



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

17 May 2013

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 "78 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

ADI = Applicability Determination Index	NESHAP = National Emission Standards for Hazardous Air Pollutants
ANPRM = Advance notice of proposed rulemaking	NOAA = National Oceanic and Atmospheric Administration
AQ = Air quality	NO ₂ = Nitrogen dioxide
ARB = Air Resources Board	NO _x = Nitrogen oxides
BPA = Bisphenol A	NSPS = New Source Performance Standards
CAA = Clean Air Act	NSR = New Source Review
CAS = Chemical Abstract Service	ODS = Ozone depleting substance
CASAC = Clean Air Scientific Advisory Committee	OEHHA = Office of Environmental Health Hazard Assessment
CCR = California Code of Regulations	OEPA = Ohio Environmental Protection Agency
CEC = California Energy Commission	OSHA = Occupational Safety and Health Administration
CEQA = California Environmental Quality Act	OSPR = Office of Spill Prevention and Response
CFR = <i>Code of Federal Regulations</i>	PCNB = Pentachloronitrobenzene
CIC = Carcinogen Identification Committee	PM = Particulate matter
COMAR = Code of Maryland Regulations	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CRNR = California Regulatory Notice Register	PPE = Personal protective equipment
DAPC = Division of Air Pollution Control	PSD = Prevention of significant deterioration
DAR = Division of Administrative Rules	R&D = Research and development
DART-IC = Developmental and Reproductive Toxicant Identification Committee	REACH = Registration, Evaluation, Authorization and Restriction of Chemicals
DFRC = Dryden Flight Research Center	RICE = Reciprocating internal combustion engine
ECHA = European Chemicals Agency	RIN = Regulatory Identification Number
EIA = Energy Information Administration	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	SCAQMD = South Coast Air Quality Management District
ERP = Environmental resource permitting	SDS = Safety data sheet
EU = European Union	SIP = State Implementation Plan
F.A.C. = Florida Administrative Code	SNAP = Significant New Alternatives Policy
FAR = <i>Florida Administrative Register</i>	SNUR = Significant New Use Rule
FR = <i>Federal Register</i>	SO ₂ = Sulfur dioxide
GHS = Globally harmonized system	SO _x = Sulfur oxides
HCS = Hazard communication standard	SWRCB = State Water Resources Control Board
HPV = High production volume	TAC = Texas Administrative Code
ISA = Integrated Science Assessment	TexReg = <i>Texas Register</i>
KSC = Kennedy Space Center	TSCA = Toxic Substance Control Act
LAC = Louisiana Administrative Code	U.S. = United States
LID = Low impact development	VAC = Virginia Administrative Code
MDAQMD = Mojave Desert Air Quality Management District	VA.R = <i>Virginia Register</i>
Md.R. = <i>Maryland Register</i>	
MS4 = Municipal separate storm sewer system	
MSDS = Material safety data sheet	
MSFC = Marshall Space Flight Center	
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

