



National Aeronautics and  
Space Administration

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

# Regulatory Tracking Summary

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*22 April 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](mailto:sharon.scroggins@nasa.gov)).

## Contents of This Issue

<b>Acronyms</b>	<b>3</b>
<b>1.0 U.S. Federal Regulatory Review</b>	<b>4</b>
1.1 Federal Register Summary	4
1.2 Other News and Developments	8
1.2.1 EPA Authorizes Products for "Design for the Environment" Label	8
1.2.2 Federal Agency Sustainability Scorecards Released	8
1.2.3 EPA to Release Draft Construction General Permit	8
1.2.4 Chemical Actions Plans	9
1.3 NASA Regulatory Communication Working Group Updates	9
<b>2.0 State Regulatory Reviews</b>	<b>10</b>
2.1 Alabama State Regulatory Review	10
2.2 California State Regulatory Review	10
2.2.1 California Air Districts Regulatory Review	12
2.2.1.1 Antelope Valley Air Quality Management District	12
2.2.1.2 Bay Area Air Quality Management District	12
2.2.1.3 Eastern Kern Air Pollution Control District	12
2.2.1.4 Mojave Desert Air Quality Management District	12
2.2.1.5 South Coast Air Quality Management District	13
2.2.1.6 Ventura County Air Pollution Control District	13
2.3 Florida State Regulatory Review	13
2.4 Louisiana State Regulatory Review	13
2.5 Maryland State Regulatory Review	16
2.6 Mississippi State Regulatory Review	16
2.7 New Mexico State Regulatory Review	17
2.8 Ohio State Regulatory Review	17
2.8.1 OEPA Divisions Merged	18
2.9 Texas State Regulatory Review	18
2.10 Utah State Regulatory Review	18
2.11 Virginia State Regulatory Review	19

## Acronyms

AQ = Air quality	NAAQS = National Ambient Air Quality Standards
AVAPCD = Antelope Valley Air Pollution Control District	NASA = National Aeronautics and Space Administration
CAA = Clean Air Act	NASTAR = National Aerospace Training and Research
CASAC = Clean Air Scientific Advisory Committee	NESHAP = National Emission Standards for Hazardous Air Pollutants
CCR = <i>California Code of Regulations</i>	NIST = National Institute of Standards and Technology
CEC = California Energy Commission	NMAC = New Mexico Administrative Code
CEQ = Council on Environmental Quality	NO <sub>x</sub> = Nitrogen oxide
CESA = California Endangered Species Act	NPDES = National Pollutant Discharge Elimination System
CFR = <i>Code of Federal Regulations</i>	OEPA = Ohio Environmental Protection Agency
CGP = Construction general permit	OMB = Office of Management and Budget
CO <sub>2</sub> = Carbon dioxide	PA = Policy assessment
CO <sub>2e</sub> = Carbon dioxide equivalent	PE = Professional engineer
COM = Continuous opacity monitoring	PM = Particulate matter
COMAR = <i>Code of Maryland Regulations</i>	PM <sub>2.5</sub> = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CPI = Consumer Price Index	PPE = Personal protective equipment
CRNR = California Regulatory Notice Register	PSD = Prevention of significant deterioration
CTG = Control Techniques Guidelines	QA/QC = Quality assurance and quality control
CWA = Clean Water Act	R&D = Research and development
DAPC = Division of Air Pollution Control	RIN = Regulatory Identification Number
DfE = Design for the Environment	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
DHWM = Division of Hazardous Waste Management	SAB = Science Advisory Board
DMWM = Division of Materials and Waste Management	SB = Senate Bill
DOE = U.S. Department of Energy	SCAQMD = South Coast Air Quality Management District
DSIWM = Division of Solid and Infectious Waste	SIP = State Implementation Plan
DSW = Division of Solid Waste	SO <sub>2</sub> = Sulfur dioxide
DTSC = Department of Toxic Substances Control	TAP = Toxic air pollutant
EIR = Environmental impact report	TDI = Toluene diisocyanate
EIT = Engineer in training	TM = Technical memorandum
EO = Executive Order	TSCA = Toxic Substances Control Act
EPA = U.S. Environmental Protection Agency	UECA = Uniform Environmental Covenant Act
ERC = Emission reduction credit	U.S. = United States
FR = <i>Federal Register</i>	USDA = U.S. Department of Agriculture
GHG = Greenhouse gas	VAC = Virginia Administrative Code
IRIS = Integrated Risk Information System	VA.R. = <i>Virginia Register</i>
LAC = Louisiana Administrative Code	VCAPCD = Ventura County Air Pollution Control District
LDPES = Louisiana Pollutant Discharge Elimination System	VDEQ = Virginia Department of Environmental Quality
MACT = Maximum achievable control technology	VOC = Volatile organic compound
MAF = Michoud Assembly Facility	VPDES = Virginia Pollutant Discharge Elimination System
MDAQMD = Mojave Desert Air Quality Management District	
MDI = Methylene diphenyl diisocyanate	
Md.R. = <i>Maryland Register</i>	
mgd = Million gallons per day	

