



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

11 March 2011

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 "76 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

AAC = Alabama Administrative Code	NMAC = New Mexico Administrative Code
AAM = <i>Alabama Administrative Monthly</i>	NOI = Notice of Intent
ADEM = Alabama Department of Environmental Management	NO _x = Nitrogen oxide
AQB = <i>Air Quality Bureau</i>	NPDES = National Pollutant Discharge Elimination System
AQMD = Air Quality Management District	NSPS = New Source Performance Standards
ARB = Air Resources Board	NSR = New Source Review
CAA = Clean Air Act	OAC = Ohio Administrative Code
CAEATFA = California Alternative Energy and Advanced Transportation Financing Authority	OECD = Organization for Economic Cooperation and Development
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act	OCS = Outer Continental Shelf
CAAFS = Cape Canaveral Air Force Station	OEHHA = Office of Environmental Health Hazard Assessment
CCR = <i>California Code of Regulations; also Colorado Code of Regulations</i>	OEPA = Ohio Environmental Protection Agency
CEQ = Council on Environmental Quality	OS = Office of the Secretary
CFR = <i>Code of Federal Regulations</i>	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
COMAR = <i>Code of Maryland Regulations</i>	PRA = Permit Reform Act
CRNR = California Regulatory Notice Register	RICE = Reciprocating Internal Combustion Engines
DAPC = Division of Air Pollution Control	RIN = Regulatory Identification Number
DAR = Division of Administrative Rules	ROC = Reactive organic compound
DOE = U.S. Department of Energy	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
DSW = Division of Surface Water	SB = Senate Bill
EA = Environmental Assessment	SCAQMD = South Coast Air Quality Management District
EO = Executive Order	SIP = State Implementation Plan
EPA = U.S. Environmental Protection Agency	SMARTS = Stormwater Multi Application & Report Tracking System
FAA = Federal Aviation Administration	SWRCB = State Water Resources Control Board
FAW = <i>Florida Administrative Weekly</i>	TAC = Texas Administrative Code
FEMP = Federal Energy Management Program	TexReg = <i>Texas Register</i>
FONSI - Finding of No Significant Impact	TRI = Toxic Chemical Release Reporting
FR = <i>Federal Register</i>	UAC = Utah Administrative Code
FY = Fiscal year	UCMR = Unregulated Contaminant Monitoring Regulation
GRC = Glenn Research Center	UESC = Utility Energy Service Contracts
ICAPCD = Imperial County Air Pollution Control District	U.S. = United States
IRIS = Integrated Risk Information System	USAF = United States Air Force
KCAPCD = Kern County Air Pollution Control District	UST = Underground Storage Tanks
LAC = Louisiana Administrative Code	VAC = Virginia Administrative Code
Md.R. = <i>Maryland Register</i>	Va.R. = <i>Virginia Register</i>
µg/m ³ = Micrograms per cubic meter	VCAPCD = Ventura County Air Pollution Control District
NAA = Nonattainment Area	VDEQ = Virginia Department of Environmental Quality
NAAQS = National Ambient Air Quality Standards	VPA = Virginia Pollution Abatement
NASA = National Aeronautics and Space Administration	VPDES - Virginia Pollution Discharge Elimination System
NEPA = National Environmental Policy Act	WFF = Wallops Flight Facility
NESHAP = National Emission 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 related operations.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED031111-1	Air NAAQS-Ozone	02/28/2011	76 FR 10893	Notice	U.S. Environmental Protection Agency Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants Announces availability of the first external review draft of a document titled, " First External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants ." Comments due 04/29/2011.	
FED031111-2	Air NAAQS-Ozone	02/28/2011	76 FR 10895	Notice	U.S. Environmental Protection Agency Science Advisory Board Staff Office; Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee; Ozone Review Panel for the Reconsideration of the 2008 National Ambient Air Quality Standard Announces a public teleconference of the Clean Air Scientific Advisory Committee Ozone Review Panel for the Reconsideration of the 2008 NAAQS to continue the discussion of the Panel's advice regarding reconsideration of the 2008 Ozone NAAQS. Teleconference is scheduled for 03/23/2011.	
