ORD-2007-0039].  <b>1,1,1-Trichloroethane, also called "TCA" or "methyl chloroform," is a critical material used in solid rocket motor manufacturing and for SSP Orbiter tile application processes.</b>	<b>Programs</b> that use TCA may be interested in reviewing this toxicological report.
Fed-2007-26	General Metals Risk Assessment	03/08/2007	<a href="#">72 FR 10529</a>	Notice of Document Availability	Notice of Availability of the Framework for Metals Risk Assessment  Announces the availability of the final " <a href="#">Framework for Metals Risk Assessment</a> " (EPA 120/R-07/001, 03/2007). The purpose of the framework is to present key guiding principles based on the unique attributes of metals (as differentiated from organic and organometallic compounds) and to describe how these metals' specific attributes and principles may then be applied in the context of existing EPA risk assessment guidance and practices.  <a href="#">See summary below.</a>	
Fed-2007-27	General National Coastal Condition Report	03/09/2007	<a href="#">72 FR 10752</a>	Notice of Document Availability	Draft National Coastal Condition Report III  Notice of availability for a 60-day public comment period on the draft <i>National Coastal Condition Report III</i> describing the condition of the nation's coastal waters. The draft report and additional information are available from EPA's Office of Water at: <a href="http://www.epa.gov/owow/oceans/nccr3/index.html">http://www.epa.gov/owow/oceans/nccr3/index.html</a> Comments due 05/08/2007 [EPA-HQ-OW-2007-0019; FRL-8285-7].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-28	RCRA Hazardous Waste Sites	03/02/2007	<a href="#">72 FR 9522</a>	Notice of Document Availability	External Review Draft, Evaluating Ecological Risk to Invertebrate Receptors from PAHs in Sediments at Hazardous Waste Sites  Announces public comment period for the draft document titled, <i>Evaluating Ecological Risk to Invertebrate Receptors from PAHs in Sediments at Hazardous Waste Sites</i> (EPA/600/R-06/162). The document is available on the NCEA's home page under the Recent Additions and Publications menus at: <a href="http://www.epa.gov/ncea">http://www.epa.gov/ncea</a> Comments due 04/02/2007 [FRL-8282-7; Docket ID No. EPA-HQ-ORD-2007-0108].	
Notes: FR = <i>Federal Register</i> CFR = <i>Code of Federal Regulations</i> EPA = U.S. Environmental Protection Agency CAA = Clean Air Act IRIS = Integrated Risk Information System RCRA = Resource Conservation and Recovery Act PSD = Prevention of Significant Deterioration NSR = New Source Review NCEA = National Center for Environmental Assessment HQ = Headquarters SIP = State Implementation Plan °C = Degrees Celsius					CO <sub>2</sub> = Carbon dioxide CH <sub>4</sub> = Methane N <sub>2</sub> O = Nitrous oxide HFC = Hydrofluorocarbons PFC = Perfluorocarbons SF <sub>6</sub> = Sulfur hexafluoride O <sub>3</sub> = Ozone PAH = Polynuclear aromatic hydrocarbons ppb = Parts per billion SSP = Space Shuttle Program PCMCIA = Personal Computer Memory Card International Association FRL = <i>Federal Register Log</i>	

## 1.2 Discussion of Significant Actions and Other Developments

### 1.2.1 New Framework for Assessing Metal Risks

EPA has released the final [Framework for Metals Risk Assessment](#) that documents the hazards and risks associated with exposure to metals, such as chromium and cadmium. EPA consulted with the scientific community, the EPA Science Advisory Board, and stakeholders to develop the framework. Topics addressed in the framework include principles for conducting metals risk assessments; environmental chemistry and fate and transport; and assessments related to human health, aquatic life, and land issues. The framework is not a mandate about how a particular program must conduct its assessments, but is a set of key guidelines and principles to be used in preparing such assessments.

