



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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**20 November 2009**

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, 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 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms

AFB = Air Force Base	NO <sub>2</sub> = Nitrogen dioxide
BPA = Basin Plan Amendment	NODA = Notice of data availability
CCR = <i>California Code of Regulations</i> ; also <i>Colorado Code of Regulations</i>	OAC = Ohio Administrative Code
CDPHE = Colorado Department of Public Health and Environment	OEPA = Ohio Environmental Protection Agency
CFR = <i>Code of Federal Regulations</i>	OFW = Outstanding Florida Waters
CO = Carbon monoxide	OSHA = Occupational Safety and Health Administration
COMAR = Code of Maryland Regulations	PHG = Public health goal
CRNR = California Regulatory Notice Register	PM = Particulate matter
DLLR = Division of Labor and Industry	PM2.5 = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
DOT = Department of Transportation	PM10 = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less
EPA = U.S. Environmental Protection Agency	ppb = Parts per billion
ESAR = Environmental Sampling, Analysis and Results	RIN = Regulatory Identification Number
F.A.C. = Florida Administrative Code	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
F.S. = Florida Statute	SARS = Severe acute respiratory syndrome
FAW = <i>Florida Administrative Weekly</i>	SCAQMD = South Coast Air Quality Management District
FDEP = Florida Department of Environmental Protection	SIP = State Implementation Plan
FR = <i>Federal Register</i>	SJRWMD = St. Johns River Water Management District
HFE = Hydrofluoroether	SJVUAPCD = San Joaquin Valley Unified Air Pollution Control District
I/M = Inspection and maintenance	SO <sub>2</sub> = Sulfur dioxide
IRIS = Integrated Risk Information System	SPCC = Spill Prevention, Control, and Countermeasure
LAC = Louisiana Administrative Code	SPM = Special Purpose Monitor
MACT = Maximum achievable control technology	TMDL = Total maximum daily load
MAF = Michoud Assembly Facility	U.S. = United States
Md.R. = <i>Maryland Register</i>	UST = Underground storage tank
NAAQS = National Ambient Air Quality Standards	Va.R. = <i>Virginia Register</i>
NASA = National Aeronautics and Space Administration	VAC = Virginia Administrative Code
NESHAP = National Emissions Standards for Hazardous Air Pollutants	
NIOSH = National Institute for Occupational Safety and Health	

