



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

2 July 2010

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).

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Acronyms

ADEM = Alabama Department of Environmental Management	NESHAP = National Emission Standards for Hazardous Air Pollutants
ARB = Air Resources Board	NOAA = National Oceanic and Atmospheric Administration
CAA = Clean Air Act	NO _x = Nitrogen oxides
CADDIS = Causal Analysis/Diagnosis Decision Information System	NPDES = National Pollutant Discharge Elimination System
Cal/EPA = California Environmental Protection Agency	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations</i>	OECA = Office of Enforcement and Compliance Assurance
CFR = <i>Code of Federal Regulations</i>	OEPA = Ohio Environmental Protection Agency
COMAR = Code of Maryland Regulations	OFEE = Office of the Federal Environmental Executive
CRNR = <i>California Regulatory Notice Register</i>	OSWER = Office of Solid Waste and Emergency Response
CTG = Control Techniques Guidelines	PM = Particulate matter
DAPC = Division of Air Pollution Control	PM _{2.5} = Particulate matter with an aerodynamic equivalent diameter of 2.5 microns or less
DAR = Division of Administrative Rules	PM ₁₀ = Particulate matter with an aerodynamic equivalent diameter of 10 microns or less
1,3-DCP = 1,3-Dichloro-2-propanol	ppb = Parts per billion
DEQ = Department of Environmental Quality	PSD = Prevention of significant deterioration
DOE = U.S. Department of Energy	REACH = Registration, Evaluation, Authorisation and Restriction of Chemicals
DTSC = Department of Toxic Substances Control	RICE = Reciprocating internal combustion engine
ECHA = European Chemicals Agency	RIN = Regulatory Identification Number
EPA = U.S. Environmental Protection Agency	RCRA = Resource Conservation and Recovery Act
EU = European Union	RMP = Risk Management Program
FAW = <i>Florida Administrative Weekly</i>	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
FEMP = Federal Energy Management Program	SIP = State Implementation Plan
FIFRA = Federal Insecticide, Fungicide, and Rodenticide Act	SO ₂ = Sulfur dioxide
FOCC = Florida Oceans and Coastal Council	TCI = Transportation and Climate Initiative
FR = <i>Federal Register</i>	tpy = Tons per year
FY = Fiscal year	UAC = Utah Administrative Code
GHG = Greenhouse gas	UDAO = Utah Division of Air Quality
HW = Hazardous waste	U.S. = United States
IC = Internal combustion	USDA = U.S. Department of Agriculture
LAC = Louisiana Administrative Code	VDEQ = Virginia Department of Environmental Quality
MAF = Michoud Assembly Facility	VAC = Virginia Administrative Code
3-MCPD = 3-Monochloropropane-1,2-diol	Va.R. = <i>Virginia Register</i>
Md.R. = <i>Maryland Register</i>	VOC = Volatile organic compound
MDE = Maryland Department of the Environment	
MRR = Mandatory Reporting Rule	
MS4 = Municipal separate storm sewer systems	
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	