FED031111-3	Air NESHAP-RICE	03/09/2011	76 FR 12863	Final Rule	U.S. Environmental Protection Agency National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines [40 CFR Part 63] Direct final rule promulgates amendments to a final rule that provided NESHAPs for existing stationary spark ignition RICE (75 FR 51569 , 08/20/2010). Amends certain text to clarify compliance requirements related to continuous parameter monitoring systems, and corrects minor typographical errors. Effective 05/09/2011 unless significant adverse comment received by 04/08/2011 or a hearing is requested by 03/16/2011. [RIN 2060-AQ78]	NASA-related facilities subject to the RICE NESHAP should be aware of this action.
FED031111-4	Energy Building Codes	03/10/2011	76 FR 13101	Notice Meeting	Office of Energy Efficiency and Renewable Energy, Department of Energy Building Energy Codes Program: Presenting and Receiving Comments to DOE Proposed Changes to the International Green Construction Code [10 CFR Part 430] Seeks input and announces a public meeting on potential proposed changes to the draft International Green Construction Code. The first edition of the code is being developed by the International Code Council for anticipated publication in 2012. Public meeting is scheduled for 04/14/2011 in Washington, D.C.	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED031111-5	Hazardous Materials Risk Assessment	03/11/2011	76 FR 13313	Proposed Rule	<p>Pipeline and Hazardous Materials Safety Administration; Department of Transportation</p> <p>Hazardous Materials: Cargo Tank Motor Vehicle Loading and Unloading Operations [39 CFR Parts 172 and 177]</p> <p>Proposes to amend the Hazardous Materials Regulations to require each person (carrier or facility) who engages in cargo tank loading or unloading operations to conduct the following actions:</p> <ul style="list-style-type: none"> ▪ Perform a risk assessment of the loading and unloading operation. ▪ Develop and implement safe operating procedures based on the results of the risk assessment. ▪ Receive training and be evaluated on the employee's qualifications to perform loading or unloading functions. <p>Comments due 05/10/2011. [RIN 2137-AE37]</p>	
FED031111-6	Hazardous Materials Transportation Special Permits	02/28/2011	76 FR 10940	Notice	<p>Pipeline and Hazardous Materials Safety Administration, Department of Transportation</p> <p>Notice of Delays in Processing of Special Permit Applications</p> <p>Lists special permit applications that have been in process for 180 days or more. Includes Application Number 6293-M, ATK Space Systems, Inc., (Former Grantee: ATK Thiokol, Inc.), Corine, Utah. Processing of permit application and staff review delayed by other priority issues or volume of special permit applications. Estimated date of completion is 03/31/2011.</p>	
FED031111-7	Hazardous Materials Transportation Vehicle Operation	02/28/2011	76 FR 10771	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration, Department of Transportation</p> <p>Hazardous Materials: Limiting the Use of Electronic Devices by Highway [49 CFR Part 177]</p> <p>Prohibits texting on electronic devices by drivers during the operation of a motor vehicle containing a quantity of hazardous materials requiring placarding or any quantity of a select agent or toxin listed in the Department of Health and Human Services' "Select Agents and Toxins" regulations. Effective 03/30/2011. [RIN 2137-AE63]</p>	
FED031111-8	Nanotechnology	03/07/2011	76 FR 12361	Notice	<p>Centers for Disease Control and Protection; Department of Health and Human Services</p> <p>Request for Information: Update of NIOSH Nanotechnology Strategic Plan for Research and Guidance</p> <p>Announces comment period on the types of hazard identification and risk management research that should be considered for updating the NIOSH 2009 nanotechnology strategic plan. NIOSH has identified 10 critical research areas for nanotechnology and is considering focusing on 5 key goals. Comments due 04/15/2011.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED031111-9	Natural Resources	03/10/2011	76 FR 13207	Notice	<p>U.S. Geological Survey, Department of the Interior Announcement of the U.S. Geological Survey Science Strategy Planning Feedback Process</p> <p>Requests input on development of the U.S. Geological Survey 10-year strategies for each of its mission areas:</p> <ul style="list-style-type: none"> ▪ Climate and land use change ▪ Core science systems ▪ Ecosystems ▪ Energy and minerals ▪ Environmental health ▪ Natural hazards ▪ Water <p>Comments due 10/16/2011.</p>	
FED031111-10	Natural Resources Risk Assessment	03/07/2011	76 FR 12356	Notice	<p>U.S. Environmental Protection Agency A Method To Assess Climate-Relevant Decisions: Application in the Chesapeake Bay</p> <p>Announces cancellation of an external peer review workshop to review the external review draft document titled, "A Method to Assess Climate-Relevant Decisions: Application in the Chesapeake Bay" (76 FR 4345, 01/25/2011).</p>	