## 1.3 Status of Selected Continuing Actions in Progress

This section illustrates the status of selected actions the RRAC PC is actively tracking. Imminent actions are shown in red text. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	08/2007	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	08/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	09/2007	ODS: Continued Use of ODS in Mission-Critical Applications	Pre-rule	Space vehicle operational impacts.
Final Action	01/2009			NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODSs for mission-critical applications. Latest discussions suggest that future production of ODSs will require the certified destruction of other, existing ODS (contaminated, etc.) with an offset of approximately 15%.
ANPRM	01/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
OMB received draft	03/02/2007			Evaluation of residual risk remaining after implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
NPRM	06/2007			
Final Action	06/2008			
NPRM	TBD	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Pre-rule	Possible space vehicle operational or materials impacts.
Final Action				EPA has merged three area source categories into one standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The resulting standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAP. Other NASA Centers with HAP emissions would be considered area sources.
NPRM	01/03/2007	NESHAP General Provisions – Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			KSC and MSFC currently are major sources of HAPs; MAF recently attained "synthetic minor" status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.
NPRM	03/07/2006	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	12/2007			Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing perfluoroalkyl sulfonates (PFAS); perfluoroalkyl carboxylates (PFAC); fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
NPRM	03/10/2006	SNUR: Perfluoroalkyl Sulfonates [2070-AJ18]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	05/2007			Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule would effectively allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. SSP Orbiter tile waterproofing materials previously incorporated a PFAS additive, but have been replaced. It is unknown whether regulating additional PFAS-related chemicals would affect other operational materials.
NPRM	08/11/2006	DEA: Iodine [1117-AA93]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	04/2007			The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for purchase, transport, and storage of iodine and mixtures containing more than 2.2 percent iodine. The space suits and International Space Station use such products for water disinfection and could have supply chain impacts in the future.
OMB received draft final for review on 02/01/2007				

## Notes:

NPRM = Notice of Proposed Rulemaking  
ANPRM = Advance Notice of Proposed Rulemaking  
NESHAP = National Emission Standards for Hazardous Air Pollutants  
NASA = National Aeronautics and Space Administration  
GSE = Ground support equipment  
CAA = Clean Air Act  
ODS = Ozone depleting substances  
EPA = U.S. Environmental Protection Agency

VOC = Volatile organic compound  
FR = *Federal Register*  
KSC = Kennedy Space Center  
MSFC = Marshall Space Flight Center  
SNUR = Significant new use rule  
SSP = Space Shuttle Program  
DEA = Drug Enforcement Administration  
HAP = Hazardous air pollutant

## 1.4 Clean Air Act Working Group Updates

### 1.4.1 Clean Air Act Working Group Telecons for 2007

The Clean Air Act Working Group (CAAWG) will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 21 March 2007
- 18 April 2007
- 20 June 2007
- 18 July 2007
- 15 August 2007
- 19 September 2007
- 17 October 2007
- 14 November 2007
- 19 December 2007

## 2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for each state in which NASA facilities are located.

### 2.1 Alabama State Regulatory Review

No items of interest were identified during this reporting period for the state of Alabama.

### 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-12	CWA TMDLs	02/23/2007	<a href="#">23 CCR 3939.23</a>	Final Rule	Total Maximum Daily Load (TMDL) for Metals and Selenium in Calleguas Creek, Its Tributaries, and Mugu Lagoon  The Los Angeles Regional Water Quality Control Board established a TMDL for metals and selenium in Calleguas Creek, its tributaries, and Mugu Lagoon. Effective date: 02/06/2007.  <a href="#">This ruling could affect National Aeronautics and Space Administration (NASA) facilities located in Ventura County.</a>	<a href="#">Santa Susana Field Laboratory</a> should consider reviewing for applicability.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-13	Radiography	03/02/2007	<a href="#">California Regulatory Notice Register, 2007 No. 9-Z</a>	Proposed Regulation	<p>Department of Health Services Industrial Radiography Certification</p> <p>Proposed rule specifies industrial radiographer certification and addresses changes in dosimetry technology required by the U.S. Nuclear Regulatory Commission (NRC) and specifies radiographer certification for certain uses of radiation machines because they present similar radiation hazards as compared to radioactive material. The Department of Health Services will conduct written public hearings to address comments. Comments are due 04/20/2007.</p> <p><b>Industrial radiography means the examination of the physical structure of materials, other than human beings or animals, by non-destructive methods, using radiation.</b></p>	<b>NASA facilities and programs using industrial radiographic methods</b> to conduct non-destructive evaluation testing or for other purposes should consider reviewing for applicability.
CA-2007-14	Safe Drinking Water and Toxic Enforcement Act of 1986	02/23/2007	<a href="#">22 CCR 12000</a>	Rule Modification	<p>Chemicals known to the State to Cause Cancer or Reproductive Toxicity</p> <p>Adds several substances to the list of chemicals known to the state to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986.</p>	<b>NASA facilities and programs</b> with operations in California should consider reviewing for potential impacts; <b>programs</b> should avoid using listed substances when possible to minimize future materials obsolescence risk.