## 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
FED042211-1	Air Monitoring	04/15/2011	<a href="#">76 FR 21345</a>	Notice Meeting	U.S. Environmental Protection Agency Science Advisory Board Staff Office; Notification of Two Public Teleconferences of the Clean Air Scientific Advisory Committee (CASAC) Air Monitoring and Methods Subcommittee  Announces two public teleconferences to provide advice on draft plans for Photochemical Assessment Monitoring Stations Network Re-engineering. <a href="#">Agenda</a> to be posted before the meeting. Teleconferences are scheduled for 05/16/2011 and 05/17/2011.	
FED042211-2	Air NAAQS-Lead	04/12/2011	<a href="#">76 FR 20347</a>	Notice	U.S. Environmental Protection Agency Release of Draft Integrated Review Plan for the National Ambient Air Quality Standards for Lead  Announces availability of the draft <a href="#">Integrated Review Plan for the National Ambient Air Quality Standards for Lead</a> , which contains plans for the review of the air quality criteria and NAAQS for lead. Comments due 04/28/2011.	
FED042211-3	Air NAAQS-Lead	04/15/2011	<a href="#">76 FR 21346</a>	Notice Meeting	U.S. Environmental Protection Agency Science Advisory Board Staff Office, Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee (CASAC) Lead Review Panel  Announces a public teleconference to provide consultative advice on a draft Integrated Review Plan for the Lead NAAQS. <a href="#">Agenda</a> to be posted before the meeting. Teleconference is scheduled for 05/05/2011.	
FED042211-4	Air NAAQS-PM	04/22/2011	<a href="#">76 FR 22665</a>	Notice	U.S. Environmental Protection Agency Release of Final Document Related to the Review of the National Ambient Air Quality Standards for Particulate Matter [40 CFR Part 50]  Announces availability of a final document titled, <a href="#">Policy Assessment of the Particulate Matter National Ambient Air Quality Standards (PA)</a> , which contains staff analyses of the scientific bases for alternative policy options.	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED042211-5	Air NESHAP	04/21/2011	<a href="#">76 FR 22566</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and the Printing and Publishing Industry [40 CFR Part 63]</p> <p>Finalizes the following 4 NESHAPs that regulate 12 industrial source categories:</p> <ul style="list-style-type: none"> <li>▪ Group I Polymers and Resins</li> <li>▪ Marine Tank Vessel Loading Operations</li> <li>▪ Pharmaceuticals Production</li> <li>▪ Printing and Publishing Industry</li> </ul> <p>Finalizes revised regulatory provisions related to emissions during periods of startup, shutdown, and malfunction. Promulgates provisions addressing electronic submission of emission test results. Effective 04/21/2011. [RIN 2060-AO91]</p>	
FED042211-6	Commercial Space Transportation NASTAR	04/11/2011	<a href="#">76 FR 20070</a>	Notice	<p>Federal Aviation Administration; Department of Transportation</p> <p>Commercial Space Transportation Safety Approval Performance Criteria</p> <p>Announces availability of criteria used to evaluate the NASTAR Center safety approval application. NASTAR applied for, and received, a safety approval for the ability of its Space Training System: Model 400 to replicate G levels.</p>	
FED042211-7	Energy Biomass	04/20/2011	<a href="#">76 FR 22091</a>	Notice Meeting	<p>Energy Efficiency and Renewable Energy, U.S. Department of Energy</p> <p>Biomass Research and Development Technical Advisory Committee</p> <p>Announces a meeting to discuss the following agenda items:</p> <ul style="list-style-type: none"> <li>▪ USDA biomass R&amp;D activities</li> <li>▪ DOE biomass R&amp;D activities</li> <li>▪ Presentation from EPA on renewable fuel standards</li> <li>▪ Panel on catalyst-based conversation technologies</li> <li>▪ Presentation on DOE and USDA loan guarantee programs</li> </ul> <p>Meeting is scheduled for 05/19/2011 and 05/20/2011 in Arlington, Virginia.</p>	
FED042211-8	Energy Efficiencies	04/18/2011	<a href="#">76 FR 21673</a>	Notice	<p>Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy</p> <p>Alternative Efficiency Determination Methods and Alternate Rating Methods</p> <p>Announces a request for information and data related to the use of computer simulations, mathematical methods, and other alternative methods of determining the efficiency of certain types of consumer products and commercial and industrial equipment. Comments due 05/18/2011.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED042211-9	Energy Fluorescent Lamps	04/11/2011	<a href="#">76 FR 20090</a>	Proposed Rule	Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy  Energy Conservation Program: Energy Conservation Standards for Fluorescent Lamp Ballasts [10 CFR Part 430]  Proposes amended energy conservation standards for ballasts currently subject to standards, and new standards for certain ballasts not currently covered by standards. Meeting is scheduled for 05/10/2011 in Washington, D.C. Comments due 06/10/2011. [RIN 1904-AB50]	