FED031111-11	Policy Climate Change	03/09/2011	76 FR 12945	Notice	<p>Council on Environmental Quality Instructions for Implementing Climate Change Adaptation Planning in Accordance With Executive Order 13514</p> <p>Announces availability of instructions to federal agencies for integrating climate change adaptation into agency policies and practices, as required under EO 13514, "Federal Leadership in Environmental, Energy, and Economic Performance" (74 FR 52115, 10/08/2009).</p>	
FED031111-12	Toxic Substances	02/28/2011	76 FR 10906	Notice	<p>Agency for Toxic Substances and Disease Registry Proposed Substances To Be Evaluated for Set 25 Toxicological Profiles</p> <p>Announces proposed substances to be evaluated for CERCLA Set 25 toxicological profiles. Solicits public nominations from the list of proposed substances to be evaluated for toxicological profile development. Nominations due 03/28/2011.</p>	
FED031111-13	Toxic Substances	03/11/2011	76 FR 13402	Notice	<p>U.S. Environmental Protection Agency Integrated Risk Information System (IRIS); Announcement of Availability of Literature Searches for IRIS Assessments</p> <p>Announces the availability of literature searches for the following:</p> <ul style="list-style-type: none"> ▪ Cobalt and inorganic cobalt compounds ▪ Vanadium pentoxide ▪ Vinyl acetate ▪ Libby amphibole asbestos <p>Requests scientific information about health effects that might result from exposure to these chemical substances.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED031111-14	Waste Electronics Waste	03/01/2011	76 FR 11243	Notice	<p>U.S. Environmental Protection Agency</p> <p>Solicitation of Input From Stakeholders To Inform the National Framework for Electronics Stewardship</p> <p>Requests written stakeholder input regarding the national framework for electronics stewardship that is being developed by the Interagency Task Force on Electronics Stewardship. Comments due 03/11/2011.</p> <p>Further information is available on the Task Force website.</p>	
FED031111-15	Water Drinking Water-Chromium	03/03/2011	76 FR 11713	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems [40 CFR Parts 141 and 142]</p> <p>Proposes the following items:</p> <ul style="list-style-type: none"> ▪ Analytical methods to monitor for 28 new UCMR chemical contaminants ▪ Monitoring for 2 viruses, for a total of 30 UCMR 3 contaminants. ▪ Amendments concerning inorganic chemical sampling and analytical requirements ▪ Minor editorial correction <p>UCMR 3 is intended to provide scientifically valid data about the occurrence of listed contaminants in drinking water, permitting assessment of the number of people potentially being exposed and the levels of exposure. As part of this action, EPA is considering including chromium-6 in UCMR 3 by incorporating it into Assessment Monitoring, making monitoring mandatory for all large water systems and a subset of small systems. EPA requests comments on the following:</p> <ul style="list-style-type: none"> ▪ Removal of contaminant(s) from the list of 30 UCMR 3 contaminants if chromium-6 were added ▪ Recommended and alternative analytical method(s) and appropriate reporting level ▪ Measurement of total chromium concurrent with chromium-6 <p>Comments due 05/02/2011. [RIN 2040-AF10]</p>	<p>Facilities that treat water or are concerned with chromium remediation should be aware of this action.</p>
FED031111-16	Water Vessel Ballast Water	03/01/2011	76 FR 11245	Notice	<p>U.S. Environmental Protection Agency</p> <p>Notification of Two Public Teleconferences of the Science Advisory Board Ecological Processes and Effects Committee Augmented for Ballast Water</p> <p>Announces two public teleconferences to discuss a draft advisory report about the effectiveness of shipboard ballast water treatment processes and ways to improve future assessments of ballast water treatment systems to minimize the impacts of invasive species in vessel ballast water discharge. Teleconferences to be held 03/15/2011 and 03/16/2011.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED031111-17	Water Vessel General Permit	03/09/2011	76 FR 12982	Notice	U.S. Coast Guard, Department of Homeland Security Policy for Guidelines for Coast Guard Evaluations of Compliance With the U.S. Environmental Protection Agency's Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels Announces the release of policy letter 11-01, Policy for Guidelines for Coast Guard Evaluations of Compliance with the U.S. Environmental Protection Agency's Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels . Effective 02/11/2011.	

