



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

13 November 2015

This report summarizes regulatory items reviewed by the NASA RRAC PC and includes items with direct applicability to NASA facilities and operations, as well as items of general interest. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "80 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.

Members of the NASA stakeholder community who are interested in receiving regulatory updates and alerts by e-mail may self-enroll at <https://lists.nasa.gov/mailman/listinfo/rrac>. Previous issues of this regulatory summary and other materials 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 and Abbreviations

AAC = <i>Alabama Administrative Code</i>	NO _x = Nitrogen oxides
AAM = <i>Alabama Administrative Monthly</i>	NPDES = National Pollutant Discharge Elimination System
AFRC = Armstrong Flight Research Center	NSPS = New Source Performance Standards
AQ = Air quality	NSR = New Source Review
ARB = Air Resources Board	NWCA = National Wetland Condition Assessment
ASHRAE = American Society of Heating, Refrigeration, and Air-Conditioning Engineers	OAC = Ohio Administrative Code
BARCT = Best Available Retrofit Control Technology	ODS = Ozone depleting substance
CAS = Chemical Abstract Service	OEHHA = Office of Environmental Health Hazard Assessment
CCR = <i>California Code of Regulations</i>	OSHA = Occupational Safety and Health Administration
CFR = <i>Code of Federal Regulations</i>	PEL = Permissible exposure limit
CI = Compression ignition	PM = Particulate matter
CRNR = California Regulatory Notice Register	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CWA = Clean Water Act	PSD = Prevention of Significant Deterioration
CY = Calendar year	PVI = Petroleum vapor intrusion
DCR = Department of Conservation and Recreation	R3 = Refrigerant Registration and Reporting
DMWM = Division of Materials and Waste Management	RATA = Relative Accuracy Test Audits
DRECP = Desert Renewable Energy Conservation Plan	RCRA = Resource Conservation and Recovery Act
DWR = Department of Water Resources	REACH = Registration, Evaluation, Authorisation and Restriction of Chemicals
ECHA = European Chemicals Agency	RECAP = Risk Evaluation Corrective Action Program
EIB = Environmental Improvement Board	RECLAIM = Regional Clean Air Incentives Market
EIS = Environmental Impact Statement	RIN = Regulatory Identification Number
EMNRD = Energy Mineral and Natural Resources Department	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	RTC = RECLAIM Trading Credit
ERC = Emission Reduction Credits	SCAQMD = South Coast Air Quality Management District
EU = European Union	SIP = State Implementation Plan
F.A.C. = Florida Administrative Code	SJRWMD = St. John's River Water Management District
FAR = Florida Administrative Register	SVHC = Substances of Very High Concern
FDEP = Florida Department of Environmental Protection	SW = Solid waste
FR = <i>Federal Register</i>	SWRCB = State Water Resources Control Board
FY = Fiscal year	TSDF = Treatment, Storage, and Disposal Facility
HFC = Hydrofluorocarbon	U.S. = United States
ICE = Internal combustion engine	USACE = U.S. Army Corps of Engineers
ITRC = Interstate Technology and Regulatory Council	USBR = U.S. Bureau of Reclamation
JPL = Jet Propulsion Laboratory	UT/ID = Utah and Idaho
LAC = Louisiana Administrative Code	VAC = Virginia Administrative Code
LUPA = Land Use Plan Amendment	VA.R. = <i>Virginia Register</i>
MAB = Mississippi Administrative Bulletin	VCAPCD = Ventura County Air Pollution Control District
MDE = Maryland Department of the Environment	VDH = Virginia Department of Health
Md.R. = <i>Maryland Register</i>	VOC = Volatile organic compound
NAAQS = National Ambient Air Quality Standards	WQCC = Water Quality Control Commission
NASA = National Aeronautics and Space Administration	
NESHAP = National Emission Standards for Hazardous Air Pollutants	
NNSR = Nonattainment New Source Review	