## 2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-08	Air General Provisions	3/2/2007	<a href="#">Proposed Rule 62-204.800</a> Florida Administrative Weekly 2 March 2007– Vol./No. 33/9	Proposed Rule	<p>Chapter 62–Department of Environmental Protection 204– Air Pollution Control General Provisions</p> <p>The rule amendments update, through 12/31/2006, the adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 <i>Code of Federal Regulations</i> (CFR) Parts 52, 60, 63 and 96, as described below. SPECIFIC AUTHORITY: 403.8055 FS</p> <ul style="list-style-type: none"> <li>▪ 40 CFR 60-Standards of Performance for New Stationary Sources, Subpart EEEE, Other Solid Waste Incineration Units Technical correction to the emission guidelines and New Source Performance Standards (NSPS) for other solid waste incineration (OSWI) units.</li> <li>▪ 40 CFR 63–National Emissions Standards for Hazardous Air Pollutants (NESHAP), Subpart IIII, Surface Coating of Automobiles and Light-Duty Trucks The amendments provide the option of including surface coating of heavier motor vehicles under this rule.</li> <li>▪ 40 CFR 63–National Emissions Standards for Hazardous Air Pollutants, Subpart MMMM, Surface Coating of Miscellaneous Metal Parts and Products Amended the Miscellaneous Metal Parts NESHAP to allow the coating of metal heavier vehicle bodies, metal body parts for heavier vehicles, and metal parts</li> </ul>	<b>Kennedy Space Center</b> should be aware of the proposed changes.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
					<p>for heavier vehicles to comply with the Automobiles and Light-Duty Trucks NESHAP in lieu of complying with the Miscellaneous Metal Parts NESHAP.</p> <ul style="list-style-type: none"> <li>▪ 40 CFR 63–National Emissions Standards for Hazardous Air Pollutants, Subpart PPPP, Surface Coating of Plastic Parts and Products Amended the Plastic Parts NESHAP to allow the coating of heavier plastic vehicle bodies, plastic body parts for heavier vehicles, and plastic parts for heavier vehicles to comply with the Automobiles and Light-Duty Trucks NESHAP in lieu of complying with the Plastic Parts NESHAP.</li> <li>▪ 40 CFR 63–National Emissions Standards for Hazardous Air Pollutants, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Processes The changes to the rule improve and clarify the procedures for implementing the emissions averaging provision and for conducting compliance testing when boilers are vented to a common stack. They also clarify several definitions to help affected sources classify "limited use" and "hybrid" boilers, along with other technical corrections.</li> <li>▪ 40 CFR 63–National Emissions Standards for Hazardous Air Pollutants, Subpart GGGGG, Site Remediation Revises specific provisions in the rule to resolve issues and questions subsequent to promulgation; to correct technical omissions; and to correct typographical, cross-reference, and grammatical errors.</li> <li>▪ 40 CFR 96–Nitrogen Oxide (NOx) Budget Trading Program Makes minor corrections to subparts of the Clean Air Interstate Rule (CAIR) and the Federal Implementation Plans (FIPs) for the CAIR to clarify text that potentially may be misleading. This corrections rule does not change any of CAIR or CAIR FIPs rule requirements or substantively change the rules in any way.</li> </ul>	
FL-2007-09	Water Interagency Agreements	02/23/2007	<a href="#">Proposed Rule 40C-1.106</a> <a href="#">Proposed Rule 40C-4.091 &amp; 4.302</a> Florida Administrative Weekly 23 February 2007–Vol./No. 33/8	Proposed Rule	Chapter 40C–Department of Environmental Protection 1.106–Interagency Agreements; Chapter 40C–Department of Environmental Protection 4.091–Publications Incorporated by Reference; Chapter 40C–Department of Environmental Protection 4.302–Additional Conditions for Issuance of Permits  The proposed rule will incorporate by reference an amended operating agreement between the St. Johns River Water Management District and the Florida Department of Environmental Protection (FDEP) regarding regulatory responsibilities under Part IV, <a href="#">Chapter 373, F.S.</a> The operating agreement addresses the division of responsibilities between the two agencies for permitting, compliance, enforcement, and wetland determinations.	
FL-2007-10	Water Reuse of Reclaimed Water	2/23/2007	<a href="#">Florida Administrative Weekly 23 February 2007–Vol./No. 33/8</a>	Workshop	Chapter 62 Department of Environmental Protection 610–Reuse of Reclaimed Water  Rule development workshop to ensure consistency with statutory requirements in Section 403.064, F.S., related to the linkage between reuse requirements in consumptive use permits and FDEP permits. This workshop will address elimination of outdated rule references or requirements and clarification and refinement of the reuse rules. The workshop will be held 03/15/2007 at 9:30 a.m. at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803.	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-11	Water Total Maximum Daily Loads	02/23/2007	<a href="#">Florida Administrative Weekly 23 February 2007- Vol./No. 33/8</a>	Workshop	Chapter 62 Department of Environmental Protection 304– Total Maximum Daily Loads  The Lower St. Johns River (LSJR) TMDL Technical Working Group will continue working on development of a draft Basin Management Action Plan (BMAP) for presentation to the LSJR TMDL Executive Committee. Topics to be discussed include the status of the BMAP project collection process for non-point sources and Municipal Separate Storm Sewer Systems (MS4s), review of FDEP’s authority to require reductions beyond the maximum extent practicable, use of location factors for water quality credit trading, use of credits generated by state funds, and results of the most recent TMDL modeling. The workshop will be held on 03/28/2007 at 1:30 p.m., at the FDEP’s Northeast District Office, Teleconference Room, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256	