1.2 Other News and Developments

1.2.1 FEMP Training on Implementing Energy Efficient Technologies

Throughout 2011, the DOE's FEMP will provide training, live webinars, and other archived resources to help federal employees understand ways to implement energy efficient practices.

Topics and dates of upcoming training and webinars are as follows:

- Introduction to UESC Webinar: 23 March 2011
- Generating a Federal High Performance Sustainable Buildings Checklist Using the EPA ENERGY STAR Portfolio Manager: 30 March 2011
- UESC and Energy Project Incentive Funds: 07 April 2011
- Renewable Energy: 05 May 2011
- Federal Fleet Infrastructure and Electric Vehicles: 02 June 2011

More information regarding FEMP trainings in 2011 can be found on the FEMP [website](#).

1.2.2 Greenhouse Gas Mandatory Reporting Rule Extension

On 17 March 2011, EPA [announced](#) the extension of the reporting deadline to 30 September 2011, originally set at 31 March 2011, for facilities subject to the GHG Mandatory Reporting Rule. The extension will allow EPA to further test and finalize the electronic reporting tool that will be used to submit data and also allow additional time for industry to test the tool and provide feedback.

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 16 March
- 20 April
- 18 May
- 15 June
- 20 July
- 17 August
- 21 September
- 19 October
- 16 November

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 related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL031111-1	Air SIP-PM _{2.5}	03/06/2011	ADEM Public Notice 350	Notice	Alabama Department of Environmental Management Air Pollution Control Program [AAC 335-3] Announces an opportunity for comment about the following: <ul style="list-style-type: none"> ▪ Proposed Alabama SIP revisions concerning the re-designation of the Birmingham NAA for the Annual NAAQS for PM_{2.5}. EPA designated the Birmingham NAA as nonattainment for the Annual PM_{2.5} NAAQS on 01/05/2005. Current air quality monitoring data for the period 2008 through 2010 show that all of monitors in the Birmingham NAA have attained the Annual PM_{2.5} NAAQS of 15 µg/m³. On the basis of these monitoring data, ADEM is requesting re-designation of the Birmingham NAA to attainment status for the Annual PM_{2.5} NAAQS. ▪ Letter clarifying a CAA Section 110 SIP issue for PM_{2.5} Comments due 04/22/2011. If requested, hearing is scheduled for 04/20/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL031111-2	Waste Hazardous Waste	02/28/2011	AAM Vol. XXIX, No. 5, pp. 189-190	Final Rule	<p>Alabama Department of Environmental Management</p> <p>Hazardous Waste Regulations [AAC 335-14]</p> <p>Adopts updates to federal hazardous waste regulations from 07/01/2009 through 06/30/2010 and clarifies the following state requirements:</p> <ul style="list-style-type: none"> ▪ 335-14-1.-02 Definitions and References ▪ 335-14-1.-03 Petitions for Equivalent Testing or Analytical Methods for Delisting ▪ 335-14-2.-01 General ▪ 335-14-2.-03 Characteristics of Hazardous Waste ▪ 335-14-2.-04 Lists of Hazardous Waste ▪ 335-14-2-Appendix VII Basis for Listing Hazardous Waste ▪ 335-14-3.-01 General ▪ 335-14-3.-02 The Manifest ▪ 335-14-3.-03 Pre-transport Requirements ▪ 335-14-3.-04 Recordkeeping and Reporting ▪ 335-14-3.-05 Exports of Hazardous Waste ▪ 335-14-3.-06 Imports of Hazardous Waste ▪ 335-14-3.-09 Transfrontier Shipments of Hazardous Waste for Recovery within the OECD ▪ 335-14-4.-01 General ▪ 335-14-4.-02 Compliance with the Manifest System and Recordkeeping ▪ 335-14-5.-02 General Facility Standards ▪ 335-14-5.-04 Contingency Plan and Emergency Procedures ▪ 335-14-5.-05 Manifest System, Recordkeeping, and Reporting ▪ 335-14-6.-02 General Facility Standards ▪ 335-14-6.-04 Contingency Plan and Emergency Procedures ▪ 335-14-6.-05 Manifest System, Recordkeeping, and Reporting ▪ 335-14-7.-07 Spent Lead-acid Batteries Being Reclaimed ▪ 335-14-8.-01 General Information ▪ 335-14-17.-05 Standards for Used Oil Transporter and Transfer Facilities <p>Effective 02/23/2011.</p>	
AL031111-3	Water NPDES-Pesticides	03/01/2011	ADEM Public Notice 210	Notice	<p>Alabama Department of Environmental Management</p> <p>National Pollutant Discharge Elimination System [AAC 335-6-6]</p> <p>Proposes to issue General NPDES Permit ALG870000 for discharges to waters of the State of Alabama from the application of biological or chemical pesticides that leave a residue. All discharges authorized by this general permit involve applications of pesticides to waters of the state (in or over waters) to control pests, or to applications to control pests near water in which pesticides will make unavoidable contact with the water. Proposes that operators who do not exceed an annual treatment threshold may be authorized to discharge under this general permit without having to submit an NOI. Fact sheet provides methodology for setting the limitations and conditions and other applicable NPDES forms and related documents. Hearing is scheduled for 04/04/2011. Comments due 04/04/2011.</p>	