# 1.0 U.S. Federal Regulatory Review

## 1.1 Federal Register Summary

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

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11202009-1	Air Nonattainment Designations for PM2.5 NAAQS	11/13/2009	<a href="#">74 FR 58687</a>	Final Rule	<p>Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) National Ambient Air Quality Standards</p> <p>Establishes the initial air quality designations for the 2006 24-hour PM2.5 NAAQS. The list of areas designated as nonattainment includes the following areas where NASA facilities are located:</p> <ul style="list-style-type: none"> <li>▪ Cleveland-Akron-Lorain, Ohio</li> <li>▪ Los Angeles-South Coast Air Basin, California</li> <li>▪ San Joaquin Valley, California</li> </ul> <p>Effective 12/14/2009.</p>	
FED11202009-2	Cross Media Electronic Reporting	11/17/2009	<a href="#">74 FR 59104</a>	Final Rule	<p>Technical Amendment of Cross-Media Electronic Reporting Rule [40 CFR Part 3]</p> <p>Amends the Final Cross-Media Electronic Reporting Rule to exclude from the regulation all documents and information submitted electronically to EPA by applicants for, and recipients of, grants, cooperative agreements, and other forms of financial assistance. Effective 11/17/2009. [RIN 2025-AA26]</p>	
FED11202009-3	Environmental Sampling	11/17/2009	<a href="#">74 FR 59183</a>	Notice	<p>Office of Environmental Information; Announcement of Availability and Comment Period for Revised Environmental Sampling, Analysis, and Results Data Standards</p> <p>Notice of availability for review and comment for six revised data standards:</p> <ul style="list-style-type: none"> <li>▪ Well Information Data Standard, Environmental Sampling, Analysis and Results (ESAR)</li> <li>▪ Field Activity, ESAR</li> <li>▪ Monitoring Location, ESAR</li> <li>▪ Analysis and Results, ESAR</li> <li>▪ Project and Quality Assurance and Quality Control Data Standards</li> </ul> <p>Comments due 12/17/2009.</p>	
FED11202009-4	Freedom of Information Act Council on Environmental Quality	11/13/2009	<a href="#">74 FR 58576</a>	Proposed Rule	<p>Council on Environmental Quality</p> <p>Revision of Freedom of Information Act Regulations [40 CFR Part 1515]</p> <p>Proposes to amend the Council on Environmental Quality's Freedom of Information Act regulations to reflect its current policy and practice and to implement changes to the Act. Comments due 12/14/2009. [RIN 0331-ZA01]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11202009-5	Occupational Safety Acetylene Standard	11/10/2009	<a href="#">74 FR 57883</a>	Final Rule	Occupational Safety and Health Administration Revising Standards Referenced in the Acetylene Standard Confirms 11/09/2009 as the effective date of the direct final rule ( <a href="#">74 FR 40441</a> , 08/11/2009) that revised the Acetylene Standard for general industry by updating references to standards.	
FED11202009-6	Occupational Safety Combustible Dust	11/10/2009	<a href="#">74 FR 57974</a>	Notice	Occupational Safety and Health Administration Combustible Dust [29 CFR Part 1910] Invites interested parties to participate in informal stakeholder meetings on the workplace hazards of combustible dust. OSHA plans to use the information gathered at these meetings in developing a proposed standard for combustible dust ( <a href="#">74 FR 54334</a> , 10/21/2009). Two stakeholder meetings will be held 12/14/2009 in Washington, D.C. Additional meetings are planned for early 2010. [RIN 1218-AC41]	
FED11202009-7	Occupational Safety Respirators	11/18/2009	<a href="#">74 FR 59501</a>	Notice	National Institute for Occupational Safety and Health Total Inward Leakage Requirements for Respirators [42 CFR Part 84] Announces a public meeting concerning the proposed rule ( <a href="#">74 FR 56141</a> , 10/30/2009) to establish total inward leakage requirements for half-mask air-purifying particulate respirators approved by NIOSH. The proposed new requirements specify minimum performance requirements and testing to demonstrate that these respirators, when selected and used correctly, provide effective respiratory protection to intended users against toxic dusts, mists, fumes, fibers, and biological and infectious aerosols (influenza, SARS coronavirus, and Mycobacterium tuberculosis). Meeting to be held 12/03/2009 in Adelphi, Maryland. Participation in the meeting will also be available through Audio/LiveMeeting Conferencing. [RIN 0920-AA33]	