## 2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Hawaii.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
HI-2007-02	Underground Storage Tanks (UST)	03/08/2007		Focus Group Meeting Notice	Hazard Evaluation and Emergency Response Office (HEER) / Solid Hazardous Waste Management Branch (SHWB), Department of Health (DOH)  An invitation to help DOH revise the SHWB UST Section technical guidance manuals (TGMs).  A half-day focus group meeting will be held to discuss the details of the revised TGMs. The TGMs were revised based on initial recommendations gathered in year 2005-2006 through DOH staff and consultant and laboratory surveys. More information on the TGMs is available at: <a href="http://www.hawaii.gov/health/environmental/waste/ust/tgm.html">http://www.hawaii.gov/health/environmental/waste/ust/tgm.html</a> . Meeting information: 03/14/2007 at DOH Building, 5 <sup>th</sup> Floor Conference Room, Honolulu, Hawaii.	

### 2.4.1 Other Information: NASA and State Of Hawaii to Collaborate on Future Space Exploration

On 7 March 2007 Governor Linda Lingle announced that the state had agreed to partner with NASA on a variety of programs in support of the Vision for Space Exploration.

Through the collaboration, Hawaii will work with NASA to develop innovative opportunities such as research, education, and workforce development in aerospace-related fields. The Partnership complements the Administration’s Hawaii Innovation Initiative, which emphasizes the advancement of education, workforce development, and economic diversification in the areas of science, technology, engineering, and math (STEM).