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 Published	Citation	Type Action	Description
FED111315-1	Air NAAQS	11/09/2015	80 FR 69220 HTML PDF	Notice	U.S. Environmental Protection Agency Release of Draft Integrated Review Plan for the Secondary National Ambient Air Quality Standard for Oxides of Nitrogen and Oxides of Sulfur Announces availability of the Draft Integrated Review Plan for the Secondary National Ambient Air Quality Standard for Oxides of Nitrogen and Oxides of Sulfur . Comments due 12/30/2015.
FED111315-2	Air NSPS	11/06/2015	80 FR 68808 HTML PDF	Proposed Rule	U.S. Environmental Protection Agency Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [40 CFR Part 60] Proposes amendments to NSPS for stationary CI internal combustion engines to allow temporary override of emission control systems during emergency situations and to require compliance with Tier 1 emission standards during emergencies. Comments due 12/09/2015. [RIN 2060-AS43] An emergency situation is one in which the condition of an engine's emission controls poses a significant direct or indirect risk to human life.
FED111315-3 NASA Centers should be aware of this action. Please notify RRAC PC of any potential impacts or comments.	Air Refrigerant Management	11/09/2015	80 FR 69457 HTML PDF	Proposed Rule	U.S. Environmental Protection Agency Protection of Stratospheric Ozone: Update to the Refrigerant Management Requirements Under the Clean Air Act [40 CFR Part 82] Proposes revisions to regulations on servicing or disposing of air-conditioning and refrigeration equipment, including: <ul style="list-style-type: none"> ▪ Extending refrigerant management requirements to non-ODS refrigerants, such as HFCs ▪ Requiring leak inspections or monitoring for certain refrigerant and air conditioning systems ▪ Establishing a process to request waivers from leak inspection frequency requirements under certain conditions ▪ Establishing record-keeping requirements for disposal of appliances containing 5 to 50 pounds of refrigerant ▪ Lowering the leak-rate threshold, which dictates when owners must make repairs ▪ Prohibiting operation of certain equipment that has leaked 75 percent of full charge in 2 consecutive years ▪ Allowing purchase and use of small quantity non-ODS refrigerants for motor vehicles if containers have self-sealing valves Comments due 01/08/2016. [RIN 2060-AS51]
FED111315-4	Energy Building Standards	11/06/2015	80 FR 68749 HTML PDF	Final Rule	U.S. Department of Energy Energy Efficiency Standards for New Federal Commercial and Multi-Family High-Rise Residential Buildings' Baseline Standards Update [10 CFR Part 433] Finalizes updates to energy efficiency standards that will require new federal buildings to meet ASHRAE Standard 90.1-2013 as the baseline standard. Effective 01/05/2016. [RIN 1904-AD39] Standards will apply to federal buildings for which construction design will begin on or after 11/06/2016.
FED111315-5	Natural Resources Wetlands	11/05/2015	80 FR 68536 HTML PDF	Notice	U.S. Environmental Protection Agency National Wetland Condition Assessment 2011 Draft Report Announces availability of the draft report, " National Wetland Condition Assessment 2011: A Collaborative Survey of the Nation's Wetlands. " Comments due 12/07/2015. NWCA 2011 is an assessment of the ecological condition of the nation's wetlands, based on a 2011 survey.

Tracking Number	Subject	Date Published	Citation	Type Action	Description
FED111315-6	Occupational Safety	11/10/2015	80 FR 69564 HTML PDF	Final Rule	U.S. Department of Energy Worker Safety and Health Program; Technical Amendments [10 CFR Part 851] Finalizes amendments to clarify an OSHA PEL reference for beryllium. Also updates additional references to organizations and documents. Effective 11/10/2015. [RIN 1992-AA50]
FED111315-7	Water Stormwater	11/10/2015	80 FR 69653 HTML PDF	Notice	U.S. Environmental Protection Agency Notice of Opportunity To Provide Information on Existing Programs That Protect Water Quality From Forest Road Discharges Solicits information on existing public and private sector programs that address stormwater discharges from forest roads. Comments due 01/11/2016. Information will assist EPA in determining if additional measures are necessary to protect water quality and whether the CWA requires EPA to regulate forest roads.

1.2 Other News and Development

1.2.1 Presidential Memorandum: Mitigating Impacts on Natural Resources

On 03 November 2015, President Obama signed a [memorandum](#) that focuses on policies to minimize harmful effects to natural resources caused by land- or water-disturbing activities and to remedy existing effects. The memorandum establishes timelines and actions for the U.S. Environmental Protection Agency (EPA), the National Oceanic and Atmospheric Administration, and the U.S. Departments of Defense, Interior, and Agriculture to support these policies.

1.2.2 EPA Webpage for Cleanups at Federal Facilities

EPA has recently updated a [website](#) that provides users with resources and information on cleanup activities at federal facilities. The website provides access to technical fact sheets and tools that may aid federal agencies and contractors in fulfilling cleanup obligations at contaminated sites. Users may access information from multiple categories, including the following:

- Restoration and reuse
- Site information
- Enforcement and compliance
- Long-term stewardship
- Resource and tools

1.2.3 27th Meeting of the Parties of the Montreal Protocol

On 05 November 2015, the [Parties to the Montreal Protocol](#) concluded their 27th meeting after finalizing 18 decisions. Perhaps most significant among them was Decision XXVII/1, "Dubai Pathway on Hydrofluorocarbons (HFCs)." This decision outlines steps to be taken by the Parties toward establishing a mechanism for controlling HFCs, which have relatively high global warming potentials but are not ozone depleting substances (ODSs), under the Protocol. The Parties agreed to work together during the coming year, with a goal of adding an HFC amendment to the Protocol in 2016. The amendment is expected to focus on setting timelines and strategies for a global phase-down of HFCs, used in air conditioning, refrigeration, foams, aerosols, and other materials as replacements for ODSs.