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
FED07022010-1	Air Modeling-PM2.5	06/30/2010	75 FR 37794	Notice	<p>U.S. Environmental Protection Agency Science Advisory Board Staff Office; Notification of a Public Teleconference of the Air Quality Modeling Subcommittee of the Advisory Council on Clean Air Compliance Analysis</p> <p>Announces a public teleconference of the Air Quality Modeling Subcommittee of the Advisory Council on Clean Air Compliance Analysis to review additional information about particulate matter inventories for EPA's air quality modeling work for the Second Section 812 Prospective Benefit-Cost Study of the CAA. Teleconference to be held 08/11/2010.</p>	
FED07022010-2	Air NAAQS-SO ₂	06/22/2010	75 FR 35519	Final Rule	<p>U.S. Environmental Protection Agency Primary National Ambient Air Quality Standard for Sulfur Dioxide [40 CFR Parts 50, 53, and 58]</p> <p>Revises the primary SO₂ NAAQS. Establishes new 1-hour SO₂ standard of 75 ppb, based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. Revokes both the existing 24-hour and annual primary SO₂ standards. Effective 08/23/2010. [RIN 2060-A048].</p> <p>For further information, see the RRAC PC Regulatory Alert on the RRAC website.</p>	NASA Centers should be aware of this final rule.
FED07022010-3	Air NESHAP-RICE	06/30/2010	75 FR 37732	Final Rule	<p>U.S. Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines [40 CFR Part 63]</p> <p>Corrects errors to the RICE NESHAP by replacing paragraphs that were inadvertently removed. Effective 06/30/2010. [RIN 2060-AP36].</p>	NASA stakeholders subject to the RICE NESHAP should be aware of this action.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07022010-4	Controlled Substances Chemicals Containing Phosphorus	06/25/2010	75 FR 36306	Proposed Rule	Drug Enforcement Administration Chemical Mixtures Containing Listed Forms of Phosphorus and Change in Application Process [21 CFR Part 1310]. Proposes regulations to establish those chemical mixtures containing red phosphorus, white phosphorus (also known as yellow phosphorus), or hypophosphorous acid and its salts that will automatically qualify for exemption from the Controlled Substances Act regulatory controls. Proposes that chemical mixtures containing red phosphorus in a concentration of 80 percent or less and mixtures containing hypophosphorous acid and its salts in a concentration of 30 percent or less will qualify for automatic exemption. Proposes no automatic exemption for chemical mixtures containing white phosphorus. Unless otherwise exempted, all material containing white phosphorus will become subject to chemical regulatory controls regardless of concentration. Comments due 08/24/2010. [RIN 1117-AA66].	NASA stakeholders using energetic materials containing phosphorus should be aware of this action.
FED07022010-5	Energy Conservation High-intensity Discharge Lamps	07/01/2010	75 FR 37975	Notice	Office of Energy Efficiency and Renewable Energy Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Final Determination Concerning the Potential for Energy Conservation Standards for High-Intensity Discharge Lamps [10 CFR Part 431] Announces a determination that energy conservation standards for certain high-intensity discharge lamps are technologically feasible and economically justified, and probably would result in significant energy savings. Final determination initiates the process of establishing test procedures and potential energy conservation standards for this equipment. Effective 08/02/2010. [RIN 1904-AA86]	
FED07022010-6	Fuels Renewable Fuel Standard	06/30/2010	75 FR 37733	Withdrawal	U.S. Environmental Protection Agency Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program [40 CFR Part 80] Withdraws several portions of a direct final rule (75 FR 26025 , 05/10/2010) to amend the Renewable Fuel Standard program requirements because EPA received adverse comments. Effective 06/30/2010. [RIN 2060-AQ31]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07022010-7	Nuclear Byproduct Material	06/24/2010	75 FR 36211	Proposed Rule	Nuclear Regulatory Commission Requirements for Distribution of Byproduct Material [10 CFR Parts 30, 31, 32, 40, and 70] Proposes to amend regulations to clarify and update requirements for distributors of byproduct materials. Proposes to redefine categories of devices to be used under exemptions, add explicit provisions regarding the sealed source and device registration process, and add flexibility to the licensing of users of sealed sources and devices. Would affect manufacturers and distributors of sources and devices containing byproduct materials and future users of some products currently used under a general or specific license. Comments due 09/07/2010. [RIN 3150-AH91]	