FED042211-10	Natural Resources Conservation Practices	04/11/2011	<a href="#">76 FR 19971</a>	Notice	Natural Resources Conservation Service; U.S. Department of Agriculture  Notice of Proposed Changes to the National Handbook of Conservation Practices for the Natural Resources Conservation Service  Announces availability of proposed changes to a series of conservation practice standards in the National Handbook of Conservation Practices. These practices can be used in conservation systems that treat highly erodible land or on land determined to be wetlands. Comments due 05/11/2011.	
FED042211-11	Radiation Occupational Safety	04/13/2011	<a href="#">76 FR 20489</a>	Final Rule	U.S. Department of Energy  Occupational Radiation Protection [10 CFR Part 835]  Amends the values in Appendix C to the Occupational Radiation Protection requirements. Effective 05/13/2011. [RIN 1992-AA-45]	
FED042211-12	Technology Soft Materials	04/13/2011	<a href="#">76 FR 20633</a>	Notice Meeting	National Institute of Standards and Technology; U.S. Department of Commerce  Announcement of Meeting to Explore Feasibility of Establishing an NIST/Industry Consortium on Neutron Measurements for Soft Materials Manufacturing  Announces a meeting to evaluate industry interest in creating a consortium focused on advanced neutron-based probes for soft materials. The goals of such a consortium would include development of neutron-based measurements that would address critical needs for manufacturers of soft materials such as polymers, complex fluids, and protein-based materials. Meeting is scheduled for 06/02/2011 and 06/03/2011 in Gaithersburg, Maryland.	
FED042211-13	Toxic Substances	04/15/2011	<a href="#">76 FR 21299</a>	Proposed Rule	U.S. Environmental Protection Agency  Emergency Planning and Notification; Emergency Planning and List of Extremely Hazardous Substances and Threshold Planning Quantities [40 CFR Part 355]  Proposes to revise the manner by which the regulated community would apply the threshold planning quantities for extremely hazardous substances that are non-reactive solid chemicals in solution form. Comments due 06/14/2011. [RIN 2050-AF08]	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED042211-14	Toxic Substances Hexavalent Chromium	04/12/2011	<a href="#">76 FR 20349</a>	Notice Workshop	U.S. Environmental Protection Agency Draft Toxicological Review of Hexavalent Chromium: In Support of Summary Information on the Integrated Risk Information System (IRIS)  Announces a workshop to review the draft human health assessment titled, " <a href="#">Toxicological Review of Hexavalent Chromium: In Support of Summary Information on the Integrated Risk Information System (IRIS)</a> ." Purpose of the draft assessment release is to pre-disseminate the material for peer review. Workshop is scheduled for 05/12/2011 in Arlington, Virginia.	
FED042211-15	Toxic Substances Methanol	04/18/2011	<a href="#">76 FR 21736</a>	Notice	U.S. Environmental Protection Agency Draft Toxicological Review of Methanol (Non-Cancer) in Support of Summary Information on the Integrated Risk Information System (IRIS)  Announces a 60-day public comment period and listening session for the external review draft human health assessment titled, " <a href="#">Toxicological Review of Methanol (Non-Cancer): In Support of Summary Information on the Integrated Risk Information System (IRIS)</a> ". Comments due 06/17/2011.	
FED042211-16	Water Climate Change	04/14/2011	<a href="#">76 FR 20974</a>	Notice Workshop	U.S. Environmental Protection Agency Implications of Climate Change for Bioassessment Programs and Approaches To Account for Effects  Announces a peer review workshop to review the draft report titled, "Implications of Climate Change for Bioassessment Programs and Approaches to Account for Effects" and its supporting document, "Freshwater Biological Traits Database." The main report identifies the components of state and tribal bioassessment programs that might be affected by climate change. Workshop is scheduled for 05/11/2011 in Arlington, Virginia. Comments due 05/16/2011.	
FED042211-17	Water Drinking Water-Lead	04/20/2011	<a href="#">76 FR 22100</a>	Notice Meeting	U.S. Environmental Protection Agency Notification of a Public Teleconference of the Science Advisory Board; Drinking Water Committee Augmented for the Review of the Effectiveness of Partial Lead Service Line Replacements  Announces a public teleconference to discuss the draft advisory report titled, "SAB Evaluation of the Effectiveness of Partial Lead Service Line Replacements." <a href="#">Teleconference</a> is scheduled for 05/16/2011.	
FED042211-18	Water NPDES-Cooling Water	04/20/2011	<a href="#">76 FR 22174</a>	Proposed Rule	U.S. Environmental Protection Agency National Pollutant Discharge Elimination System-Cooling Water Intake Structures at Existing Facilities and Phase I Facilities [40 CFR Parts 122 and 125]  Proposes to establish requirements for existing power-generating facilities and existing manufacturing and industrial facilities that withdraw more than 2 mgd of water and use at least 25 percent of the water withdrawn exclusively for cooling purposes. Responds to the decision in Riverkeeper I and proposes to remove from the Phase I new facility rule the restoration-based compliance alternative and associated monitoring and demonstration requirements. Comments due 07/19/2011. [RIN 2040-AE95]	