FED11202009-8	Restricted Areas	11/16/2009	<a href="#">74 FR 58848</a>	Correction	U.S. Army Corps of Engineers Restricted Areas at Cape Canaveral Air Force Station, Patrick AFB, Florida. [33 CFR Part 334] Corrects revision to the restricted areas at Cape Canaveral Air Force Station ( <a href="#">74 FR 36400</a> , 07/23/2009) by referencing the type of mile unit to be used for the boundary line of the restricted area (nautical miles) and correcting the boundary coordinates. Effective 11/16/2009.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11202009-9	Species Brown Pelican	11/17/2009	<a href="#">74 FR 59443</a>	Final Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Removal of the Brown Pelican (<i>Pelecanus occidentalis</i>) From the Federal List of Endangered and Threatened Wildlife [50 CFR Part 17]</p> <p>Removes the brown pelican (<i>Pelecanus occidentalis</i>) from the Federal List of Endangered and Threatened Wildlife due to recovery. The brown pelican will remain protected under the provisions of the Migratory Bird Treaty Act. Effective 12/17/2009. [RIN 1018-AV28]</p>	
FED11202009-10	Species List of Endangered and Threatened Wildlife and Plants	11/09/2009	<a href="#">74 FR 57803</a>	Notice	<p>U.S. Fish and Wildlife Services</p> <p>Endangered and Threatened Wildlife and Plants; Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions [50 CFR Part 17]</p> <p>Presents an <a href="#">updated list</a> of plant and animal species native to the U.S. that are regarded as candidates for or have been proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants. Recognizes five new candidates, changes the listing priority number for eight candidates, and removes four species from candidate status. Also includes findings on resubmitted petitions and describes progress in revising the Lists of Endangered and Threatened Wildlife and Plants during the period 10/01/2008 through 09/30/2009.</p>	
FED11202009-11	Toxic Substances 1,2-Dichloroethylene	11/10/2009	<a href="#">74 FR 58014</a>	Notice	<p>Draft Toxicological Review of cis- and trans-1,2-Dichloroethylene: In Support of the Summary Information in the Integrated Risk Information System</p> <p>Announces an external peer-review workshop to review the external review draft document titled, "<a href="#">Toxicological Review of cis- and trans-1,2-Dichloroethylene: In Support of Summary Information on the Integrated Risk Information System (IRIS)</a>." Workshop to be held on 12/17/2009 in Arlington, Virginia.</p>	
FED11202009-12	Toxic Substances Hydrogen Cyanide and Cyanide Salts	11/10/2009	<a href="#">74 FR 58015</a>	Notice	<p>Draft Toxicological Review of Hydrogen Cyanide and Cyanide Salts: In Support of the Summary Information on the Integrated Risk Information System (IRIS)</p> <p>Announces an external peer-review workshop to review the external review draft document titled, "<a href="#">Toxicological Review of Hydrogen Cyanide and Cyanide Salts: In Support of Summary Information on the Integrated Risk Information System (IRIS)</a>." Workshop to be held on 12/14/2009 in Arlington, Virginia.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11202009-13	Toxic Substances Trichloroacetic Acid	11/10/2009	<a href="#">74 FR 58015</a>	Notice	Draft Toxicological Review of Trichloroacetic Acid: In Support of the Summary Information in the Integrated Risk Information System (IRIS)  Announces an external peer-review workshop to review the external review draft document titled, " <a href="#">Toxicological Review of Trichloroacetic Acid: In Support of Summary Information on the Integrated Risk Information System (IRIS)</a> ." Workshop to be held on 12/10/2009 in Arlington, Virginia.	
FED11202009-14	Water SPCC Rule Amendments	11/13/2009	<a href="#">74 FR 58783</a>	Final Rule	Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Rule—Amendments [40 CFR Part 112]  Makes minor technical corrections to SPCC Rule Amendments ( <a href="#">73 FR 74235</a> , 12/05/2008) and removes the following provisions: the exclusion of farms and oil production facilities from the loading and unloading rack requirements; the exemption for produced water containers at an oil production facility; and the alternative qualified facility eligibility criteria for an oil production facility. Effective 01/14/2010. [RIN 2050-AG16]	