FED07022010-8	Nuclear Research and Test Reactors	06/30/2010	75 FR 37842	Notice	Nuclear Regulatory Commission Notice of Issuance of Regulatory Guide Announces a revision to Regulatory Guide 2.5, "Quality Assurance Program Requirements for Research and Test Reactors." The guide is available on the Nuclear Regulatory Commission website .	
FED07022010-9	Nuclear Transportation of Radioactive Material	07/01/2010	75 FR 38168	Notice	Pipeline and Hazardous Materials Safety Administration Hazardous Materials: International Regulations for the Safe Transport of Radioactive Material (TS-R-1): Draft Revision Available for Comment Requests input from the public to assist in developing U.S. comments on a draft revision of the International Atomic Energy Agency's "Regulations for the Safe Transport of Radioactive Material" (TS-R-1), which is scheduled for publication in 2012. The International Atomic Energy Agency established and maintains the international standard to promote the safe and secure transportation of radioactive materials. Comments due 10/29/2010.	
FED07022010-10	Occupational Safety	07/02/2010	75 FR 38645	Proposed Rule	Occupational Safety and Health Administration Standards Improvement Project--Phase III [29 CFR Parts 1910, 1915, 1917, 1918, 1919, 1926, and 1928] Proposes rules to remove or revise outdated, duplicative, unnecessary, and inconsistent requirements in safety and health standards. Comments and hearing requests due 09/30/2010. [RIN 1218-AC19]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07022010-11	Policy NOAA Next Generation Strategic Plan	06/29/2010	75 FR 37405	Notice	National Oceanic and Atmospheric Administration Notice of Public Review and Comment Period on NOAA's Next Generation Strategic Plan Requests comments about NOAA's Next Generation Strategic Plan. The Plan sets the course for the agency's mission, a vision of the future, the societal outcomes that NOAA aims to help realize, and, consequently, the actions that the agency must take. The Draft Plan lays the foundation for NOAA to play a leading federal role in responding to the nation's most urgent challenges, ranging from climate change, severe weather, and natural or human-induced disasters to declining biodiversity and threatened or degraded ocean and coastal resources. Invites comments on the Plan regarding its: <ul style="list-style-type: none"> ▪ Mission statement ▪ Vision of the future ▪ Long-term strategic goals and 5-year objectives ▪ Enterprise components and 5-year objectives ▪ Strategic partnerships Comments due 08/10/2010. [RIN 0648-XT64]	
FED07022010-12	Species Mountain Plover	06/28/2010	75 FR 37353	Proposed Rule	U. S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Listing the Mountain Plover as Threatened Proposes to list the mountain plover as threatened. Comments due 08/30/2010.	
FED07022010-13	Water Impaired Water Bodies	06/22/2010	75 FR 35457	Notice	U.S. Environmental Protection Agency Draft of the 2010 Causal Analysis/Diagnosis Decision Information System Announces a public review and comment period for the draft Web site, " 2010 release of the Causal Analysis/Diagnosis Decision Information System (CADDIS) ." CADDIS is a web-based decision support system intended to help regional, state, and tribal investigators find, access, organize, and share information useful for causal evaluations in aquatic systems. Causal evaluations are conducted to determine the cause of biological impairment in impaired water bodies. Comments due 07/22/2010.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED07022010-14	Water NPDES—Electronic Reporting	07/01/2010	75 FR 38068	Notice	U.S. Environmental Protection Agency Public Meeting With Interested Stakeholders for National Pollutant Discharge Elimination System Electronic Reporting Rule Announces a meeting to discuss the NPDES Electronic Reporting Rule. Meeting will include discussion of electronic reporting alternatives for submission of NPDES information directly to states and/or EPA from permittees. Topics include the feasibility of requiring electronic reporting in areas such as electronic discharge monitoring reports, electronic notices of intent, and electronic program reports. Meeting to be held 07/13/2010 in Washington, D.C.	
FED07022010-15	Water NPDES—Test Methods	06/23/2010	75 FR 35712	Proposed Rule	U.S. Environmental Protection Agency National Pollutant Discharge Elimination System: Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting [40 CFR Parts 122 and 136] Proposes minor amendments to codify that only “sufficiently sensitive” analytical test methods can be used when completing an NPDES permit application and when performing sampling and analysis pursuant to monitoring requirements in an NPDES permit. Proposed amendments only affect chemical-specific methods; they do not apply to the whole effluent toxicity methods or their use. Comments due 08/09/2010. [RIN 2040-AC84]	