1.2.4 European Chemicals Agency Update

As part of its implementation of the European Union's (EU's) regulation on the Registration, Evaluation, Authorisation and Restriction of Chemicals ([REACH](#)), the European Chemical Agency ([ECHA](#)) has added benzo[def]chrysene (benzo[a]pyrene) to the [Registry of Intentions](#) for

Substances of Very High Concern ([SVHCs](#)). ECHA expects a technical dossier for this substance to be submitted by 01 February 2016. Dossier submittal is the first step of the process by which substances are considered for designation as SVHCs and addition to the [Candidate List for Authorisation](#). Substances on the SVHC Candidate List are eligible to be considered for listing on the Authorisation List, REACH Annex XIV. Inclusion on the Authorisation List would impose special authorization requirements for continued manufacture and use in the EU. Although requirements associated with restriction do not affect operations in the U.S. directly, they can affect the global supply chain and potentially reduce the future availability of regulated substances.

ECHA has also launched three public consultations on applications for authorization for the following substances and specific uses listed in the following table:

Substance Name	CAS Number	Specific Use
Chromium trioxide	1333-82-0	Functional plating
Chromium trioxide	1333-82-0	Electroplating
Chromium trioxide	1333-82-0	Pre-treatment step (etching) in the electroplating process

Comments on the applications must be received by 07 January 2016.

1.2.5 EPA Updates Guidance for Labeling Secondary and Service Containers for Pesticides

EPA has recently updated a [website](#) with recommendations and guidance for labeling secondary containers and service containers used for pesticides, in order to comply with U.S. Department of Transportation and Occupational Safety and Health Administration requirements. While EPA does not require labels on secondary and service containers, it provides labeling guidance as a good management practice to ensure the information is readily available to any person transporting, handling, or applying the pesticide.

1.2.6 ITRC Petroleum Vapor Intrusion Training

The Interstate Technology and Regulatory Council (ITRC) is hosting an online [training course](#), scheduled for 04 December 2015, to provide information on how to apply the guidance document "[Petroleum Vapor Intrusion: Fundamentals of Screening, Investigation, and Management \(PVI-1, 2014\)](#)" when evaluating potentially contaminated sites. The training will also provide information on the role of biodegradation impacts on petroleum vapor intrusion (PVI) pathways, how to value a PVI conceptual site model, and how to apply the ITRC PVI 8-step decision process to screen sites for PVI pathways and identify necessary actions to take. In late 2015, a 2-day classroom [training](#) will provide a more in-depth opportunity to enhance the knowledge gained from the online training.

1.3 NASA Regulatory Communication Working Group Updates

The next Regulatory Communication Working Group call will be held on Wednesday, 17 February 2016, at 10 a.m. Central Time.

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
AL111315-1	Administrative Electronic Reporting	11/09/2015	80 FR 69222 HTML PDF	Notice	U.S. Environmental Protection Agency Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Alabama Announces approval to revise NPDES and state Hazardous Waste Management programs to allow electronic reporting. Effective 11/09/2015.
AL111315-2	Air	10/30/2015	AAM Vol XXXIV Issue 1	Final Rule	Alabama Department of Environmental Protection Air Pollution Control Program [AAC 335-3] Finalizes amendments to Division 3 Code to incorporate by reference multiple SIP changes, including revisions to: <ul style="list-style-type: none"> ▪ NSPS ▪ NESHAP ▪ Definition of VOCs to exclude the following: <ul style="list-style-type: none"> ▪ Trans 1-chloro-3,3,3-trifluoroprop-1-ene ▪ 2-amino-2-methyl-1-propanol Effective 11/23/2015.

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
CA111315-1	Air Refrigerant Management	11/10/2015	ARB Website	Notice Webinar	California Air Resources Board Refrigerant Management Program R3 Webinar and Notification of Registration and Annual Reporting Deadline Announces a webinar to discuss the following: <ul style="list-style-type: none"> ▪ Reviewing requirements of the regulation ▪ Reviewing procedures for registering and filing Annual Reports and paying the Annual Implementation Fees using the R3 tool ▪ Highlighting and demonstrating recent R3 tool updates Also announces a deadline of 03/01/2016 for: <ul style="list-style-type: none"> ▪ Facilities with large and medium refrigeration systems to submit 2016 Annual Reports summarizing CY 2015 data ▪ Facilities with small refrigeration systems to register Webinar scheduled for 12/03/2015 and 01/20/2016. Large and medium refrigeration systems are those with 200 pounds of refrigerant or more. Small refrigeration systems are those with more than 50 pounds but less than 200 pounds of refrigerant.
CA111315-2	Air SIP	11/12/2015	80 FR 69915 HTML PDF	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; California; California Mobile Source Regulations [40 CFR Part 52] Proposes to approve SIP revisions establishing standards and requirements related to the control of emissions from new on-road and new and in-use off-road vehicles and engines. Comments due 12/14/2015.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
CA111315-3 AFRC , Goldstone , and JPL should be aware of this action.	Energy	11/10/2015	DRECP Website	Notice	U.S. Bureau of Land Management, U.S. Fish and Wildlife Service Interior Department, State of California Announce Innovative Strategy for Renewable Energy and Conservation on Public Lands in California Desert Announces availability of the Proposed LUPA and Final EIS for the DRECP, which aims to establish measures to protect important desert habitat and identify low-conflict land for renewable energy projects in the California desert. The documents' focus encompasses several counties, including Kern, Los Angeles, and San Bernardino.
CA111315-4	Toxic Substances Proposition 65	11/10/2015	OEHHA Website	Final Rule	Office of Environmental Health Hazard Assessment Diaminotoluene (Mixed) Delisted Effective 11/20/2015 as Known to the State of California to Cause Cancer [27 CCR 25306] Finalizes the removal of diaminotoluene (mixed) from the list of chemicals known to the state to cause cancer. Effective 11/20/2015.
CA111315-5	Water Stormwater	11/02/2015	SWRCB Website	Notice Workshop	State Water Resources Control Board Strategy to Optimize Resource Management of Storm Water Announces a workshop to discuss the Strategy to Optimize Resource Management of Storm Water , which is intended to identify goals, mission, objectives, and projects for implementation of the Storm Water Program over the next 10 years. Workshop is scheduled for 12/15/2015 in Sacramento, California.
CA111315-6	Water Water Rights	11/06/2015	CRNR, 2015, 45z, p. 2057	Final Rule	State Water Resources Control Board Emergency Regulation Amending Water Rights Fee Schedule [23 CCR 1062, 1064, and 1066] Finalizes adjustments to the water rights fee schedule for FY 2015-2016 to: <ul style="list-style-type: none"> ▪ Increase annual water rights fees to conform to amounts appropriated from the Water Rights Fund ▪ Adjust caps on application and petition filing fees based on the consumer price index Effective 10/28/2015.