## 1.2 Other News and Developments

### 1.2.1 EPA Proposes Stronger Air Quality Standards for Sulfur Dioxide

EPA is proposing to strengthen the nation's SO<sub>2</sub> air quality standard to protect public health. EPA is taking comments about a proposal to establish a new national 1-hour SO<sub>2</sub> standard, between 50 and 100 parts per billion (ppb). This standard is designed to protect against short-term exposures ranging from 5 minutes to 24 hours. Because the revised standards would be more protective, EPA is proposing to revoke the current 24-hour and annual SO<sub>2</sub> health standards.

EPA also is proposing changes to monitoring and reporting requirements for SO<sub>2</sub>. Monitors would be placed in areas that have high SO<sub>2</sub> emission levels, as well as in urban areas. The proposal also would change the Air Quality Index to reflect the revised SO<sub>2</sub> standards.

The proposal addresses only the SO<sub>2</sub> primary standards, which are designed to protect public health. EPA will address the secondary standard—designed to protect the public welfare, including the environment—as part of a separate proposal in 2011.

The public comment period will be open for 60 days after the proposal is published in the *Federal Register*. The agency will hold a public hearing on 5 January 2010 in Atlanta. EPA must issue final standards by 2 June 2010. Additional information is available on EPA's [website](#).

### 1.3 Regulatory Communication Working Group Updates

The final Regulatory Communication Working Group call for 2009 will be held on 2 December at 12 p.m. CT and will feature an update about Executive Order 13514.