1.2 Other News and Developments

1.2.1 EPA Strategic Plan

EPA is seeking public comment regarding its [Draft FY 2011-2015 Strategic Plan](#) through 30 July 2010. EPA’s *Strategic Plan* sets forth the Agency’s long-term vision, goals, and objectives, and strategies by which to achieve them. The draft plan proposes strategic goals and cross-cutting fundamental strategies that aim to foster a renewed commitment to accountability, transparency, and inclusion.

The document addresses the following EPA priorities: climate change, improving air quality, protecting America’s waters, cleaning up communities, chemical safety, environmentalism and environmental justice, and building strong state and tribal partnerships.

EPA plans to use stakeholder feedback to prepare the final strategic plan, which is scheduled to be transmitted to Congress by 30 September 2010. More information about the Draft FY 2011-2015 Strategic Plan can be found on the EPA [website](#).

1.2.2 European Union—Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation

The [European Chemical Agency](#) (ECHA) has released a preliminary [list](#) of chemicals identified for registration under the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) in 2010. Such substances that are not registered cannot legally be manufactured, imported, or used within the European Union (EU) after 1 December 2010.

The list includes substances that at least one company has indicated an intention to register in 2010. The list also incorporates feedback received from companies and registrations already submitted. The presence of a substance on this list means there should be less risk of disruption to the supply of this substance.

More information regarding the substances list can be found on the ECHA [website](#).

1.2.3 Green Products Compilation Version 6 Now Available

The OFEE has posted [Version 6 of its Green Products Compilation](#), a comprehensive list of the products for which EPA, DOE, and USDA have provided environmental or energy attribute recommendations. Contracting officials and those who specify products and services can use the compilation to more easily find designated products. The new Version 6 includes numerous updates, including the new Energy Star specification for data centers and information regarding products complying with the FEMP low standby power specifications.

1.2.4 Mandatory Greenhouse Gas Reporting Rule Amendments

On 28 June 2010, EPA issued a [final rule](#) amending [40 CFR Part 98](#), the Greenhouse Gas (GHG) Mandatory Reporting Rule (MRR). The new rule requires annual monitoring and reporting of GHG emissions from source categories including industrial wastewater treatment (Subpart II) and industrial waste landfills (Subpart TT). The rule will become effective 60 days after publication in the *Federal Register*. More information about these amendments is posted on the EPA [website](#). The NASA RRAC PC summary of the original MRR is available on the RRAC [website](#).

1.2.5 Northeastern States and D.C. Agree to Target Mobile Sources of Greenhouse Gas Emissions

On 17 June 2010, transportation, environmental, and energy regulators from 11 northeastern states and the District of Columbia signed an agreement to collaborate on developing policies and programs to reduce GHG emissions through transportation improvements and efficiencies. The agreement, called the [Transportation and Climate Initiative \(TCI\)](#), aims to minimize transportation systems' reliance on high-carbon fuels, to promote sustainable growth, to reduce vehicle-miles traveled, and to help build the clean energy economy.

The participating states expect the cooperative approach to enhance their efforts to reduce traffic congestion, encourage job growth, accommodate the flow of goods and services, and establish state and local land-use strategies that increase housing density and encourage transit-friendly design, including mixed-use development that supports alternatives to driving. Participating in the Initiative are the District of Columbia, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

1.2.6 EPA Issues Interim Guidance for Risk Management Program

EPA's Office of Enforcement and Compliance Assurance (OECA) and Office of Solid Waste and Emergency Response (OSWER) have issued [interim guidance](#) intended to provide greater transparency in the agency's chemical safety inspections process. Under the interim guidance, EPA inspectors will offer employees and employee representatives the opportunity to participate in chemical safety inspections. The interim guidance pertains to inspections conducted by EPA under the agency's Risk Management Program (RMP).

EPA expects to issue final guidance regarding participation of employees and employee representatives in RMP inspections later this year. More information can be found on the EPA [website](#).

1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 21 July
- 11 August
- 1 September
- 22 September
- 24 November
- 15 December

2.0 State Regulatory Reviews

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

2.1 Alabama State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL07022010-1	Water NPDES– Permits	06/21/2010	Public Notice 605	Notice Hearing	Alabama Department of Environmental Protection Statewide General NPDES Permit ALR040000 Announces a hearing to consider ADEM's proposal to reissue the Statewide General NPDES Permit ALR040000 regulating storm water discharges from regulated small MS4s to waters of the State of Alabama. Copies of related documents, including the draft permit , conditions, limitations, and a fact sheet describing the methodology for setting the limitations and conditions are posted on the ADEM website . Comments due 07/23/2010. Public hearing scheduled 07/23/2010 at ADEM.	