## 1.2 Other News and Developments

### 1.2.1 EPA Authorizes Products for "Design for the Environment" Label

EPA has authorized 2,500 products to bear a "Design for the Environment" (DfE) label as part of the DfE Safer Product Labeling Program. DfE-labeled products do not contain known chemicals of potential concern such as carcinogens or reproductive or developmental toxicants. Of the 2,500 products already authorized for DfE labels, more than 1,000 are industrial and institutional products such as cleaners, parts washers, degreasers, and coatings.

Before applying a DfE label to a product, EPA screens each product ingredient for potential human health and environmental effects and to verify the product contains only ingredients that, according to EPA, pose the least concern among chemicals in their class.

EPA is requiring all new DfE-labeled products to list all ingredients on the product label or in another easily accessible location (for example, in a website). Additionally, new DfE-approved products will have to meet life-cycle requirements such as sustainable packaging and limits on VOCs. These disclosure and life-cycle requirements will be phased in for existing DfE products.

More information regarding the DfE program and products can be found on the EPA [website](#).

### 1.2.2 Federal Agency Sustainability Scorecards Released

On 19 April 2011, federal agency scorecards for energy sustainability performance were released. The OMB Sustainability and Energy Scorecards assessed agencies in several sustainability areas, including energy intensity, water intensity, fleet petroleum use, GHG pollution, green building practices, and renewable energy use. Agencies also were evaluated on progress made toward implementing EO 13514 targets and achieving goals reflected in their annual [Sustainability Plans](#). The next round of Agency Sustainability Plans, which are required by EO 13514, are due in June.

Federal agency scorecards and more information about the scorecard process can be found on the CEQ's [website](#).

### 1.2.3 EPA to Release Draft Construction General Permit

EPA announced the release of the draft CGP for public comment. The proposed permit includes new requirements for the following:

- Eligibility for emergency-related construction
- Required use of the electronic notice of intent process
- Sediment and erosion controls
- Natural buffers or alternative controls
- Soil stabilization
- Pollution prevention
- Site inspections
- Stormwater Pollution Prevention Plans
- Permit termination

Once the draft permit is published in the *Federal Register*, the public will have 60 days to submit comments. EPA anticipates that it will issue the final CGP by 31 January 2012.

The permit will be effective in areas where EPA is the permitting authority, including four states (Idaho, Massachusetts, New Hampshire, and New Mexico); Washington, D.C.; most territories; and most Indian country lands.

In addition to releasing the new draft permit, EPA is proposing to extend the current permit until 31 January 2012 to provide sufficient time to finalize the new permit. The current CGP is scheduled to expire on 30 June 2011.

More information regarding the proposed CGP can be found on the EPA [website](#).

#### 1.2.4 Chemical Actions Plans

On 13 April 2011, EPA released chemical action plans for methylene diphenyl diisocyanate (MDI), toluene diisocyanate (TDI), and related compounds. The plans identify a range of actions the agency is considering under the authority of TSCA to address the potential health risks of MDI, TDI, and related compounds. Actions include issuing rules to call in data on any past allegations of significant adverse effects, to obtain unpublished health and safety data from industry sources, to require exposure monitoring studies for consumer products, and possibly to ban or restrict consumer products containing uncured MDI or TDI.

Diisocyanates are used to make polyurethane polymers and are known to cause severe skin and breathing responses in workers after repeated exposure.

The MDI and TDI action plans can be found on the EPA [website](#).