2.2.1 California WaterFix Project

On 30 October 2015, the State Water Resources Control Board (SWRCB) issued the following public notices regarding the California WaterFix Project, which is the water conveyance effort previously proposed as part of the Bay Delta Conservation Plan:

- A combined [notice](#) of the California Department of Water Resources' (DWR's) and U.S. Bureau of Reclamation's (USBR's) water right change petition and public hearing
- A [notice](#) of the application for water quality certification

The petition proposes to add three new points of diversion and/or points of rediversion of water from the Sacramento River to specified water right permits for the State Water Project and Central Valley Project. A pre-hearing is scheduled for 28 January 2016 in Sacramento, California, and an evidentiary hearing is scheduled for 07 April 2016 in Sacramento, California. The evidentiary hearing will focus on the following:

- Potential effects of the petition on agricultural, municipal, and industrial uses of water and associated legal users of water
- Potential effects of the petition on fish, wildlife, and recreational uses
- Conditions that should be placed on any approval of the petition to protect the various uses of water

Water quality certification would allow DWR and USBR to establish and operate the California WaterFix Project. Additional information for both actions are available on the [California WaterFix website](#).

2.2.2 California Air Districts Regulatory Review

2.2.2.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified 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 in the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
CAS111315-1	Air	11/04/2015	SCAQMD Website	Proposed Rule Hearing	<p>South Coast Air Quality Management District</p> <p>Proposed Amended Rule 1110.2—Emissions from Gaseous- and Liquid-Fueled Engines</p> <p>Proposes to amend Rule 1110.2 to address emission limits for biogas-powered ICEs, including:</p> <ul style="list-style-type: none"> ▪ Extending the compliance date for emission limits for biogas-powered internal combustion engines to 01/01/2017 ▪ Implementing a tiered approach to define levels of exceedances and limit the number of incidents without enforcement per quarter ▪ Setting caps for exceedances of NO_x limits detected during diagnostic emissions checks above which the 24-hour grace period would not apply and the limits would be subject to enforcement <p>Hearing is scheduled for 12/04/2015 in Diamond Bar, California. Comments due 11/24/2015.</p> <p>Two versions of the draft rule are available: a staff proposal and an alternative proposal. Additional information is available in the Draft Staff Report.</p>
CAS111315-2	Air Coatings	11/04/2015	SCAQMD Website	Proposed Rule Hearing	<p>South Coast Air Quality Management District</p> <p>Proposed Amended Rule 1113—Architectural Coatings</p> <p>Announces availability of an updated Draft Proposed Amended Rule 1113. Proposed amendments would:</p> <ul style="list-style-type: none"> ▪ Limit small container exemptions for certain categories of coatings ▪ Revise VOC limits for certain coating categories ▪ Reduce VOC limits for certain coating categories to reflect currently available inventory ▪ Propose an exemption for 2-amino-2-methyl-1-propanol ▪ Include colorants in the labeling requirements ▪ Include several new testing methods ▪ Provide clarification and remove outdated language <p>Hearing is scheduled for 12/04/2015 in Diamond Bar, California. Comments due 11/24/2015.</p> <p>Additional information is available in the Draft Staff Report.</p>