## 2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

### 2.1 Alabama State Regulatory Review

No regulatory 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. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA11202009-1	Air Motor Vehicle	11/18/2009	<a href="#">74 FR 59496</a>	Proposed RuleChange	<a href="#">U.S. Environmental Protection Agency</a> Approval and Promulgation of Air Quality Implementation Plans; California; Motor Vehicle Inspection and Maintenance Program [40 CFR 52]  Adds additional modeling data relevant to the proposed rulemaking concerning California's 06/05/2009 Motor Vehicle I/M program submittal. EPA is reopening the comment period to end on 12/02/2009.	
CA11202009-2	Air SIP	11/10/2009	<a href="#">74 FR 57907</a>	Final Rule	<a href="#">U.S. Environmental Protection Agency</a> Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District and South Coast Air Quality Management District [40 CFR 52]  Finalizes approval of revisions to the SJVUAPCD and SCAQMD portions of the SIP. These revisions were proposed in the <i>Federal Register</i> on 06/26/2009 and concern PM emissions from open burning, wood burning fireplaces, and heaters, and the storage, handling, and transportation of coke, coal, and sulfur. Effective 12/10/2009.	
CA11202009-3	Occupational Safety	11/13/2009	<a href="#">CRNR 2009, 46z, p.1958</a>	Final Rule	Occupational Safety and Health Standards Board  Blue Stop Signs, Blue Flags and Blue Lights [8 CCR 3333, 3650]  Effective 11/27/2009.	
CA11202009-4	Proposition 65 Clodinafop-Propargyl, Diclofop-Methyl, and Epoxiconazole	11/13/2009	<a href="#">CRNR 2009, 46z, p.1954</a>	Notice Request for Relevant Information	<a href="#">Office of Environmental Health Hazard Assessment</a> <a href="#">Request for Relevant Information on Chemicals Being Considered for Listing by the Authoritative Bodies Mechanism: Clodinafop-Propargyl, Diclofop-Methyl, and Epoxiconazole</a>  Comments due 01/12/2010.  <b>Clodinafop-propargyl is a herbicide used on spring wheat. Diclofop-methyl is an herbicide used on wheat, barley, and golf courses. Epoxiconazole is a fungicide use on coffee and bananas.</b>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA11202009-5	Water Benzo(a)pyrene	11/13/2009	<a href="#">CRNR 2009.46z, p.1953</a>	Notice Workshop and Comment Period	<p><a href="#">Office of Environmental Health Hazard Assessment</a></p> <p><a href="#">Announcement of First Public Comment Period and Workshop re: Draft Technical Support Document on Proposed Public Health Goal for Benzo(a)pyrene in Drinking Water</a></p> <p><a href="#">Draft technical support document</a> for the proposed PHGs for benzo(a)pyrene is available. Public workshop 01/06/2010 and comments due 01/06/2010.</p> <p><b>Benzo[a]pyrene is in coal tar, automobile exhaust fumes, smoke resulting from the combustion of organic materials, and charbroiled food.</b></p>	
CA11202009-6	Water Richardson Bay TMDL	11/13/2009	<a href="#">CRNR 2009.46z, p.1959</a>	Notice	<p><a href="#">State Water Resources Control Board</a></p> <p>BPA to establish a TMDL for pathogens in Richardson Bay [23 CCR 3919.5]</p> <p>This regulatory action revises the Basin Plan to establish a TMDL for pathogens in Richardson Bay. Filed 11/02/2009.</p>	
CA11202009-7	Water UST	11/20/2009	<a href="#">CRNR 2009.47z, p.2005</a>	Notice	<p><a href="#">State Water Resources Control Board</a></p> <p>Storage of Biodiesel Blends in Underground Storage Tanks [23 CCR 2631.2]</p> <p>Readopts a prior emergency regulatory action that allows for the lawful storage of certain biodiesel blends up to 20% biodiesel and 80% petroleum diesel, commonly known as B20, in USTs that have been tested and approved for storing petroleum diesel, if specified conditions are met; however, the required testing for storing B20 by an independent testing organization has not been completed. Effective 11/28/2009.</p>	