2.2 California State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA031111-1	Air SIP	03/07/2011	76 FR 12280	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, for Imperial County, Kern County, and Ventura County; Air Pollution Control Districts [40 CFR Part 52] Approves revisions to the ICAPCD, KCAPCD, and VCAPCD portions of the California SIP that approve local rules defining terms used in other air pollution regulations in these areas. Effective 05/06/2011.	
CA031111-2	Energy, Transportation Tax Exclusion	03/11/2011	CRNR 2011, 10z, p. 329	Proposed Rule	California Alternative Energy and Advanced Transportation Financing Authority Implementation of the Advanced Transportation and Alternative Source Manufacturing Sales and Use Tax Exclusion Program (SB 71 Program) [4 CCR 10030-7] Proposes to adopt regulations to implement a sales and use tax exclusion on property used for the "design, manufacture, production, or assembly" of advanced transportation technologies or alternative energy source products, components, or system. Would establish the application process, eligibility criteria, evaluation criteria, and program structure and procedures. Additional information is on the CAEATFA website . Comments due 04/25/2011. Hearing is scheduled for 04/25/2011 in Sacramento, California.	
CA031111-3	Policy Permitting	03/04/2011	CRNR 2011, 9z, p. 319	Final Rule	U.S. Environmental Protection Agency Permit Reform Act Appeals—Repeal [14 CCR 19020, 19021, 19022, 19023, 19024, and 19025] Final rule repeals the following: <ul style="list-style-type: none"> ▪ One regulation establishing language regarding Permit Reform Act requirements to be included on all applications for permits subject to the PRA issued by the ARB or the Water Resources Control Board ▪ Five regulations establishing the Environmental Affairs Agency's PRA appeal process for permits not issued within the PRA timelines Effective 02/17/2011.	
CA031111-4	Species American Pika	03/11/2011	CRNR 2011, 10z, p. 352	Notice	Fish and Game Commission Notice of Receipt of Amended Petition Regarding American Pika Announces acceptance of the amended petition to list the American Pika as a threatened species.	
CA031111-5	Species Longfin Smelt	03/10/2011	76 FR 13121	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Initiation of Status Review for Longfin Smelt [50 CFR Part 17] Announces initiation of a status review for the longfin smelt. Requests scientific and commercial data and other information regarding this species by 04/11/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA031111-6	Storage Tanks USTs	10/28/2010	SWRCB Website	Notice	State Water Resources Control Board Storage of Biodiesel Announces that the issuance of a regulatory variance for biodiesel blends up to B5 is no longer necessary. UST diesel permit requirements still apply.	
CA031111-7	Toxic Substances Proposition 65	03/04/2011	CRNR 2011, 9z, p. 310	Notice	Office of Environmental Health Hazard Assessment Notice of Intent to List Androstenedione, Dibromoacetonitrile, Hexachlorobutadiene and Malonaldehyde, sodium salt Intends to list the above chemicals as known to the state to cause cancer. Additional information is posted on the OEHHA website . Comments due 04/04/2011.	
CA031111-8	Toxic Substances Proposition 65	03/04/2011	CRNR 2011, 9z, p. 313	Notice	Office of Environmental Health Hazard Assessment Notice of Intent to List Chemicals by the Labor Code Mechanism Intends to list the following substances as known to the state to cause cancer: <ul style="list-style-type: none"> ▪ Cyclopenta[cd]pyrene ▪ Ethanol in alcoholic beverages ▪ Leather dust ▪ Salted fish, Chinese-style Additional information is on the OEHHA website . Comments due 04/04/2011.	
CA031111-9	Water Stormwater-Permits	01/28/2011	SWRCB Website	Notice	State Water Resources Control Board Industrial General Permit Announces hearing on the proposed changes to the Industrial General Permit requirements. Details regarding changes are available for review and comment. Hearing is scheduled for 04/18/2011 in Sacramento, California. Comments due 04/18/2011.	
CA031111-10	Water Stormwater-Reporting	01/18/2011	SWRCB Website	Notice	State Water Resources Control Board General Construction Permit Site Monitoring Ad Hoc Report Announces the revised instructions on SMARTS self report of effluent monitoring for covered discharges. Reporting deadlines are provided in the instructions .	

2.2.1 ARB In-Use Off-Road Diesel Vehicle Regulation

The California ARB [proposed amendments](#) to the [In-Use Off-Road Diesel Vehicle Regulation](#) during the 17 December 2010 Board Hearing. Proposed language provides relief by delaying the compliance deadline for all fleets by 4 years. This proposed change pushes the first of many compliance deadlines to 01 January 2014 or later. A [fact sheet](#) has been released summarizing those amendments. The public [comment period](#) of 15 days started 21 January 2011. Per [Resolution 10-47](#), consideration of those comments submitted will be addressed by the Executive Officer prior to any final adoption of amendments.

2.2.2 California Air Districts Regulatory Review

2.2.2.1 *Antelope Valley Air Quality Management District*

No regulatory items of interest were indentified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.2.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

2.2.2.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

2.2.2.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.2.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS031111-1	Air Fees	03/02/2011	SCAQMD Website	Notice	South Coast Air Quality Management District Fiscal Year 2011-12 Draft Budget and Work Program and Automatic Fee Adjustment Announces the automatic increase of most AQMD fees by 1.4 percent. Workshop is scheduled for 04/12/2011 in Diamond Bar, California. Hearing is scheduled for 05/06/2011 in Diamond Bar, California. No comment deadline. Effective 06/01/2011.	

2.2.2.6 Ventura County Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV031111-1	Air Coatings	3/04/2011	VCAPCD Website	Proposed Rule	Ventura County Air Pollution Control District Graphic Arts [Rule 74.19] Proposed revisions to Rule 74.19 would reduce the ROC emissions from graphic arts operations using ink, coating, adhesive, fountain solution, or solvent containing ROC. Proposed changes are available for review. Meeting is scheduled for 03/22/2011 in Ventura, California.	