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
CAS111315-3	Air RECLAIM	11/04/2015	SCAQMD Website	Proposed Rule Hearing	<p>South Coast Air Quality Management District Proposed Amendments to Regulation XX</p> <p>Proposes amendments to Regulation XX Rules 2001, 2002, 2011, and 2012 related to the NO_x RECLAIM Program to address the following:</p> <ul style="list-style-type: none"> ▪ Rule 2001—Allow electricity generating facilities to request to opt-out of the program ▪ Rule 2002—Update BARCT levels ▪ Rule 2002—Institute programmatic RTC reductions of 14 tons per day, achieved through gradual shave affecting top 90% of RTC holders ▪ Rules 2011 and 2012—Allow delayed RATA tests due to extenuating circumstances ▪ Include minor administrative amendments to all rules <p>Hearing is scheduled for 12/04/2015 in Diamond Bar, California. Comments due 11/24/2015.</p> <p>Additional information is available in the Revised Draft Staff Report and Draft Final Socioeconomic Report.</p>

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 in the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
CAV111315-1	Air NO _x	11/11/2015	VCAPCD Website	Proposed Rule Meeting	<p>Ventura County Air Pollution Control District Proposed New Rule 74.34, NO_x Reductions from Miscellaneous Sources</p> <p>Proposes Rule 74.34, which is intended to reduce NO_x emissions from dryers, furnaces, incinerators, kilns, ovens, and duct burners. The proposed rule would:</p> <ul style="list-style-type: none"> ▪ Establish NO_x limits for existing units, based upon source category and process temperature ▪ Require emission source testing every 48 months ▪ Require annual emission screenings ▪ Establish exemptions for VOC emission control devices ▪ Establish exemptions for gas flares, standby units, and external combustion equipment subject to Rule 74.15 <p>Meeting is scheduled for 12/10/2015 in Ventura, California.</p> <p>Additional information is available in the Draft Staff Report.</p>
CAV111315-2	Air NO _x	11/11/2015	VCAPCD Website	Notice	<p>Ventura County Air Pollution Control District Compliance Assistance Advisory: Recent Revisions to Rule 74.15.1; Boilers, Steam Generators, and Process Heaters</p> <p>Announces availability of a compliance assistance advisory related to recent revisions to Rule 74.15.1. The rule applies to both stationary and portable process heaters and includes the following components:</p> <ul style="list-style-type: none"> ▪ NO_x emission limits for new or replacement units ▪ Source test frequency ▪ Screening analysis frequency ▪ Tune-up requirements ▪ Record-keeping and reporting requirements

2.3 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
FL111315-1	Water	11/12/2015	FAR Notice #16764236	Notice	<p>St. John's River Water Management District Delegations of Authority [Chapter 40C-1.135, F.A.C.]</p> <p>Announces plans to update positions that are delegated authority to review and take final agency action on certain applications related to the use of sovereign submerged lands.</p>

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
FL111315-2	Water	11/12/2015	FAR Notice #16763848	Proposed Rule Repeal	St. John's River Water Management District Artificial Recharge [Chapter 40C-5, F.A.C.] Proposes repeal of the following obsolete, unnecessary, or redundant rules: <ul style="list-style-type: none"> Chapter 40C-5.011, F.A.C., "Policy and Purpose" Chapter 40C-5.041, F.A.C., "Permits Required" Chapter 40C-5.051, F.A.C., "Exemptions" Chapter 40C-5.101, F.A.C., "Content of Application" Chapter 40C-5.301, F.A.C., "Conditions for Issuance of Permits" Comments due 12/03/2015.
FL111315-3	Water ERP	11/12/2015	FAR Notice #16764333	Notice	St. John's River Water Management District Conditions for Issuance of Permits [Chapter 40C-44.301, F.A.C.] Announces plans to update references as a result of repealed regulation Chapter 40C-44.900, F.A.C.
FL111315-4	Water Wastewater	11/10/2015	FAR Notice #16754924	Final Rule Repeal	Department of Environmental Protection Local Law [62-625.300, F.A.C.] Finalizes repeal of a duplicative and unnecessary rule related to wastewater pretreatment requirements. Effective 11/26/2015.
FL111315-5	Water Water Quality	11/04/2015	FAR Notice #16715348	Proposed Rule Hearing	Department of Environmental Protection Permits [Chapter 62-4, F.A.C.] Proposes the following revisions: <ul style="list-style-type: none"> Delete text related to mixing zones in Outstanding Natural Resource Waters Delete subsection that pertains to equitable abatement Clarify that the fee for Site-Specific Alternative Criteria applies to each application instead of each parameter Proposed rule text is available for review. Hearing is scheduled for 12/09/2015 in Tallahassee, Florida.
FL111315-6	Water Water Quality	11/04/2015	FAR Notices #16715930: #16717191	Proposed Rule Hearing	Department of Environmental Protection Surface Water Quality Standards [Chapter 62-302, F.A.C.]; Identification of Impaired Surface Waters [Chapter 62-303, F.A.C.] Proposes revisions to clarify assessment methodology for identifying impaired surface waters. Proposed revisions would: <ul style="list-style-type: none"> Assess the concurrently proposed bacteria criteria Clarify the scope of waters on the Study List Change the listing cycle description and delisting requirements for certain parameters Clarify how to calculate annual geometric and arithmetic means for nutrients in marine waters Update biological standard operating procedures Reclassify multiple estuarine waterbodies from Class III to Class II, including portions of the Mosquito Lagoon, Banana River, and Indian River in Brevard County Replace criteria for un-ionized ammonia (fresh water) with criteria for total ammonia Replace criteria for bacteriological quality (fecal coliform) with criteria for Escherichia coli bacteria (fresh water) and Enterococci bacteria (marine water) Establish new water quality criteria for nonylphenol, carbaryl (fresh water only), chlorpyrifos, and diazinon Clarify the methodology for assessing nutrients in lakes Update format, definitions and references Proposed rule texts 62-302, F.A.C. and 62-303, F.A.C. are available for review. Hearing is scheduled for 12/09/2015 in Tallahassee, Florida. Comments due 11/25/2015.
FL111315-7	Water Water Wells	11/12/2015	FAR Notice #16755894	Proposed Rule	St. John's River Water Management District Agreements [Chapter 40C-3.035, F.A.C.] Announces plans to incorporate into Rule 40C-3.035, F.A.C., an Amended Interagency Agreement between SJRWMD and FDEP concerning applications for projects involving the construction and operation of underground injection wells at water facilities. Proposed rule text is available for review. Comments due 12/03/2015.