## 2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO11202009-1	Hazardous Waste	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Proposed Rule	<p>Colorado Department of Public Health and Environment</p> <p>6 CCR 1007 <a href="#">Hazardous Materials and Waste Management Division</a></p> <p>Announces revisions to the Colorado Hazardous Waste regulations as follows:</p> <ul style="list-style-type: none"> <li>▪ <a href="#">6 CCR 1007-3 Part 260.34</a>—Standards and Criteria for Non-waste Confirmations.                             <ol style="list-style-type: none"> <li>(1) Amendments establish a non-waste confirmation.</li> </ol> </li> <li>▪ <a href="#">6 CCR 1007-3 Parts 261 and 273</a>—Universal Waste Amendments.                             <ol style="list-style-type: none"> <li>(1) Modifying § 261.9(a) and § 273.1 (b) to clarify waste handler compliance with universal waste rules under the Part 273 Regulations, and compliance with, all applicable requirements of the Colorado Hazardous Waste Regulations (6 CCR 1007-3), Parts 260 through 268, 99, and 100).</li> <li>(2) Correcting a typographical error and revising the definition of "Electronic component."</li> <li>(3) Revising the waste management standards in § 273.13 and § 273.33 for small and large quantity handlers of universal waste</li> </ol> </li> <li>▪ <a href="#">6 CCR 1007-3 Part 261</a>—Legitimate Recycling Amendments.                             <ol style="list-style-type: none"> <li>(1) Modifying the definition of "reclaimed."</li> <li>(2) Codifying the criteria to be used in determining when recycling of materials is legitimate into § 261.2(f).</li> </ol> </li> </ul> <p>A hearing will be held on 02/16/2010 at CDPHE in Denver, Colorado.</p>	NASA should be aware of these changes to Colorado Hazardous Waste regulations.
CO11202009-2	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Adopted Rule	<p>Colorado Department of Public Health and Environment</p> <p>5 CCR 1002 <a href="#">Water Quality Control Commission</a></p> <p>Announces revisions to <a href="#">5 CCR 1002-31</a> Regulation No. 31 The Basic Standards and Methodologies for Surface Water. Effective 11/30/2009.</p>	
CO11202009-3	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Adopted Rule	<p>Colorado Department of Public Health and Environment</p> <p>5 CCR 1002 <a href="#">Water Quality Control Commission</a></p> <p>Announces revisions to <a href="#">5 CCR 1002-41</a> Regulation No. 41 The Basic Standards for Ground Water. Effective 11/30/2009.</p>	
CO11202009-4	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Adopted Rule	<p>Colorado Department of Public Health and Environment</p> <p>5 CCR 1003 <a href="#">Water Quality Control Commission</a></p> <p>Announces revisions to <a href="#">5 CCR 1003-1</a> Primary Drinking Water Regulations. Effective 12/01/2009.</p>	
CO11202009-5	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Adopted Rule	<p>Colorado Department of Public Health and Environment</p> <p>5 CCR 1003 <a href="#">Water Quality Control Commission</a></p> <p>Announces revisions to <a href="#">5 CCR 1003-2</a> Regulation No. 100, Water and Wastewater Facility Operations Certification Requirements. Effective 11/30/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO11202009-6	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1002 <a href="#">Water Quality Control Commission</a> Announces revisions to <a href="#">5 CCR 1002-64</a> Biosolids Regulation No. 64. A hearing will be held on 02/08/2010 at CDPHE in Denver, Colorado.	
CO11202009-7	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1002 <a href="#">Water Quality Control Commission</a> Announces revisions to <a href="#">5 CCR 1002-93</a> Regulation No. 93–Section 303(d) List Water Quality Limited Segment Requiring TMDLs. A hearing will be held on 02/08/2010 at CDPHE in Denver, Colorado.	
CO11202009-8	Water Water Quality	11/10/2009	<a href="#">CO Register Vol. 32, No. 11</a>	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1002 <a href="#">Water Quality Control Commission</a> Announces revisions to <a href="#">5 CCR 1002-94</a> Regulation No. 94–Colorado’s Monitoring and Evaluation List. A hearing will be held on 02/08/2010 at CDPHE in Denver, Colorado.	