For more information, refer to the news release, “[NASA and Hawaii to Collaborate on Future Space Exploration](#).”

## 2.5 Louisiana State Regulatory Review

No items of interest were identified during this reporting period for Louisiana.

## 2.6 Maryland State Regulatory Review

No items of interest were identified during this reporting period for Maryland.

## 2.7 Mississippi State Regulatory Review

No items of interest were identified during this reporting period for Mississippi.

## 2.8 New Mexico State Regulatory Review

No items of interest were identified during this reporting period for New Mexico.

## 2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

RRAC PC Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
OH-2007-11	Waste Infectious Waste	03/05/2007	OH Adm Code ( <a href="#">OAC 3745-27-36</a> )	Proposed Rule	<p><a href="#">Infectious Waste Rulemaking</a></p> <p>Proposes to update current regulations governing infectious waste, including <a href="#">OAC 3745-27-36</a>, "Registration requirements for generators and transporters of infectious waste," to satisfy requirements mandated by the Ohio Revised Code, which requires a review of a rule every 5 years. The public comment period will run until 04/10/07.</p> <p><a href="#">The Ohio Environmental Protection Agency (EPA) is conducting a required review of the rules governing infectious waste.</a></p>	
OH-2007-12	Waste Solid Waste	02/27/2007	<a href="#">OAC 3745-27</a>	Proposed Rule	<p><a href="#">Scrap Tire Rules</a></p> <p>The Division of Solid &amp; Infectious Waste Management (DSIWM) has reviewed and <a href="#">drafted new language</a> for rules governing scrap tires. Rule changes include clarification about the use and retention of scrap tire shipping papers, <a href="#">OAC 3745-27-57</a>. DSIWM is seeking input on these draft rules by 04/06/07.</p> <p><a href="#">These rules are primarily for scrap tire transporters and scrap tire facilities; however, the draft rule changes include changes to scrap tire shipping papers required to be completed by generators of scrap tires.</a></p>	<a href="#">National Aeronautics and Space Administration (NASA) facilities</a> should be aware of the proposed changes.
OH-2007-13	Wetlands Technical Report	03/09/2007	<a href="#">OAC 3745-1</a>	Technical Report	<p><a href="#">Characteristic Ohio Plant Species for Wetland Restoration Projects</a></p> <p>A new technical report is available on the <a href="#">Wetland Ecology Section Reports</a> page. This document provides lists of average values of characteristic plant species for Ohio wetlands.</p> <p><a href="#">This document is intended to be used as a guideline for wetlands restoration.</a></p>	