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
LA111315-1	Administrative	11/20/2015	OS088	Proposed Rule Hearing	Louisiana Department of Environmental Quality Expedited Penalty Agreement [LAC 33:I.801, 805 and 807] Proposes to amend violation regulations in all media sectors in the expedited penalty program. Also proposes to clarify existing violations, adjust penalty amounts, and expand list of violations that qualify for expedited penalties. Hearing scheduled for 12/29/2015 in Baton Rouge, Louisiana. Comments due 01/05/2016.
LA111315-2	Air NAAQS	11/20/2015	AQ353	Final Rule	Louisiana Department of Environmental Quality Emission Reduction Credits (ERC) Banking Program [LAC 33:III.603] Finalizes amendments to allow owners and operators of stationary sources located in attainment areas to apply for ERCs for emissions that are noncompliant with new or revised NAAQS. Effective 10/20/2015.
LA111315-3	Air SIP	11/05/2015	80 FR 68451 HTML PDF	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Louisiana; Major Source Permitting State Implementation Plan Finalizes partial approval of NSR SIP revisions to incorporate updates to PSD and NNSR permit programs. Effective 12/07/2015.
LA111315-4	Air SIP	11/05/2015	80 FR 68481 HTML PDF	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of State Implementation Plans, Louisiana [40 CFR Part 52] Proposes to approve SIP revisions that would align regulations with current federal and state requirements. Comments due 12/07/2015.
LA111315-5	Remediation	10/20/2015	1511Pot1	Notice	Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP) Revisions [LAC 33:I.1307 and the RECAP Document] Announces plans to update RECAP regulations to align with federal risk assessment recommendations. Draft rule text available for review.
LA111315-6	Waste Solid Waste	10/20/2015	SW062	Proposed Rule Hearing	Louisiana Department of Environmental Quality Waste Tire Regulation Revisions [LAC 33:VII. 10501, 10503, 10505, 10507, 10509, 10511, 10513, 10514, 10515, 10516, 10517, 10518, 10519, 10521, 10523, 10524, 10525, 10527, 10529, 10531, 10532, 10533, 10534, 10535, 10536, 10537, 10539, 10541, 10543, 11101, 11103] Proposes to amend regulations for the administration and enforcement of the waste tire program, including the waste tire management fund. Hearing scheduled for 12/29/2015 in Baton Rouge, Louisiana. Comments due 01/05/2016.

2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in [Maryland](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
MD111315-1	Hazardous Substances	11/13/2015	42:23 Md.R. 1437	Notice	Department of the Environment Investigating, Evaluation, and Responding to Hazardous Substance Releases Announces withdraw of a proposal to require responsible persons, who find or detect hazardous substances at levels above established thresholds, from reporting the finding promptly to MDE.

2.6 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in [Mississippi](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
MS111315-1	Administrative	10/23/2015	MAB #21604	Final Rule	Mississippi Department of Environmental Quality 11 Miss. Admin. Code Part 1, Chapter 2-"Mississippi Commission on Environmental Quality Regulations Regarding the Review and Reproduction of Public Records" Finalizes amendments to regulations to clarify rules regarding processing and requesting public records. Effective 11/22/2015.
MS111315-2	Water Water Quality	10/15/2015	MAB #21585	Proposed Rule	Mississippi Department of Environmental Quality 11 Miss. Admin. Code Part 6, Chapter 2-"Mississippi Commission on Environmental Quality Regulations for Water Quality Criteria For Intrastate, Interstate, And Coastal Waters" Proposes to amend water quality criteria, based on surface water quality standards for the last 3 years, to align criteria with federal requirements.