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
CA07022010-1	Air Chloropicrin	06/25/2010	CRNR 2010, 26z, p. 977	Proposed Rule	Department of Pesticide Regulation Toxic Air Contaminants–Chloropicrin [3 CCR 6860] Proposes to designate the pesticide chemical chloropicrin as a toxic air contaminant. Hearing scheduled 08/10/2010 in Sacramento, California. Comments due 08/10/2010.	
CA07022010-2	Air Fees	07/02/2010	CRNR 2010, 27z, p. 1031	Final Rule	Air Resources Board AB 32 Administrative Fee Regulation [17 CCR ADOPT 95200-95207, AMEND 95104] Imposes fees to fund the cost of implementation of AB 32. The fees are based on a "common carbon cost," which represents the cost of 1 metric ton of carbon dioxide emissions. Effective 07/17/2010. Further information is posted on the ARB website.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA07022010-3	Occupational Safety Construction	07/02/2010	CRNR 2010, 27z, p. 1007	Proposed Rule	Occupational Safety and Health Standards Board Construction Safety Orders [8 CCR 1709, 1742] Proposes changes to the Maximum Allowable Load requirements in Section 1709, as well as to the definitions of "manifold" and "header" related to fuel gas hose systems in Section 1742. A public hearing to discuss the proposed amendments has been scheduled on 08/19/2010 in Sacramento, California. Comments due 08/19/2010. Further information is posted on the Board's website on the Section 1709 and Section 1742 changes.	
CA07022010-4	Proposition 65 1,3-DCP and 3-MCPD	06/25/2010	CRNR 2010, 26z, p. 993	Notice	Office of Environmental Health Hazard Assessment Announcement of Carcinogen Identification Committee meeting and availability of Hazard Identification Materials for 1,3-DCP and 3-MCPD Notice that 1,3-DCP and 3-MCPD will be considered for possible listing as carcinogens during the next meeting of the Carcinogen Identification Committee on 09/21//2010 and 09/22/2010. Documentation is available. Comments due 08/24/2010.	
CA07022010-5	Species Santa Ana Sucker	07/02/2010	75 FR 38441	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for Santa Ana Sucker [50 CFR 17] Announces the reopening of the comment period on the proposed revised designation of critical habitat for Santa Ana sucker. Public hearing is scheduled for 07/21/2010 in Corona, California. Comments due 08/02/2010. [RIN 1018-AW23]	

2.2.1 Green Chemistry Initiative: DTSC Releases Draft Regulation for Safer Consumer Products

On 23 June 2010, California's DTSC released its [Draft Regulation for Safer Consumer Products](#) for review and comment. This draft regulation is built on the foundation outlined in the previously released [Conceptual Flowchart and Outline for Draft Regulation](#).

The draft regulation specifies the processes for DTSC to scientifically and systematically identify and prioritize chemicals and consumer products, for manufacturers to conduct alternatives assessments, and for DTSC to impose regulatory responses for alternatives selected by manufacturers.

The draft regulation will be the subject of two additional informal half-day public workshops on 7 and 8 July 2010 in Sacramento, California, and also will be [webcast](#). Comments on the draft regulation are due 15 July 2010.

2.3 Colorado State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of 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
FL07022010-1	Water	06/25/2010	FAW Notice #8763191	Notice Meeting	<p>Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas</p> <p>Florida Oceans and Coastal Council</p> <p>Announces a public meeting to be held by conference call to further its duties under the Oceans and Coastal Resources Act on 07/12/2010.</p> <p>Note this meeting is cancelled per item FL07022010-2 below.</p>	
FL07022010-2	Water	07/02/2010	FAW Notice #8823331	Notice Meeting Change	<p>Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas</p> <p>Florida Oceans and Coastal Council</p> <p>Announces a public meeting to replace the conference call formerly scheduled on 07/12/2010. The meeting will be held on one of the following dates, to be determined:</p> <ul style="list-style-type: none"> ▪ 07/12/2010 ▪ 07/14/2010 <p>This meeting will be focused on coordinating the FOCC response to the Gulf oil spill.</p>	