### 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:

- 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

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 related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA042211-1	Energy Building Codes	04/19/2011	<a href="#">CEC Website</a>	Notice Workshop	California Energy Commission Building Energy Efficiency Standards [24 CCR 6] Announces a staff workshop to present draft revisions for nonresidential buildings for possible inclusion in the 2013 building energy efficiency standards. <a href="#">Workshop</a> is scheduled for 05/11/2011 in Sacramento, California and can be accessed via Internet Webcast. Comments due 05/12/2011.	
CA042211-2	Energy, Transportation Tax Exclusion	04/15/2011	<a href="#">CRNR 2011, 15z, p. 566</a>	Final Rule	California Alternative Energy and Advanced Transportation Financing Authority SB 71 Sales and Use Tax Exclusion Program [4 CCR 10030-6] Readopts as emergency regulations sections that implement the advanced transportation and alternative source manufacturing sales and use tax exclusion program. Effective 04/01/2011.	
CA042211-3	Occupational Safety Personal Protective Devices	04/22/2011	<a href="#">CRNR 2011, 16z, p. 659</a>	Final Rule	Occupational Safety and Health Standards Board Personal Protective Devices–Hazard Assessment & Equipment Selection [8 CCR 3380] Adopts standards equivalent to 29 CFR Part 1910.132(d)–(f) relating to Personal Protective Devices (Hazard Assessment & Equipment Selection). Effective 04/13/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA042211-4	Species	04/13/2011	<a href="#">76 FR 20558</a>	Final Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 44 Marine and Anadromous Taxa: Adding 10 Taxa, Delisting 1 Taxon, Reclassifying 1 Taxon, and Updating 32 Taxa on the List of Endangered and Threatened Wildlife [50 CFR Part 17]</p> <p>Amends the List of Endangered and Threatened Wildlife by adding 10 marine taxa, delisting 1 marine taxon, reclassifying 1 marine taxon, and revising 32 marine taxa. Species being listed include the following:</p> <ul style="list-style-type: none"> <li>▪ Steelhead, as threatened</li> <li>▪ Black abalone, as endangered</li> <li>▪ Bocaccio, as endangered</li> <li>▪ Canary rockfish, as threatened</li> <li>▪ Pacific eulachon, as threatened</li> <li>▪ Yelloweye rockfish, as threatened</li> </ul> <p>Species being revised include the following:</p> <ul style="list-style-type: none"> <li>▪ Salmon</li> <li>▪ Steelhead</li> <li>▪ Killer whale</li> <li>▪ North American green sturgeon</li> </ul> <p>Effective 04/13/2011. [RIN 1018-AW09]</p>	
CA042211-5	Species Mountain Yellow-Legged Frog	04/15/2011	<a href="#">CRNR 2011, 15z, p. 567</a>	Final Rule	<p>Fish and Game Commission</p> <p>Incidental Take of Mountain Yellow-Legged Frog During Candidacy [14 CCR 749.6]</p> <p>Provides for take incidental to seven different activities during the Mountain Yellow-Legged Frog candidacy for listing as an endangered or threatened species under the CESA. Effective 04/12/2011.</p>	
CA042211-6	Toxic Substances Epoxyconazole	04/15/2011	<a href="#">CRNR 2011, 15z, p. 547</a>	Final Rule	<p>Office of Environmental Health Hazard Assessment</p> <p>Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity [27 CCR 25306]</p> <p>Adds epoxyconazole to the list of chemicals known to the state to cause cancer and reproductive toxicity. Effective 04/15/2011.</p>	
CA042211-7	Toxic Substances Proposition 65	04/15/2011	<a href="#">CRNR 2011, 15z, p. 548</a>	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Chemicals Known to the State to Cause Cancer or Reproductive Toxicity</p> <p>Announces availability of the updated <a href="#">list of substances known to the state to cause cancer or reproductive toxicity</a>.</p>	
CA042211-8	Waste Land Disposal Units	04/22/2011	<a href="#">CRNR 2011, 16z, p. 659</a>	Final Rule	<p>Department of Toxic Substances Control</p> <p>Water Quality Monitoring for Hazardous Waste Disposal Units [22 CCR 66264.90, 66264.94, 66264.97-100, 66265.90-1, and 66265.97-9]</p> <p>Amends water quality monitoring requirements for permitted and interim status hazardous waste land disposal units. Additional information is available on the <a href="#">DTSC website</a>. Effective 05/12/2011.</p>	

## 2.2.1 California Air Districts Regulatory Review

### 2.2.1.1 *Antelope Valley Air Quality Management District*

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAA042211-1	Air Permitting-Fees	04/14/2011	<a href="#">AVAPCD Website</a>	Proposed Rule	Antelope Valley Air Pollution Control District Permit Fees [Rule 301] Proposes an increase in permit fees of 2.3 percent to account for changes in the CPI. <a href="#">Draft text</a> is available for review. Public hearing is scheduled for 05/17/2011 in Lancaster, California.	

### 2.2.1.2 *Bay Area Air Quality Management District*

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

### 2.2.1.3 *Eastern Kern Air Pollution Control District*

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

### 2.2.1.4 *Mojave Desert Air Quality Management District*

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAM042211-1	Air EIR	04/19/2011	<a href="#">MDAQMD Website</a>	Notice	Mojave Desert Air Quality Management District Generation of ERCs for Paving Unpaved Public Roads [Rule 1406] Announces the release of an EIR for public comment regarding the impacts of the ERC generation for paving unpaved roads. Comments due 06/06/2011.	
CAM042211-2	Air Permitting-Fees	04/20/2011	<a href="#">MDAQMD Website</a>	Proposed Rule	Mojave Desert Air Quality Management District Permit Fees [Rule 301] Proposes an increase in permit fees of 2.3 percent to account for changes in the CPI. <a href="#">Draft text</a> is available for review. Public hearing is scheduled for 05/24/2011 in Lancaster, California.	