2.7 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in [New Mexico](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
NM111315-1	Air	10/29/2015	EIB	Notice Meeting	Environmental Improvement Board Notice of Public Hearing for the Environmental Improvement Board Announces a meeting of the EIB. Meeting is scheduled for 12/17/2015 in Santa Fe, New Mexico. Agenda will be available approximately 10 days before the meeting.
NM111315-2	Energy	10/27/2015	EMNRD	Notice	Energy Mineral and Natural Resources Department New Mexico Energy Policy and Implementation Plan Announces availability of New Mexico's 2015 Energy Policy and Implementation Plan .
NM111315-3	Water	10/29/2015	WQCC	Notice Meeting	Water Quality Control Commission Notice of Public Hearing of the Water Quality Control Commission Announces a meeting of the WQCC. Meeting is scheduled for 12/08/2015 in Santa Fe, New Mexico. Agenda will be available approximately 10 days before the meeting.

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in [Ohio](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
OH111315-1	Air SIP	11/05/2015	80 FR 68458 HTML PDF	Final Rule Correction	U.S. Environmental Protection Agency Air Plan Approval; Ohio; Test Methods; Error Correction [40 CFR Part 52] Finalizes amendments to correct cross references specifically related to methods for measurement for comparison with PM air quality standards. Effective 12/07/2015.
OH111315-2	Air SIP	11/10/2015	80 FR 69604 HTML PDF	Final Rule	U.S. Environmental Protection Agency Air Plan Approval; Ohio; Revised Format for Materials Being Incorporated by Reference [40 CFR Part 52] Finalizes amendments that revise the format for materials incorporated by reference into the SIP. Effective 11/10/2015.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
OH111315-3	Waste Hazardous Waste	11/06/2015	DMWM-Rules and Laws	Proposed Rule	<p>Division of Materials and Waste Management, Ohio Environmental Protection Agency</p> <p>Set "N" Hazardous Waste Rules [OAC 3745-50 to 3745-52, 3745-55, 3745-57, 3745-65 to 3745-69, 3745-205, 3745-266, 3745-270, 3745-273, 3745-279]</p> <p>Proposes revisions to multiple hazardous waste rules intended to align rules with federal RCRA standards, including rules related to:</p> <ul style="list-style-type: none"> ▪ Permitting ▪ Identification and listing of wastes ▪ Generator, transporter, and TSD standards ▪ Land disposal restrictions ▪ Universal waste management ▪ Used oil management <p>Comments due 12/07/2015.</p>

2.9 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in [Texas](#).

2.9.1 Infrastructure and Transport SIP Revision for the 2012 Primary Annual PM_{2.5} NAAQS

On 04 November 2015, the Texas Commission on Environmental Quality adopted the Federal Clean Air Act, Section 110(a)(1) and (2) [Infrastructure and Transport SIP Revision for the 2012 Primary Annual PM_{2.5} National Ambient Air Quality Standards](#). The revision outlines various program elements, such as enforceable emission limitations and control measures, air quality monitoring and modeling requirements, a permitting program, emissions reporting requirements, the authority under state law to carry out the plan, and authorization of emergency powers. On 15 January 2015, the U.S. Environmental Protection Agency designated all areas of the state as either unclassifiable or in attainment of the standard.

2.10 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
UT111315-1	Air NAAQS-PM _{2.5}	11/09/2015	80 FR 69173 HTML PDF	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes [40 CFR Part 81]</p> <p>Proposes to reclassify the Salt Lake City, Provo, and Logan portion of the Logan, UT/ID nonattainment areas for the 2006 24-hour PM_{2.5} NAAQS as serious nonattainment areas. Comments due 12/09/2015.</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
VA111315-1	Cultural Resources	11/16/2015	32:6 VA.R 1051-1057	Proposed Rule	<p>Board for Historic Resources, Virginia Department of Historic Resources Regulations Governing Permits for the Archaeological Removal of Human Remains [17VAC5 - 20]</p> <p>Proposes the following amendments related to the removal of human remains:</p> <ul style="list-style-type: none"> ▪ Requires proof of ownership of the property of the archeological site, signed statement confirming both financial and other resources for reburial, and email address in the permit application ▪ Requires permit applicant to: <ul style="list-style-type: none"> ▪ Publish a notice of planned activities in a local newspaper ▪ Provide notice of planned activities to local historical and genealogical commissions and societies ▪ Provide notice of at least one public hearing ▪ Include a statement providing reasoning for proposed relocation and street address where the general public can review the application <p>Comments due 01/15/2016.</p>
VA111315-2	Natural Resources Land Conservation	11/12/2015	Virginia Town Hall website	Notice	<p>Virginia Department of Conservation and Recreation Department of Conservation and Recreation Regulations [4VAC5]</p> <p>Announces availability of the updated guidance document, DCR-VLCF-007, addressing conservation easement dispute resolutions for private owners of lands subject to perpetual conservation easements, holders of such easements, or holders of third-party right of enforcements of such easements. Effective 10/27/2015.</p>
VA111315-3	Radiation	11/16/2015	32:6 VA.R 761	Proposed Rule	<p>State Board of Health, Virginia Department of Health Virginia Radiation Protection Regulations: Fee Schedule [12VAC5-490]</p> <p>Proposes the following amendments related to radiation protection:</p> <ul style="list-style-type: none"> ▪ Amends registration fees for equipment inspected every 3 years ▪ Adds three categories and associated fees for the registration of nonmedical X-ray equipment ▪ Establishes inspection frequencies <p>Comments due 12/16/2015.</p>
VA111315-4	Water Permitting	11/16/2015	32:6 VA.R 773-822	Proposed Rule Hearing	<p>State Water Control Board, Virginia Department of Environmental Quality Virginia Water Protection Permit Regulation [9VAC25-210]</p> <p>Proposes the following amendments related to water protection permits:</p> <ul style="list-style-type: none"> ▪ Reorganizes the regulation and updates definitions ▪ Revises surface water withdrawal exclusions pertaining to tidal resources ▪ Removes distinction between minor and major surface water withdrawals ▪ Establishes criteria for permit modifications specific to surface water withdrawal activities ▪ Aligns regulation with the 2008 Mitigation Rule of the USACE ▪ Requires function assessments for certain situations ▪ Revises permit applications requirements and permit modification procedures ▪ Allows for administrative continuance of permit application ▪ Revises permitting exclusions ▪ Clarifies requirements for complete application regarding compensatory wetland and stream mitigation plans ▪ Makes other technical and grammatical changes <p>Hearing is scheduled for 01/11/2016 in Williamsburg, Virginia. Comments due 01/29/2016.</p>