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
LA07022010-1	Administration Notifications	06/21/2010	MM012	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>DEQ Notifications to State Police [LAC 33:I.3913, 3915, 3917, 3923, 3925; VII.315, 713; and XI.713]</p> <p>Finalizes miscellaneous revisions to the notification and reporting procedures in the Office of the Secretary, Solid Waste, and Underground Storage Tank Regulations. Effective 06/21/2010.</p>	
LA07022010-2	Air PSD-PM2.5	06/21/2010	AQ311f	Proposed Rule	<p>Louisiana Department of Environmental Quality</p> <p>Prevention of Significant Deterioration (Significance Level for Direct PM2.5 Emissions) [LAC 33:III.509.B]</p> <p>Proposes amendments to establish a significance level of 10 tpy for direct PM2.5 emissions, equivalent to the federal rule [40 CFR 51.166(b)(23)(i)]. A public hearing will be held on 07/28/2010 in Baton Rouge, Louisiana. Comments due 07/28/2010.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA07022010-3	Air Smoke Emissions	06/21/2010	AQ310	Proposed Rule	<p>Louisiana Department of Environmental Quality</p> <p>Control of Emissions of Smoke [LAC 33: III.1101, 1106, and 1107]</p> <p>Proposes the following modifications:</p> <ul style="list-style-type: none"> Revises LAC 33:III.1101.B to expand applicability of provisions related to allowable exceedances. Move identification of the applicable test methods and procedures from Chapter 15 into Chapter 11 (as LAC 33:III.1106). Specifies that opacity shall be determined using Method 9, with modifications pertaining to the observer training requirements; alternatively, Method 22 may be used assuming that any smoke observed is greater than 20-percent opacity for purposes of demonstrating compliance. Limits opacity during startup and shutdown and exempts combustion units that combust only natural gas or other gaseous fuel. <p>A public hearing will be held on 07/28/2010 in Baton Rouge, Louisiana. Comments due 08/04/2010.</p>	
LA07022010-4	Hazardous Waste Tanks	06/21/2010	HW106	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>HW Tanks: Secondary Containment Requirements and 90-Day Turnover of Hazardous Waste [LAC 33:V.109, 1109, 1901, 1907, 1909, and 4437]</p> <p>Sets standards for use of concrete as an external secondary containment system for hazardous waste tanks. Provides an approval process for using unlined or uncoated concrete as an external liner system under specific circumstances. Also clarifies and adds an additional subsection relating to the "accumulation time" exemption from hazardous waste permitting requirements by using a flow-through calculation in certain situations. Effective 06/21/2010.</p>	MAF should consider reviewing the final regulation to evaluate applicability.

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
MD07022010-1	Air Fuel-Burning Equipment	07/02/2010	37:14 Md.R. 961	Proposed Action	<p>Department of Environment</p> <p>Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations [COMAR 26.11.01 and .09]</p> <p>Proposes to amend regulations by removing the word "furnace" from the definition of fuel-burning equipment in the General Administrative Provisions and removing the definition of "fuel-burning equipment" from the regulation at COMAR 26.11.09.01 on control of fuel-burning equipment, installations, and stationary IC engines. Public hearing is scheduled for 08/04/2010 in Baltimore, Maryland. Comments due 08/04/2010.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD07022010-2	Air Fuel-burning Equipment	07/02/2010	37:14 Md.R. 962	Proposed Action	<p>Department of Environment</p> <p>Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations [COMAR 26.11.09]</p> <p>Proposes to amend regulations by:</p> <ul style="list-style-type: none"> ▪ Clarifying the applicability of this regulation and the application of the 10-hour exclusion. ▪ Requiring load shaving units to install a time meter to record total operating time. ▪ Clarifying procedures for securing NO_x allowances for compliance purposes. <p>Public hearing is scheduled for 08/04/2010 in Baltimore, Maryland. Comments due 08/04/2010.</p>	
MD07022010-3	Air VOCs	07/02/2010	37:14 Md.R. 966	Proposed Action	<p>Department of Environment</p> <p>Volatile Organic Compounds from Specific Processes [COMAR 26.11.19.11]</p> <p>Proposes to incorporate the requirements of EPA's CTG for lithographic and letterpress printing into the state's VOC regulations. Standards are proposed for specified types of lithographic and letterpress printing presses, cleaning, control device testing; and record keeping and monitoring. Public hearing is scheduled for 08/04/2010 in Baltimore, Maryland. Comments due 08/04/2010.</p>	

2.6.1 MDE Regulations in Development

MDE's website lists numerous [regulations under development](#), including a rule, "Metal Parts and Products, Drum and Pail Coating, Marine Vessel Coating, Paper, Film and Foil," which will incorporate into the COMAR [\[26.11.19.07, .08, .13, and .27\]](#) the requirements of EPA's Control Techniques Guidelines. The target effective date for adoption of the requirements is 20 November 2010.