### 2.2.1.5 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
CAS042211-1	Air Coatings	04/12/2011	<a href="#">SCAQMD Website</a>	Proposed Rule	South Coast Air Quality Management District Architectural Coatings [Rule 1113]  Proposes amendments in a recent release of the draft rule and draft staff report that would clarify rule language, reduce emissions, and improve rule compliance. <a href="#">Draft text</a> is available for review. Hearing is scheduled for 06/03/2011 in Diamond Bar, California.	

### 2.2.1.6 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
CAV042211-1	Air	04/14/2011	<a href="#">VCAPCD Website</a>	Notice	Ventura County Air Pollution Control District Triennial Assessment and Plan Update  <a href="#">Announces</a> the release of Ventura County's <a href="#">Triennial Assessment and Plan Update</a> , which includes the progress toward obtaining California's clean air standards, emission reductions achieved in this time period, deficiency corrections, and new data and projections. Public hearing is scheduled for 06/14/2011 in Ventura, California. Comments due 05/16/2011.	

## 2.3 Florida State Regulatory Review

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

## 2.4 Louisiana State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA042211-1	Air GHGs	04/20/2011	<a href="#">AQ314ft</a>	Final Rule	Louisiana Department of Environmental Quality Greenhouse Gas (GHG) Tailoring Rule [LAC 33:III.502.A and 509.B]  Amends LAC 33:III.502.A and 509.B to adopt the federal major stationary source threshold and PSD significance level for GHGs in the form of CO <sub>2</sub> e. Effective 04/20/2011.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA042211-2	Air Permitting-GHGs	04/20/2011	<a href="#">AQ315</a>	Final Rule	Louisiana Department of Environmental Quality Necessary Regulatory Revisions Prompted by Greenhouse Gas Regulation [LAC 33:III.111, 211, 223, 501, 503, 523, 537, and 2132]  Includes CO <sub>2</sub> as a regulated pollutant that is included in a permit application to determine major source status and applicability of the PSD program. Additionally, certain thresholds are revised, based on emissions of criteria and toxic air pollutants rather than on emissions of "regulated pollutants" or "regulated air pollutants." Effective 04/20/2011.	<b>MAF</b> should consider reviewing the final regulation
LA042211-3	Air Review Activity Form	04/20/2011	<a href="#">1104Pot2</a>	Notice	Louisiana Department of Environmental Quality New Louisiana Engineering Review Activity Form  Announces a new requirement that documents submitted to the Air Engineering Support Group must be accompanied with a properly completed Louisiana Engineering Review Activity Form. The form will help standardize the information needed to ensure the proper review, routing, and filing of the documents received by the Air Engineering Support Group. Effective 05/31/2011.	
LA042211-4	Air SIP-Organic Solvents	04/20/2011	<a href="#">AQ320</a>	Final Rule	Louisiana Department of Environmental Quality Correction to Section 2123 [LAC 33:III.2123.A]  Amends Subsection A of LAC 33:III.2123 by replacing language that was removed inadvertently in a previous rulemaking. This proposed revision also will serve as a revision to the Louisiana SIP. Effective 04/20/2011.	
LA042211-5	Air SIP-Ozone and PM <sub>2.5</sub>	04/14/2011	<a href="#">76 FR 21682</a>	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52]  Proposes to approve submittals from Louisiana that address the infrastructure elements specified in the CAA necessary to implement, maintain, and enforce the 1997 8-hour ozone and 1997 fine PM <sub>2.5</sub> NAAQS. Also proposes to approve SIP revisions that modify Louisiana's PSD SIP for the 1997 8-hour ozone NAAQS to include NO <sub>x</sub> as an ozone precursor. Comments due 05/18/2011.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA042211-6	Air Smoke Emissions	04/20/2011	<a href="#">AQ310</a>	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>Control of Emissions of Smoke [LAC 33:III.1101, 1106, and 1107]</p> <p>Includes the following modifications:</p> <ul style="list-style-type: none"> <li>Revises LAC 33:III.1101.B to expand applicability of provisions related to allowable exceedances.</li> <li>Moves identification of the applicable test methods and procedures from Chapter 15 into Chapter 11 (as LAC 33:III.1106).</li> <li>Specifies that opacity will 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.</li> <li>Limits opacity during startup and shutdown and exempts combustion units that combust only natural gas or other gaseous fuel.</li> </ul> <p>Effective 04/20/2011.</p>	
LA042211-7	Air TAP Emission Control	04/20/2011	<a href="#">AQ316</a>	Proposed Rule	<p>Louisiana Department of Environmental Quality</p> <p>Revisions to the Toxic Air Pollutant Emission Control Program [LAC 33:III.5103 and 5109]</p> <p>Proposes to revise language in LAC 33:III.5103 and 5109 to specifically define the term "affected source" and its applicability relating to MACT requirements. Public hearing is scheduled for 05/24/2011 in Baton Rouge, Louisiana. Comments due 05/31/2011.</p>	
LA042211-8	Water LPDES–Pesticides	04/20/2011	<a href="#">1104Pot1</a>	Notice	<p>Louisiana Department of Environmental Quality</p> <p>LPDES Exclusions–Pesticide Application [LAC 33:IX.Chapter 23]</p> <p>Removes the pesticide application permit exemption previously found in the regulations at LAC 33:IX.2315.A.8 and prepares a general permit for pesticide applications to become effective on 04/09/2011, in accordance with the federal court ruling, National Cotton Council of America v. EPA, 553 F.3d 927 (6th Cir., 2009).</p>	<b>MAF</b> should consider reviewing the notification to determine potential impacts.
LA042211-9	Water Water Quality	04/13/2011	<a href="#">76 FR 20664</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>Clean Water Act Section 303(d): Availability of List Decisions</p> <p>Announces availability of and requests public comment on EPA's action identifying water quality-limited segments and associated pollutants in Louisiana to be listed pursuant to CWA Section 303(d). Comments due 05/13/2011.</p>	