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
CO031111-1	Waste Hazardous Waste	03/10/2011	CO Register Vol. 34, No. 5	Final Rule	Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division [6 CCR 1007-3] <u>Adopted</u> a temporary 12-percent decrease in hazardous waste fees for the 2011 year. Effective 03/30/2011.	
CO031111-2	Waste Solid Waste	03/10/2011	CO Register Vol. 34, No. 5	Final Rule	Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division [6 CCR 1007-2] Adopted amendments to 6 CCR 1007-2 , Solid Waste Disposal Sites and Facilities, that include the following: <ul style="list-style-type: none"> ▪ Delete Section 10, Scrap Tire Facilities, and replace with a new section 10, Waste Tire Facilities and Waste Tire Haulers. ▪ Delete and reserve Section 15, Waste Motor Vehicle Haulers. ▪ Revise Section 1.2, Definitions. Effective 03/30/2011.	

2.4 Florida State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL031111-1	Commercial Space Transportation NEPA	03/07/2011	76 FR 12403	Notice	Federal Aviation Administration; Department of Transportation Office of Commercial Space Transportation; Notice of Availability of the Finding of No Significant Impact (FONSI) for Actions Related to the Renewal of a Launch Operator License for Delta II Expendable Launch Vehicles at Cape Canaveral Air Force Station, Florida Announces availability of a FONSI, based on analysis and findings of the May 1988 USAF Medium Launch Vehicle EA, CCAFS, Florida. The FONSI evaluated potential environmental impacts of renovating Launch Complex-17 and other support facilities at CCAFS to support launches of the Delta II vehicle. FAA determined that the 1988 EA sufficiently addresses its concerns and complies with requirements for implementing NEPA. The 1988 EA is incorporated by reference and summarized as necessary in the FONSI .	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL031111-2	Commercial Space Transportation NEPA	03/08/2011	76 FR 12787	Notice	Federal Aviation Administration; Department of Transportation Office of Commercial Space Transportation; Notice of Availability of the Final Environmental Assessment and Finding of No Significant Impact for Pegasus Launches at Cape Canaveral Air Force Station, Florida Announces availability of the Final EA and FONSI for Pegasus Launches at CCAFS, Florida. The Final EA was prepared to address potential environmental impacts of the FAA's Proposed Action for issuing or renewing Launch Operator Licenses to operate Pegasus launch vehicles at CCAFS. The final EA and FONSI are available for review.	
FL031111-3	Water Coastal and Aquatic Managed Areas	03/11/2011	FAW Notice #9676349	Notice Meeting	Florida Department of Environmental Protection Office of Coastal and Aquatic Managed Areas Announces a meeting to further its duties under the Oceans and Coastal Resources Act. Meeting is scheduled for 03/21/2011 in Tallahassee, Florida.	

2.5 Louisiana State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA031111-1	Waste Expedited Permit	03/18/2011	OS086	Proposed Rule	Louisiana Department of Environmental Quality Waste Expedited Permitting [LAC 33:1.1801] Proposes to change the application process and issuance of solid waste permits that would allow relatively minor solid waste permitting actions to be issued under the expedited permitting program found in LAC 3:1.Chapter 18. This change also would allow similar permits under the hazardous waste program to be expedited. Public hearing is scheduled for 04/27/2011 in Baton Rouge, Louisiana. Comments due 05/04/2011.	

2.6 Maryland State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD031111-1	Radiation Control Fund	03/11/2011	38:6 Md.R. 397	Final Rule	Department of the Environment State Radiation Control Fund [COMAR 26.12.03] Adopted regulations ensure a revenue stream sufficient for the Radiological Health Program to continue its mission. This action will increase licensing and registration fees for most possessors and users of radiation in Maryland. Effective date 03/21/2011.	

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

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM031111-1	Air Permits-PM _{2.5}	02/28/2011	NM Register Vol. 22, No. 4	Notice Hearing	New Mexico Environmental Improvement Board Permits-Prevention of Significant Deterioration [20.2.74 NMAC], Permits-Nonattainment Areas [20.2.79 NMAC] Announces a public hearing to discuss proposed revisions to 20.2.74 NMAC and 20.2.79 NMAC to comply with implementation rules adopted by EPA for PM _{2.5} in accordance with NAAQS and record-keeping and reporting standards. Hearing is scheduled for 05/02/2011 in Santa Fe, New Mexico.	
NM031111-2	Air SIP-Regional Haze	02/28/2011	AQB Website	Notice	New Mexico Environmental Improvement Board Regional Haze SIP [40 CFR 51.309], Notice of Intent and Emission Inventory Requirements [20.2.73 NMAC], and Western Backstop Sulfur Dioxide Trading Program [20.3.81 NMAC] Announces submittal of the proposed SIP revisions to align the New Mexico SIP to comply with changes to the federal regulations. Proposed rule revisions as part of the regional haze SIP will affect sources that: <ul style="list-style-type: none"> ▪ Submit emission inventories by changing emission measurement techniques ▪ Trade sulfur dioxide emissions in the web trading program Proposed SIP submittal and rules are available for review.	