## 2.4 Florida State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL11202009-1	Air General Provisions	11/13/2009	<a href="#">FAW Notice #7961292</a>	Final Rule	<p>Chapter 62–FDEP 204–Air Pollution Control–General Provisions</p> <p>Finalizes rule amendments to adopt-by-reference recent federal air pollution regulations at 40 CFR Parts 50, 51, 52, 53, 58, 60, 63, and 65, as described below:</p> <ul style="list-style-type: none"> <li>▪ 40 CFR 50, National Primary and Secondary Ambient Air Quality Standards: <ul style="list-style-type: none"> <li>▪ Lead air quality measurements will be reported based on actual ambient air volume measured at the actual ambient temperature and pressure at the monitoring site during the measurement period.</li> <li>▪ Lead NAAQS will apply until EPA approves an implementation plan providing for attainment and/or maintenance of the lead NAAQS.</li> <li>▪ Update treatment of air quality monitoring data influenced by exceptional events.</li> <li>▪ Update lead NAAQS and lead arithmetic mean concentration measurement requirements over a 3-month period.</li> </ul> </li> <li>▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart F, Procedural Requirements: <ul style="list-style-type: none"> <li>▪ Compounds used in aerosol coating products are to be counted toward a product's reactivity limit.</li> <li>▪ Add HFE 7300 to list of organic compounds that have negligible photochemical reactivity.</li> </ul> </li> <li>▪ 40 CFR 52, Approval and Promulgation of Implementation Plans, Subpart K, Florida: Correct typographical errors.</li> <li>▪ 40 CFR 53, Ambient Air Monitoring Reference and Equivalent Methods: Update test procedures for methods for lead.</li> <li>▪ 40 CFR 58, Ambient Air Quality Surveillance: <ul style="list-style-type: none"> <li>▪ Plans establishing lead monitoring sites must be submitted to EPA no later than 07/01/2009 as part of the annual network plan.</li> <li>▪ Designations of nonattainment areas for the CO, SO<sub>2</sub>, NO<sub>2</sub>, or 24-hour PM<sub>10</sub> NAAQS will no longer be solely based on data from the SPM.</li> <li>▪ Updated quality assurance requirements, network design criteria, and uniform air quality index and daily reporting requirements for air quality monitoring.</li> </ul> </li> </ul>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL11202009-1 (cont.)					<ul style="list-style-type: none"> <li>▪ 40 CFR 60, Standards of Performance for New Stationary Sources:                             <ul style="list-style-type: none"> <li>▪ Update rule applicability requirements and definitions for electric utility steam generators constructed after 09/19/1978.</li> <li>▪ Update opacity and continuous emissions monitoring, compliance, reporting, and record-keeping standards for generators.</li> <li>▪ Add equipment leak monitoring work practice and detection leak sensitivity levels.</li> <li>▪ Update list of standard test methods and amended procedures for determining emissions concentrations from stationary sources, performance specifications, and quality assurance.</li> </ul> </li> <li>▪ 40 CFR 63, National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Corrected typographical errors, Subpart A, General Provisions and Subpart H, National Emissions Standards for Organic Hazardous Air Pollutants for Equipment Leaks: Update control device and work practice requirements for equipment leaks.</li> <li>▪ 40 CFR 65, Consolidated Federal Air Rule, Subpart A, General Provisions: Update monitoring, record-keeping, and reporting waivers and alternatives, and alternative work practices for equipment leaks.</li> </ul> Effective 11/18/2009.	
FL11202009-2	Water Florida Oceans and Coastal Council	11/20/2009	<a href="#">FAW Notice #7912598</a>	Notice Meeting	Chapter 62—Florida Oceans and Coastal Council The Florida Oceans and Coastal Council will hold a public meeting to further its duties under the Oceans and Coastal Resources Act on 12/14/2009.	
FL11202009-3	Water SJRWMD	11/20/2009	<a href="#">FAW Notice #7927245</a>	Proposed Rule	Chapter 40C—SJRWMD 4—Environmental Resource Permits: Surface Water Management Systems  Proposes to clarify the availability of informal wetland determinations under Section 12.5.6 of the Applicant’s Handbook: Management and Storage of Surface Waters. The proposed rule amendment would clarify that informal wetland determinations are discretionary, non-binding, available only to persons or entities with a legal or equitable interest in the land or power of eminent domain, and are limited to a parcel of property that does not exceed 1 acre. Proposed text is included in the <a href="#">FAW Notice</a> . Comments due 12/11/2009.	
FL11202009-4	Water SJRWMD	11/20/2009	<a href="#">FAW Notice #7927148</a>	Proposed Rule	Chapter 40C—SJRWMD 1—Organization and Procedure  Proposed rule amendments include the following: <ul style="list-style-type: none"> <li>▪ Increase the fee for all noticed general environmental resource permits to \$250.</li> <li>▪ Create a \$100 fee for SJRWMD verification that an activity is exempt from regulation.</li> <li>▪ Create a \$100 fee for an informal wetland boundary determination.</li> <li>▪ Increase each application fee authorized under Part IV of Chapter 373, F.S., based on a Consumer Price Index.</li> <li>▪ Establish the Consumer Price Index used for calculating fee increases.</li> <li>▪ Clarify that the application fee for proprietary authorization to use state-owned lands under Chapters 253 and 258, F.S., are provided in Chapter 18-21, F.A.C.</li> </ul> Proposed text is included in the <a href="#">FAW Notice</a> . Comments due 12/11/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL11202009-5	Water Surface Water	11/20/2009	<a href="#">FAW Notice #7935684</a>	Notice Meeting	Chapter 62–Environmental Regulation Commission Announces a meeting to discuss the following proposed revisions to Chapters 62-302, 62-709, and 62-640, F.A.C.: <ul style="list-style-type: none"> <li>Revising the classification system into both aquatic life uses and human uses. Two public workshops were held earlier this fall.</li> <li>Allow registrations in lieu of permits for certain composting projects, and also would create a simplified permit for small composting pilot projects.</li> <li>Require site permitting for biosolids land application sites, require nutrient management plans, and require distributed and marketed Class AA biosolids to be fertilizers.</li> </ul> The meeting will be held 12/1/2009 in Tallahassee, Florida.	
FL11202009-6	Water Surface Water	11/20/2009	<a href="#">FAW Notice #7935199</a>	Notice Rulemaking Development Workshop	Chapter 62–FDEP 302–Surface Water Quality Standards 700–Special Protection, Outstanding Florida Waters, and Outstanding National Resource Waters Considers SJRWMD’s proposal to designate certain waters in the Matanzas River basin as OFW. The petitioned area includes the coastal estuary between Moultrie Creek and the City of Palm Coast in southern St. Johns County and northern Flagler County. A public workshop will be held to discuss the proposal, to gather information, and to seek public opinion on 01/19/2009 in St. Augustine, Florida.	