## 2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Texas.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-08	Air Permitting Pre-Construction Permits	3/9/2007	<a href="#">32 TexReg 1227</a>	Withdrawn Rules	Construction While Permit Application Pending Withdraws the proposed amendments to 30 Texas Administrative Code (TAC) §§116.110, 116.116, 116.710, 116.721, 116.787, 116.805, 116.820, 116.930, 116.1020, 116.1021, and 116.1424, which appeared in the 09/08/2006 issue of the <i>Texas Register</i> ( <a href="#">31 TexReg 7245</a> ). The amendments would have allowed an applicant seeking a permit for a modification (or lesser change) to an existing facility to begin construction related to the application after the application was submitted, before the Texas Commission on Environmental Quality (TCEQ) issued the permit. The amendments were withdrawn in response to adverse comments from the U.S. Environmental Protection Agency (EPA).	
TX-2007-09	Air Pollution Control Control of Air Pollution from Motor Vehicles	03/09/2007	<a href="#">32 TexReg 1197</a>	Proposed Rules	Alignment of Transportation Air Quality Rules with State and Federal Statutes [30 TAC §§114.1, 114.270, 114.4, 114.201, 114.202, and 114.618] Would align certain transportation air quality rules and definitions with state and federal statutes by repealing the following rules: <ul style="list-style-type: none"> <li>Mobile Emission Reduction Credit (MERC) program and associated fund and definitions</li> <li>Light-Duty Motor Vehicle Purchase or Lease Incentive Program Vehicle Emissions Information Brochure</li> <li>Transportation Control Measures (TCM) Substitution Process.</li> </ul> These provisions either were repealed by state statute or superseded by federal statute. Public hearing scheduled 04/03/2007. Comments due 04/09/2007. Earliest date of adoption 04/08/2007.	
TX-2007-10	Air Pollution Control Standard Permits	3/9/2007	<a href="#">32 TexReg 1320</a>	Adopted Rules	Standard Permits–Distance Limit, Setback, and Buffer Zones [30 TAC §116.615 and 30 TAC §321.43] Incorporates the new distance limit, setback, and buffer zone provisions of the Texas Health and Safety Code, §382.05195(j), into the general rules for standard permits. If a standard permit requires a distance limit, setback, or buffer from other properties or structures, the determination of whether the distance, setback, or buffer is satisfied will be made on the basis of conditions existing at the earlier of: <ul style="list-style-type: none"> <li>1) The date new construction, expansion, or modification of a facility begins; or</li> <li>2) The date any application or notice of intent is first filed with the commission to obtain approval for the construction or operation of the facility.</li> </ul> Effective 02/23/2007.	
TX-2007-11	Hazardous Materials Hazardous Materials Transportation	03/02/2007	<a href="#">32 TexReg 1046</a>	Proposed Rules	Update of Incorporation of Federal Hazardous Materials Regulations Proposes amendments to Chapter 4, Subchapter A, §4.1, concerning Regulations Governing Hazardous Materials. Ensures that the Federal Hazardous Materials Regulations, incorporated by reference in the section, reflect all amendments and interpretations issued through 03/01/2007 (previously 11/01/2006): <ul style="list-style-type: none"> <li><a href="#">72 FR 4442</a> (01/31/2007)</li> <li><a href="#">71 FR 78596</a> (12/29/2006)</li> </ul> Public hearing 03/14/2007. Earliest date of adoption 04/01/2007.	

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TX-2007-12	RCRA Consolidated Permits	03/09/2007	<a href="#">32 TexReg 1203</a>	Proposed Rules	<p>Consolidated Permits–Incorporation of Federal Resource Conservation and Recovery Act (RCRA) Rules [30 TAC §305]</p> <p>Incorporates parts of the Hazardous Waste Combustion MACT (40 CFR Subpart EEE). Amendments are necessary to conform to regulations promulgated in <a href="#">66 Federal Register (FR)24270</a> (0/14/2001), <a href="#">67 FR 6968</a> (0/14/2002), and <a href="#">67 FR 77687</a> (12/19/2002):</p> <ul style="list-style-type: none"> <li>▪ Revises Part B hazardous waste combustion facility permit modification requirements to meet the maximum achievable control technology (MACT) standards found in 40 CFR §270.42</li> <li>▪ Revises the Notice of Intent to Comply (NIC) requirements of 40 CFR §63.1210(b) and (c)</li> <li>▪ Adds language that specifies information requirements for Part B of the application for a hazardous waste permit found in 40 CFR §270.19 for air emission controls for incinerators.</li> <li>▪ Corrects two technical errors in the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) Direct Final Rule, Interim Standards Rule, and Final Amendments Rule</li> <li>▪ Adopts by reference revisions to the options found in 40 CFR §270.235 for incinerators and cement and lightweight aggregate kilns to minimize air emissions from startup, shutdown, and malfunction events</li> </ul> <p>Comments due 04/09/2007.</p>	
TX-2007-13	RCRA Industrial Solid Waste and Municipal Hazardous Waste	03/09/2007	<a href="#">32 TexReg 1209</a>	Proposed Rules	<p>Industrial Solid Waste and Municipal Hazardous Waste - Incorporation of Federal RCRA Rules [30 TAC §335]</p> <p>Incorporates parts of the Hazardous Waste Combustion MACT (40 CFR Subpart EEE). Conforms to federal regulations promulgated 11/8/200 (<a href="#">65 FR 67068</a>), 7/3/2001 (<a href="#">66 FR 35087</a>), 11/20/2001 (<a href="#">66 FR 58258</a>), 1/22/2002 (<a href="#">67 FR 2962</a>), 3/13/2002 (<a href="#">67 FR 11251</a>), 7/24/2002 (<a href="#">67 FR 48393</a>), and 2/24/2005 (<a href="#">70 FR 9138</a>):</p> <ul style="list-style-type: none"> <li>▪ Delete definition of corrective action management unit (CAMU) at 30 TAC §335.1(33). Adopted by reference at §335.152.</li> <li>▪ Incorporates by reference requirements for exclusions from definition of a solid waste found in 40 CFR §261.4.</li> <li>▪ Adopts by reference requirements related to the basis for listing hazardous waste found in 40 CFR Part 261, Appendix VII. Adds toxic constituents found in four newly listed wastes (K176, K177, K178, and K181) to the list of constituents that forms the basis for classifying wastes as hazardous.</li> <li>▪ Adopts by reference the list of hazardous constituents found in 40 CFR Part 261, Appendix VIII. Would add hazardous constituents found in four newly listed wastes (K176, K177, K178, and K181) to the list of hazardous constituents.</li> <li>▪ Adopts by reference revisions to incinerators found in 40 CFR Part 264, Subpart O, and revisions to corrective action for solid waste management units found in 40 CFR Part 264, Subpart S. The revisions to Subpart O would amend final emission standards for hazardous waste combustors and amend compliance standards for hazardous waste combustors. The revisions to Subpart S would facilitate the treatment, storage, and disposal of hazardous wastes in CAMUs managed for implementing cleanup.</li> </ul>	