2.9 Ohio State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH031111-1	Air Open Burning	03/07/2011	OEPA Website-Public Notice	Notice	Division of Air Pollution Control, Ohio Environmental Protection Agency Approved Permission for Open Burning [OAC Chapter 3745-19] Announces approval for NASA Plum Brook Station to burn 2,700 acres for range and wildlife management practices. Effective 03/07/2011.	Plum Brook Station should be aware of this action.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH031111-2	Air Permitting- Boilers	03/09/2011	OEPA Website- Public Notice	Notice	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p>Final Issuance of Air Permit to Install: NASA John H. Glenn Research Center-Lewis Field</p> <p>Announces final issuance of an air permit to GRC to install a natural gas and fuel oil fired boiler equipped with low NO_x burners and flue gas recirculation. Effective 03/09/2011.</p>	Glenn Research Center should be aware of this action.
OH031111-3	Air SIP-Ozone	02/28/2011	DAPC Website- What's New	Notice	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards [OAC 3745-21]; Low Reid Vapor Pressure Fuel Requirements [OAC 3745-72]; Nitrogen Oxides-Reasonably Available Control Technology [OAC 3745-110]</p> <p>Re-files amended and new rules intended to assist in achieving the NAAQS for ozone through control of ozone precursors. The rules were revised based on comments received. Further details regarding the proposed rules, including the synopsis and responsive summary, are available on the OEPA website.</p>	
OH031111-4	Toxic Substances TRI	03/09/2011	DAPC Website- What's New	Proposed Rule	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Toxic Chemical Release Reporting [OAC 3745-100]</p> <p>Proposed amendments address the following items:</p> <ul style="list-style-type: none"> ▪ Align state rules with federal requirements. ▪ Correct minor typographical errors. ▪ Fulfill the formatting requirements of the Legislative Services Commission. ▪ Add and update citation information about materials referenced in these rules. <p>Further details regarding the proposed rules, including the synopsis and public notice, are available on the OEPA website. Comments due 04/08/2011.</p>	
OH031111-5	Water NPDES, Water Quality	03/07/2011	DSW Website- What's New	Final Rule	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>NPDES Permit Rules [OAC 3745-33] and Water Quality Standards [OAC 3745-2]</p> <p>Adopts final revisions to rules addressing procedures to implement surface water quality standards and Ohio NPDES permit requirements. Further details regarding the proposed rules, including the public notice and response to comments, are available on the OEPA website. Effective 06/07/2011.</p>	

2.10 Texas State Regulatory Review

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

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX031111-1	Air Emission Fees	03/11/2011	36 TexReg 1641	Proposed Rule	<p>Texas Commission on Environmental Quality General Air Quality Rules [30 TAC 101.27]</p> <p>Proposes the following:</p> <ul style="list-style-type: none"> Amendments to the rules regarding the annual air emissions fees Changing the base rate from \$25 per ton to \$35 per ton beginning in FY 2011 Changing the practice used to set the fee rate each year <p>Solicits comments on removing the discount provided for carbon monoxide emissions reductions. Comments due 04/11/2011. Public hearings are scheduled for 04/04/2011 in Houston, Texas and 04/07/2011 in Austin, Texas.</p>	
TX031111-2	Air Qualified Facilities Rule	03/11/2011	36 TexReg 1673	Final Rule	<p>Texas Commission on Environmental Quality Control of Air Pollution by Permits for New Construction or Modification [30 TAC 116.118]</p> <p>Repeals the Qualified Facility Program, which dealt with facilities requesting authorizations falling below federal NSR permit thresholds. Effective 03/17/2011.</p>	
TX031111-3	Storage Tanks USTs	03/11/2011	36 TexReg 1675	Final Rule	<p>Texas Commission on Environmental Quality Underground Storage Tanks [30 TAC 334]</p> <p>New rules provide the following amendments:</p> <ul style="list-style-type: none"> Creates a UST facility operator-training program Describes the types of acceptable training and certification processes and how frequently operators must be retrained Requires owners and operators to designate classes of operators to meet the training requirements Establishes 08/08/2012 as the deadline for operator training Simplifies and clarifies the existing rules in the areas of secondary containment, sumps, and corrosion protection <p>Effective 03/17/2011.</p>	
TX031111-4	Waste Hazardous Waste	03/07/2011	76 FR 12283	Final Rule	<p>U.S. Environmental Protection Agency Texas: Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program [40 CFR Parts 271 and 272]</p> <p>Direct final rule approves Texas' hazardous waste management program and incorporates by reference authorized provisions of the state's statutes and regulations. Effective 05/06/2011 unless adverse comments are received by 04/06/2011.</p>	

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
UT031111-1	Air NESHAPs--Area Sources	03/01/2011	UT Bull. Vol. 2011-5: DAR File No. 34428	Proposed Rule	Utah Department of Environmental Quality: Utah Department of Air Quality National Emission Standards for Hazardous Air Pollutants [UAC R307-214] Proposes to incorporate by reference changes to 40 CFR Part 63 promulgated through 07/01/2010 that include the following additional area source categories: <ul style="list-style-type: none"> ▪ (114) 40 CFR Part 63, Subpart VVVVVV, Chemical Manufacturing ▪ (120) 40 CFR Part 63, Subpart AAAAAAA, Asphalt Processing and Asphalt Roofing Manufacturing ▪ (121) 40 CFR Part 63, Subpart BBBBBBB, Chemical Preparations Industry ▪ (122) 40 CFR Part 63, Subpart CCCCCC, Paints and Allied Products Manufacturing ▪ (123) 40 CFR Part 63, Subpart DDDDDDD, Prepared Feeds Manufacturing Comments due 03/31/2011.	