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description
VA111315-5	Water Permitting	11/16/2015	32:6 VA.R 822-843	Proposed Rule Hearing	<p>State Water Control Board, Virginia Department of Environmental Quality Virginia Water Protection General Permit for Impacts Less than One-half Acre [9VAC25-660]</p> <p>Proposes to reissue the existing general permit expiring on 08/01/2016, with revisions that would:</p> <ul style="list-style-type: none"> ▪ Revise or clarify which activities in specific water sources require application for permit authorization and which activities are excluded ▪ Revise and clarify the application process ▪ Revise and clarify the compensatory mitigation requirements ▪ Modify provisions related to application processing, informational requirements, or actions occurring post-permit coverage authorization ▪ Modify permit authorization transitions between general permit cycles ▪ Delete authorization term of 3 years and provisions for continuation of permit authorization coverage ▪ Incorporate certain federal regulatory provisions ▪ Clarify and update definitions ▪ Reorganize the regulations ▪ Make other technical and grammatical changes <p>Hearing is scheduled for 01/11/2016 in Williamsburg, Virginia. Comments due 01/29/2016.</p>
VA111315-6	Water Permitting	11/16/2015	32:6 VA.R 870-899	Proposed Rule Hearing	<p>State Water Control Board, Virginia Department of Environmental Quality Virginia Water Protection General Permit for Linear Transportation Projects [9VAC25-680]</p> <p>Proposes to reissue the existing general permit expiring on 08/01/2016, with revisions that would:</p> <ul style="list-style-type: none"> ▪ Revise or clarify which activities in specific water sources require application for permit authorization and which activities are excluded ▪ Revise and clarify the application process ▪ Revise and clarify the compensatory mitigation requirements ▪ Modify provisions related to application processing, informational requirements, or actions occurring post-permit coverage authorization ▪ Modify permit authorization transitions between general permit cycles ▪ Delete the authorization term of 7 years and provisions for continuation of permit authorization coverage ▪ Incorporate certain federal regulatory provisions ▪ Clarify and update definitions ▪ Reorganize the regulations ▪ Make other technical and grammatical changes <p>Hearing is scheduled for 01/11/2016 in Williamsburg, Virginia. Comments due 01/29/2016.</p>
VA111315-7	Water Permitting	11/16/2015	32:6 VA.R 899-928	Proposed Rule Hearing	<p>State Water Control Board, Virginia Department of Environmental Quality Virginia Water Protection General Permit for Impacts from Development and Certain Mining Activities [9 VAC 25 - 690]</p> <p>Proposes to reissue the existing general permit expiring on 08/01/2016, with revisions that would:</p> <ul style="list-style-type: none"> ▪ Revise or clarify which activities in specific water sources require application for permit authorization and which activities are excluded ▪ Revise and clarify the application process ▪ Revise and clarify the compensatory mitigation requirements ▪ Modify provisions related to application processing, informational requirements, or actions occurring post-permit coverage authorization ▪ Modify permit authorization transitions between general permit cycles ▪ Delete the authorization term of 7 years and provisions for continuation of permit authorization coverage ▪ Incorporate certain federal regulatory provisions ▪ Clarify and update definitions ▪ Reorganize the regulations ▪ Make other technical and grammatical changes <p>Hearing is scheduled for 01/11/2016 in Williamsburg, Virginia. Comments due 01/29/2016.</p>
VA111315-8	Water Wastewater	11/13/2015	Virginia Town Hall website	Notice	<p>Virginia Department of Environmental Quality Virginia Pollution Abatement Regulation [9VAC25-32]</p> <p>Announces availability of the updated guidance document, GM10-2004 (Rev-2), addressing the implementation of extended buffers at biosolids land application sites, as well as coordination with the VDH concerning health-related complaints related to biosolids land application. The waiving of certain buffers by property owners is also addressed. Effective 09/02/2015.</p>