## 2.5 Louisiana State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA11202009-1	Air Permits	11/20/2009	<a href="#">35 LR 11 p 2351</a> <a href="#">AQ270</a>	Final Rule	Louisiana Department of Environmental Quality Statutory Exemption for Air Permits <a href="#">[LAC 33:III.501]</a> This exemption applies to any source for which facility-wide potential emissions are less than 5 tons per year for each of any regulated air pollutant, less than 15 tons per year emitted of all such defined pollutants combined, and less than the minimum emission rate for each toxic air pollutant unless such source is otherwise required to obtain a permit. Effective 11/20/2009.	<b>MAF</b> should be aware of the final revisions.
LA11202009-2	Waste Hazardous Waste	11/20/2009	<a href="#">35 LR 11 p. 2350</a> <a href="#">HW105ft</a>	Final Rule	Louisiana Department of Environmental Quality Integration of MACT Standards <a href="#">[LAC 33:V.3105]</a> Clarifies compliance monitoring provisions and corrects typographical error in the regulations. Effective 11/20/2009.	

## 2.6 Maryland State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD11202009-1	Occupational Safety Tower Crane Safety	11/20/2009	<a href="#">36:24 Md.R. 1863</a>	Notice of Proposed Action	Division of Labor and Industry Tower Crane Operator Certification DLLR proposes to adopt new regulations under <a href="#">COMAR 09.12.27</a> that would prohibit an individual from operating a tower crane in Maryland unless the individual holds a certificate of competence. Certification process entails both a written and a practical examination. Comments due 12/21/2009.	
MD11202009-2	Transportation Oversize and Overweight Vehicles	11/20/2009	<a href="#">36:24 Md.R. 1869</a>	Notice of Proposed Action	Department of Transportation Permits for Oversize and Overweight Vehicles The DOT proposes to amend Regulations and adopt new Regulations under <a href="#">COMAR 11.04.01</a> including the following: <ul style="list-style-type: none"> <li>▪ Provisions to update definitions</li> <li>▪ Incorporate the new exceptional hauling permit</li> <li>▪ Alter procedures for electronic processing and compliance</li> <li>▪ Eliminate obsolete fees</li> <li>▪ Modify the allowable weight for certain hauling permits</li> <li>▪ Clarify language on permit applicability</li> </ul> Comments due 12/21/2009.	
MD11202009-3	Transportation Oversize and Overweight Vehicles	11/20/2009	<a href="#">36:24 Md.R. 1873</a>	Notice of Proposed Action	Department of Transportation General Conditions for Movement of Oversize and Overweight Vehicles The DOT proposes to amend Regulations under <a href="#">COMAR 11.04.02</a> to: <ul style="list-style-type: none"> <li>▪ add language to the general conditions for movement of oversize and overweight vehicles that allows for deviation from certain hauling conditions,</li> <li>▪ add provisions for newer or unconventional types of vehicles used to move larger loads, and</li> <li>▪ change the applicability for special mobile equipment.</li> </ul> Comments due 12/21/2009.	
MD11202009-4	Transportation Oversize and Overweight Vehicles	11/20/2009	<a href="#">36:24 Md.R. 1876</a>	Notice of Proposed Action	Department of Transportation Specific Conditions for Movement of Certain Oversize and Overweight Vehicles The DOT proposes to amend Regulations under <a href="#">COMAR 11.04.03</a> to create a new definition of "massive weight" as it relates to the movement of motor trucks hauling in excess of 250 tons and to establish procedures for processing loads of "massive weight" and "excessive weight." Comments due 12/21/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD11202009-5	Transportation Oversize and Overweight Vehicles	11/20/2009	<a href="#">36:24 Md.R. 1876</a>	Notice of Proposed Action	Department of Transportation Oversize and Overweight Vehicles—Escort Vehicles, Signing, and Lighting The DOT proposes to amend Regulations under <a href="#">COMAR 11.04.04</a> to: <ul style="list-style-type: none"> <li>Clarify the signage requirement for escort vehicles and permit vehicles as it relates to the transportation of oversize and overweight loads.</li> <li>Clarify the requirements for the use of pole vehicles.</li> <li>Clarify when to pull a permitted vehicle to the side of the road.</li> <li>Clarify when a police escort is required.</li> <li>Expand the definition of law enforcement to clarify payment of costs from hauler to other law enforcement agencies.</li> </ul> Comments due 12/21/2009.	
MD11202009-6	Transportation Oversize and Overweight Vehicles	11/20/2009	<a href="#">36:24 Md.R 1878</a>	Notice of Proposed Action	Department of Transportation Overweight Vehicle Permits for Certain Containerized Cargo Hauling The DOT proposes to amend Regulations under <a href="#">COMAR 11.04.11</a> to: <ul style="list-style-type: none"> <li>Clarify language on indivisible loads as it pertains to containerized cargo.</li> <li>Clarify that routes of cargo pertain only to routes of travel.</li> <li>Expand the provision for electronic processing.</li> <li>Allow for the future issuance of fees for containerized cargo.</li> <li>Clarify weight requirements for containerized cargo.</li> </ul> Comments due 12/21/2009.	

## 2.7 Mississippi State Regulatory Review

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

## 2.8 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH11202009-1	Solid Waste Landfill Regulations	11/20/2009	<a href="#">Public Notice</a>	Notice	Division of Solid and Infectious Waste Management, OEPA Request for Comments on Landfill Program in OAC Chapters <a href="#">3745-27</a> , <a href="#">3745-29</a> , and <a href="#">3745-30</a> Requests comments and suggestions for improvements to the landfill program and its associated rules, including municipal solid waste, industrial solid waste, and residual solid waste regulations. The Agency is especially interested in comments based on actual experiences. This is the first step in OEPA's effort to improve the landfill program. Comments due 12/31/2009.	

## 2.10 Texas State Regulatory Review

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

## 2.11 Utah State Regulatory Review

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

## 2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA11202009-1	Tanks USTs	11/09/2009	<a href="#">26:5 VA.R 454</a>	Proposed Rule	State Water Control Board 9 Virginia Administrative Code (VAC) 25-580 Proposes the following amendments to the UST regulations: <ul style="list-style-type: none"> <li>▪ Additional definitions and reference updates</li> <li>▪ Secondary containment will be required for new and replaced USTs and piping within 1,000 feet of a public water supply or potable well</li> <li>▪ Identifies specific classes of UST operators requiring additional training</li> <li>▪ Prohibits delivery of petroleum products to noncompliant USTs</li> </ul> Comments due 01/08/2010.	
VA11202009-2	Water Water Quality	11/07/2009	<a href="#">74 FR 57675</a>	Public Notice	U.S. Environmental Protection Agency Executive Order 13508, Chesapeake Bay Protection and Restoration Section 203 Draft Strategy and Section 202 Federal Agency Reports Announces availability of the draft strategy report for the restoration and the protection of the Chesapeake Bay. Comments due 01/08/2010.	