## 2.5 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
MD042211-1	Air COMs	04/22/2011	<a href="#">38:9 Md.R. 561</a>	Proposed Rule	<p>Department of the Environment</p> <p>General Administrative Provisions [COMAR 26.11.01]</p> <p>Proposes to remove the applicability of the Department's TM 90-01, which contains the procedures for demonstrating compliance with visible emissions requirements using COM data, and to clarify that the QA/QC for COM will be relocated to COMAR 26.11.31. Applies to owners of large fuel-burning equipment required to install and operate COMs. Public hearing is scheduled for 05/25/2011 in Baltimore, Maryland. Comments due 05/25/2011.</p>	
MD042211-2	Air Permits	04/22/2011	<a href="#">38:9 Md.R. 562</a>	Proposed Rule	<p>Department of the Environment</p> <p>Permits, Approvals, and Registration [COMAR 26.11.02]</p> <p>Proposes to clarify which requirements must be met for an air source to be exempt from permits-to-construct and approvals and clarifies what installations must obtain a State Permit to Operate. Public hearing is scheduled for 05/25/2011 in Baltimore, Maryland. Comments due 05/25/2011.</p>	
MD042211-3	Air VOCs	04/22/2011	<a href="#">38:9 Md.R. 565</a>	Proposed Rule	<p>Department of the Environment</p> <p>Volatile Organic Compounds from Specific Processes [COMAR 26.11.19]</p> <p>Proposes to incorporate the EPA's CTG for lithographic and letterpress printing into state regulations for control of VOCs. The current CTG provides VOC reduction recommendations from the use of fountain solutions, cleaning materials, and inks in lithographic or letterpress printing operations. Public hearing is scheduled for 05/25/2011 in Baltimore, Maryland. Comments due 05/25/2011.</p>	
MD042211-4	Occupational Safety PPE	04/22/2011	<a href="#">38:9 Md.R. 552</a>	Final Rule	<p>Department of Labor, Licensing, and Regulation</p> <p>Maryland Occupational Safety and Health Act—Incorporation by Reference of Federal Standards [COMAR 09.12.31]</p> <p>Adopts federal revisions related to PPE requirements for eye- and face-protective devices, head protection, and foot protection. Effective 05/02/2011.</p>	

## 2.6 Mississippi State Regulatory Review

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

## 2.7 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM042211-1	Waste Hazardous Waste	04/15/2011	<a href="#">NM Register Vol. 22, No. 7</a>	Notice Hearing	Environmental Improvement Board Liquid Waste Disposal Rules [20.7.3.7, 20.7.3.401, 20.7.3.402, 20.7.3.902 and 20.7.3.904 NMAC] Announces a public hearing to discuss proposed amendments to the liquid waste disposal rules. Proposed amendments would remove certification requirements for those that hold a contractor's license and remove classifications from the certification requirements. Public hearing is scheduled for 07/11/2011 in Santa Fe, New Mexico. Comments due 06/24/2011.	