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
OH07022010-1	Air SIP	06/21/2010	75 FR 34939	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Ohio; Final Approval and Promulgation of State Implementation Plans; Carbon Monoxide and Volatile Organic Compounds [40 CFR Part 52] Approves revisions to OAC Chapter 3745-21 , Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and related Materials Standards. The revisions also recognize emission control exemptions that have been granted for miscellaneous metal coating operations under OAC Chapter 3745-21-09(U)(2)(f) . Effective 07/21/2010.	
OH07022010-2	Air SO ₂ Emissions	06/25/2010	OEPA DAPC News	Proposed Rule	Division of Air Pollution Control, Ohio Environmental Protection Agency Sulfur Dioxide Regulations [OAC Chapter 3745-18] Proposes amendments to SO ₂ regulations that would remove emission limits from the rules for air pollution sources located at facilities that have been permanently shut down for more than 5 years. Revisions also include minor amendments to improve clarity. Further details regarding the proposed rule, including the Interested Party Notice , Amended Rule , and Synopsis , are available on the OEPA website . Comments due 07/28/2010.	
OH07022010-3	Air VOC Emissions	06/23/2010	OEPA DAPC News	Proposed Rule	Division of Air Pollution Control, Ohio Environmental Protection Agency VOC Emissions from Reinforced Plastic Composites Production [OAC Chapter 3745-21-25] Proposes minor amendments to address EPA comments and are intended to make the rule approvable as a part of Ohio's SIP. Further details regarding the proposed rule, including the Interested Party Notice , Amended Rule , and Synopsis , are available on the OEPA website . Comments due 07/23/2010.	

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

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

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT07022010-1	Air PM	07/01/2010	UT Bull. Vol. 2010-13: DAR File No. 33699	Notice of Continuation	Utah Division of Air Quality; Utah Department of Environmental Quality PM10 Non-Attainment and Maintenance Areas: Abrasive Blasting [UAC R307-306] Rule is under 5-year review process. UDAQ intends to continue implementation of emission standards for PM10 from abrasive blasting operations at industrial facilities.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT07022010-2	Air PM	07/01/2010	UT Bull. Vol. 2010-13: DAR File No. 33701	Notice of Continuation	Utah Division of Air Quality; Utah Department of Environmental Quality Non-Attainment and Maintenance Areas for PM10: Fugitive Emissions and Fugitive Dust [UAC R307-309] Rule is under 5-year review process. UDAQ intends to continue implementation of rules establishing limits on the amount of fugitive dust and fugitive emissions that may be emitted from regulated emission sources.	
UT07022010-3	Air PM	07/01/2010	UT Bull. Vol. 2010-13: DAR File No. 33703	Notice of Continuation	Utah Division of Air Quality; Utah Department of Environmental Quality Non-attainment and Maintenance Areas for PM10: Emission Standards [UAC R307-305] Rule is under 5-year review process. UDAQ intends to continue implementation of rules setting visible emission limits, testing methods and schedules, and compliance schedules for sources of PM10 air pollution regulated under Utah's SIP.	

2.12 Virginia State Regulatory Review

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

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA07022010-1	Pesticides Pesticide Application	06/21/2010	26:21 Va.R. 2557	Final Rule	Pesticide Control Board 2VAC20-51: Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act Exempts certain government employees from applicator certification, provided FIFRA 25 (b) minimum-risk pesticide products and any ready-to-use products are used, and are used for their intended use only. Effective 07/21/2010.	
VA07022010-2	Renewable Energy Wind	06/21/2010	26:21 Va.R. 2562	Proposed Rule	Virginia Department of Environmental Quality 9VAC15-40: Small Renewable Energy Projects (Wind) Permit-by-Rule Proposes a permit-by-rule for wind-energy projects with a capacity not exceeding 100 megawatts. Comments due 08/20/2010.	
VA07022010-3	Waste Solid Waste	06/24/2010	VDEQ website	Notice of Availability	Virginia Department of Environmental Quality The 2009 annual report on solid waste in Virginia has been released.	