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					<ul style="list-style-type: none"> <li>▪ Adopts by reference revisions to standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities found in 40 CFR Part 266, Subpart H, for hazardous waste burned in boilers and industrial furnaces.</li> <li>▪ Adopts by reference revisions to land disposal restrictions found in 40 CFR Part 268, Subpart C, for prohibitions on land disposal. Would require that three inorganic chemical manufacturing wastes (K176, K177, and K178) meet universal treatment standards and require that hazardous non-wastewaters generated from the production of certain dyes, pigments and food, drug, and cosmetic colorants (K181) meet universal treatment standards. K061 waste derived from fertilizers would no longer be exempted from treatment standards under the land disposal restrictions.</li> <li>▪ Incorporates by reference revisions to the identification and listing of hazardous waste found in 40 CFR Part 261, Subpart D, "Lists of Hazardous Wastes." Would add two wastes generated by the chlorinated aliphatics industry (K174 and K175) to the list of hazardous wastes and add hazardous non-wastewaters generated from the production of certain dyes, pigments and food, drug, and cosmetic colorants (K181) to the list of hazardous wastes.</li> <li>▪ Incorporates by reference revisions to the identification and listing of hazardous waste found in 40 CFR Part 261, Subpart C, "Characteristics of Hazardous Waste." This amendment would delete regulatory language classifying mineral processing characteristic byproducts and sludges that would test as characteristically hazardous and that are being reclaimed as solid wastes. Would disallow the toxicity characteristic leaching procedure to be used for determining whether manufactured gas plant waste is hazardous.</li> <li>▪ Other administrative changes.</li> </ul> <p>Comments due 4/9/2007.</p>	

## 2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Virginia.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-09	Air State Implementation Plan	03/02/2007	<a href="#">72 FR 9441</a>	Final Rule	<p>Federal Acceptance of Revisions to the Commonwealth of Virginia State Implementation Plan (SIP)</p> <p>The U.S. Environmental Protection Agency (EPA) has approved revisions to the Virginia SIP, including the expansion of volatile organic compound (VOC) and nitrogen oxides (NO<sub>x</sub>) emission control areas. The revisions also address implementation of Reasonably Available Control Technology (RACT) requirements for VOC control within those areas designated as VOC emissions control areas (9 VAC 5 Chapter 40). Effective 04/02/2007.</p>	National Aeronautics and Space Administration (NASA) facilities should be aware of changes to SIP.