## 2.8 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
OH042211-1	Air SIP-SO <sub>2</sub>	04/14/2011	<a href="#">DAPC Website-What's New</a>	Notice	Division of Air Pollution Control, Ohio Environmental Protection Agency Designation Recommendations for Sulfur Dioxide Announces availability of a draft of <a href="#">Ohio's designation recommendations</a> for the new 2010 1-hour SO <sub>2</sub> standard. The report recommends that several Ohio counties, including Cuyahoga County, be designated as non-attainment for the new standard and that the remainder of the state be classified as attainment or non-classifiable. Public hearings are scheduled for the following dates: <ul style="list-style-type: none"> <li>▪ 05/17/2011 in Parma Heights, Ohio</li> <li>▪ 05/18/2011 in Steubenville, Ohio</li> <li>▪ 05/19/2011 in Pomeroy, Ohio</li> </ul> Comments due 05/19/2011. Further details and the <a href="#">public notice</a> are located on the OEPA <a href="#">website</a> .	
OH042211-2	Air SIP-VOCs	04/13/2011	<a href="#">76 FR 20598</a>	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Ohio; Control of Emissions of Organic Materials That Are Not Regulated by Volatile Organic Compound Reasonably Available Control Technology Rules [40 CFR Part 52] Proposes to approve, as part of Ohio's SIP, a revised rule 3745-21-07, "Control of emissions of organic materials from stationary sources (i.e., emissions that are not regulated by rule 3745-21-09, 3745-21-12, 3745-21-14, 3745-21-15, 3745-21-16, or 3745-21-18 of the Administrative Code)" because the prior version references inadequate compliance test methods and definitions. Comments due 05/13/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH042211-3	Water Water Quality	04/11/2011	<a href="#">DSW Website- What's New</a>	Notice	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>Water Quality Standards [OAC 3745-1]; Section 401 Water Quality Certifications [OAC 3745-32]</p> <p>Announces the availability of four inter-related draft surface water quality program rule packages. Draft packages address the following items:</p> <ul style="list-style-type: none"> <li>▪ Water Quality Standards Triennial Review</li> <li>▪ Antidegradation</li> <li>▪ 401 Water Quality Certification</li> <li>▪ Stream Mitigation</li> </ul> <p><a href="#">Questions and answers, key features, highlighted issues,</a> and the <a href="#">interested party notice</a> are located on the OEPA <a href="#">website</a>. Information session is scheduled for 05/02/2011 and 05/03/2011 in Reynoldsburg, Ohio. Comments due 06/06/2011.</p>	

### 2.8.1 OEPA Divisions Merged

The Division of Hazardous Waste Management (DHW) has merged with the Division of Solid and Infectious Waste (DSIW) to form the Division of Materials and Waste Management (DMWM). The hazardous waste cleanup aspects of DHW merged with the Division of Emergency and Remedial Response to form a new cleanup program.

OEPA will be developing a new website for the combined division. For more details about this change, refer to the OEPA [website](#).

## 2.9 Texas State Regulatory Review

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

## 2.10 Utah State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT042211-1	Air SIP	04/14/2011	<a href="#">76 FR 21639</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Finding of Substantial Inadequacy of Implementation Plan; Call for Utah State Implementation Plan Revision [40 CFR Part 52]</p> <p>Finds the Utah SIP substantially inadequate to attain or maintain the NAAQS or to otherwise comply with the requirements of the CAA and issues a call for Utah to revise its SIP. Requires the state to revise the SIP to remove R307-107 or correct its deficiencies and submit the revised SIP to EPA within 18 months of the effective date of this final rule. Effective 05/18/2011.</p>	

## 2.11 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
VA042211-1	Administration Environmental Covenants	04/21/2011	<a href="#">VDEQ website</a>	Notice Meeting	Virginia Department of Environmental Quality Uniform Environmental Covenants Act [9VAC15-80] Announces a meeting to discuss the <a href="#">draft UECA regulation</a> . <a href="#">Draft text</a> is available for review. Meeting is scheduled for 05/02/2011 in Richmond, Virginia. Comments due 05/20/2011.	
VA042211-2	Air SIP	04/21/2011	<a href="#">VDEQ website</a>	Proposed Rule	Virginia Department of Environmental Quality General Conformity [9VAC5-160] <a href="#">Proposes</a> to amend general conformity regulations to incorporate the following federal CAA changes: <ul style="list-style-type: none"> <li>▪ PM<sub>2.5</sub> de minimis emission levels for general conformity applicability</li> <li>▪ Implementation issues</li> <li>▪ Improvement of ability to facilitate federal agency compliance</li> <li>▪ Deletion of 40 CFR 51.850 and 40 CFR 51.51.852-860</li> <li>▪ Inclusion of requirement that the general conformity SIP meet the requirements in 40 CFR Part 93, Subpart B.</li> </ul> Comments due 06/08/2011.	
VA042211-3	Water VPDES	04/11/2011	<a href="#">27:16 VA.R. 1982</a>	Proposed Rule	Virginia Department of Environmental Quality State Water Control Board General Virginia Pollutant Discharge Elimination System Permit Regulation for Discharges from Petroleum Contaminated Sites, Groundwater Remediation, and Hydrostatic Tests [9VAC25-120] Proposes to amend and re-issue the existing general permit expiring 02/25/2013. Comments due 05/11/2011.	