2.11.1 Utah State Legislature

The 2011 legislative general session concluded at midnight 10 March 2011. The outcomes of bills presented in previous regulatory summaries during the session are summarized in the following text.

Senate Bill [0237](#) passed the State Senate assembly on 03 March 2011 and passed the State House of Representatives on 08 March 2011. The governor has indicated he will sign the bill into law that will amend Utah Code Section 19-2-124, Application for Certification of Pollution Control Facility--Refunds--Interest. The bill was developed to provide incentives that would encourage facilities to upgrade pollution control equipment by offering a sales and use tax exemption. The current bill requires the person to own or operate a trade or business to qualify for an exemption. As amended, it authorizes a person who operates a pollution control facility pursuant to an agreement with the owner or operator of the trade or business to apply for a sales and use tax exemption. This amendment provides a means of tax exempt certification for contractors that do not operate the trade or business, but operate the pollution control equipment independently.

House Bill [0097](#) proposing the consolidation of the Department of Environmental Quality with the Department of Natural Resources was defeated in the House and sent back to the House Rules Committee on 10 March 2011; it did not receive another vote before the end of the session.

2.12 Virginia State Regulatory Review

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

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA031111-1	Air SIP	03/08/2011	VDEQ website	Proposed Rule	Virginia Department of Environmental Quality State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution [9VAC5-20] Proposes revisions to the SIP that include regulations to enforce air pollution control requirements from OCS sources offshore of the Commonwealth of Virginia. Comments due 04/14/2011.	
VA031111-2	Commercial Space Transportation NEPA	03/07/2011	76 FR 12403	Notice	Department of Transportation Federal Aviation Administration Office of Commercial Space Transportation; Notice of Availability of the Finding of No Significant Impact for Actions Related to the Renewal of a Launch Operator License for Pegasus Expendable Launch Vehicles at Wallops Flight Facility, Virginia Announces the issuance of the FONSI, concurring with a 2005 EA, to support renewal of a Launch Operator License to Orbital Sciences Corporation for the continued operation of the Pegasus expendable launch vehicles at WFF. Issued 03/01/2011.	WFF should be aware of this action.
VA031111-3	Energy Permitting	02/28/2011	27:13 Va.R. 1479	Proposed Rule	Virginia Department of Environmental Quality Small Renewable Energy Projects (Combustion) Permit-by-Rule Regulation [9VAC15-70] Proposes the development of permits-by-rule for combustion energy projects with a rated capacity of less than 20 megawatts. Comments due 03/30/2011.	
VA031111-4	Natural Resources Wetland Mitigation	02/28/2011	27:13 Va.R. 1689	Notice	Virginia Department of Environmental Quality State Water Control Board Compensatory Mitigation [9VAC25-210] Announces intention and approval of the Virginia Aquatic Resources Trust Fund as an accepted form of compensatory mitigation for permitted impacts to state waters, including wetlands. Comments due 03/30/2011.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA031111-5	Water Land Application– Biosolids	02/28/3011	27:13 Va.R. 1486-1646	Proposed Rule	<p>Virginia Department of Environmental Quality State Water Control Board</p> <p>Fees for Permits [9VAC25-20], VPDES Permit Regulation [9VAC25-31], VPA Permit Regulation [9VAC25-32]</p> <p>Proposes to amend regulations pertaining to the land application of biosolids. Amendments address the following:</p> <ul style="list-style-type: none"> ▪ Storage requirements ▪ Permit fees ▪ Site access control ▪ Consistency between VPA and VPDES permits ▪ Public notice processes ▪ Establishment of buffers to address health concerns ▪ Sampling requirements ▪ Nutrient level requirements ▪ Animal health associated with grazing ▪ Financial assurance procedures ▪ Permitting procedures ▪ Distribution and marketing of biosolids ▪ Reclamation of mined and disturbed lands ▪ Reimbursement of local monitors <p>Comments due 04/29/2011.</p>	
VA031111-6	Water VPDES– Pesticides	02/28/2011	27:13 Va.R. 1647-1665	Final Rule	<p>Virginia Department of Environmental Quality State Water Control Board</p> <p>VPDES General Permit for Discharges Resulting from the Application of Pesticides to Surface Waters [9VAC25-800]</p> <p>Develops and issues a VPDES general permit for discharges from pesticides applied directly to or over surface waters for pest control. Effective 04/11/2011.</p>	