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

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED051713-1	Air ADI	05/10/2013	78 FR 27375 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and the Stratospheric Ozone Protection Program: Recent Posting to the Applicability Determination Index (ADI) Database System of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations</p> <p>Announces availability of applicability determinations, alternative monitoring decisions, and regulatory interpretations under the NSPS and NESHAP Programs.</p> <p>Additional information is available on EPA's ADI website.</p>	
FED051713-2	Air Medical Waste Incinerators	05/13/2013	78 FR 28051 HTML PDF	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Federal Plan Requirements for Hospital/Medical/ Infectious Waste Incinerators Constructed On or Before December 1, 2008, and Standards of Performance for New Stationary Sources: Hospital/ Medical/Infectious Waste Incinerators [40 CFR Parts 60 and 62]</p> <p>Finalizes amendments to the federal plan and NSPS for hospital, medical, and infectious waste incinerators, which will implement national standards promulgated in the 2009 amendments to the hospital, medical, and infectious waste incinerator emissions guidelines intended to reduce emissions of certain pollutants from affected units. Effective 06/12/2013. [RIN 2060-AR-11 and RIN 2060-A004]</p>	NASA Centers' operating medical facilities should be aware of this action.
FED051713-3	Air NAAQS-NO _x	05/09/2013	78 FR 27234 HTML PDF	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>Notification of a Public Teleconference of the CASAC; Oxides of Nitrogen Primary NAAQS Review Panel</p> <p>Announces a public teleconference to provide consultative advice on EPA's "Draft Plan for Development of the ISA for NO_x-Health Criteria." Teleconference is scheduled for 06/05/2013.</p>	
FED051713-4	Air NAAQS-NO _x	05/10/2013	78 FR 27374 HTML PDF	Notice Workshop	<p>U.S. Environmental Protection Agency</p> <p>Workshop To Review Initial Draft Materials for the NO_x ISA for Health Effects</p> <p>Announces a workshop to evaluate preliminary draft materials that will inform the development of the NO_x ISA for health effects. Workshop is scheduled for 06/11/2013 in Research Triangle Park, North Carolina.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED051713-5	Air NAAQS-SO _x	05/10/2013	78 FR 27387 HTML PDF	Notice Workshop	<p>U.S. Environmental Protection Agency</p> <p>Notice of Workshop and Call for Information on Integrated Science Assessment for Oxides of Sulfur</p> <p>Announces a workshop entitled "Kickoff Workshop to Inform EPA's Review of the Primary SO₂ NAAQS." Solicits recent research studies to assist with preparation of an ISA as part of the review of the primary NAAQS for SO_x. Workshop is scheduled for 06/12/2013 in Research Triangle Park, North Carolina.</p> <p>Additional information is available at EPA's website.</p>	
FED051713-6	Air ODS	05/17/2013	78 FR 29034 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>Protection of Stratospheric Ozone: Determination 28 for Significant New Alternatives Policy Program [40 CFR Part 82]</p> <p>Announces a determination of acceptability to expand the list of acceptable ODS substitutes under the SNAP program. Determinations address new substitutes, as follow:</p> <ul style="list-style-type: none"> ▪ Refrigeration and Air Conditioning: R-442A (RS-50) ▪ Foam Blowing: Solkane 365/227 ▪ Solvent cleaning: Solstice 1233zd(E) ▪ Adhesives and Coatings: Solstice 1233zd(E) ▪ Fire suppression: K-Ace <p>Effective 05/17/2013. [RIN 2060-AG12]</p>	
FED051713-7	Environmental Justice	05/09/2013	78 FR 27220 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>EPA Activities To Promote Environmental Justice in the Permit Application Process</p> <p>Announces availability of "Actions that EPA Regional Offices Are Taking to Promote Meaningful Engagement in the Permitting Process by Overburdened Communities and Promising Practices for Permit Applicants Seeking EPA-Issued Permits: Ways to Engage Neighboring Communities" as a response to comments on proposals (78 FR 38051, 06/26/2013). Provides descriptions for the following:</p> <ul style="list-style-type: none"> ▪ EPA actions when issuing federal permits, intended to promote greater participation in the permitting process by communities that historically have been underrepresented in that process ▪ Practices for permit applicants intended to encourage and assist permit applicants to reach out to neighboring communities when applying for permits that might affect communities' quality of life <p>Additional information is available on the EPA website.</p>	
FED051713-8	Environmental Justice	05/09/2013	78 FR 27235 HTML PDF	Notice	<p>U.S. Environmental Protection Agency</p> <p>Technical Guidance for Assessing Environmental Justice in Regulatory Analysis</p> <p>Announces availability of the "Technical Guidance for Assessing Environmental Justice in Regulatory Analysis," which is intended to provide EPA analysts with technical information for consideration of environmental justice in regulatory analyses. Webinars are scheduled for the following dates:</p> <ul style="list-style-type: none"> ▪ 05/29/2013 ▪ 06/06/2013 <p>Additional information is available on EPA's website.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED051713-9	Pesticides	05/08/2013	78 FR 26935 HTML PDF	Final Rule	U.S. Environmental Protection Agency Data Requirements for Antimicrobial Pesticides [40 CFR Parts 158 and 161] Revises data requirements for antimicrobial pesticide products to reflect current scientific and regulatory practice and to clarify information about data needed to support pesticide registration decisions for antimicrobial products. These revisions are expected to provide a current scientific framework for identifying and assessing the risks of antimicrobial pesticides sold or distributed in the U.S. Effective 07/08/2013. [RIN 2070-AD30]	
FED051713-10	Species	05/07/2013	78 FR 26616 HTML PDF	Notice	National Oceanic and Atmospheric Administration Draft NOAA Five Year Research and Development Plan Announces availability of NOAA's "Draft Five Year Research and Development Plan" for public review. This plan is intended to guide NOAA's R&D activities over the next 5 years and to provide guidance for monitoring and evaluating NOAA's progress. Comments due 06/03/2013.	
FED051713-11	Toxic Substances	05/15/2013	78 FR 28586 HTML PDF	Notice	U.S. Environmental Protection Agency Certain New Chemicals; Receipt and Status Information Announces receipt of notifications for and status of certain new substances to be manufactured for activities designated as significant new uses. Comments due 06/14/2013.	NASA should be aware of this action.
FED051713-12	Toxic Substances C.I. Pigment Blue 61	05/13/2013	78 FR 27860 HTML PDF	Final Rule	U.S. Environmental Protection Agency Revocation of TSCA Section 4 Testing Requirements for One High Production Volume Chemical Substance [40 CFR Part 799] Revokes certain testing requirements promulgated under the TSCA for the High Production Volume (HPV) chemical substance, C.I. Pigment Blue 61. Effective 06/12/2013. [RIN 2070-AD16]	
FED051713-13	Toxic Substances Lead Paint	05/13/2013	78 FR 27906 HTML PDF	Proposed Rule	U.S. Environmental Protection Agency Lead; Renovation, Repair, and Painting Program for Public and Commercial Buildings; Notice of Public Meeting and Reopening of Comment Period [40 CFR Part 745] Announces a public meeting and reopens the comment period (77 FR 76996 , 12/31/2012) to allow for additional data and other information to be submitted in response to the ANPRM concerning renovation, repair, and painting activities in public and commercial buildings (77 FR 24848 , 05/06/2010). EPA is in the process of determining whether these activities create lead-based paint hazards and, for those that do, developing certification, training, and work practice requirements. Meeting is scheduled for 06/26/2013 in Washington, D.C. [RIN 2070-AJ56]	NASA should be aware of this action.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED051713-14	Toxic Substances SNUR	05/09/2013	78 FR 27048 HTML PDF	Final Rule	<p>U.S. Environmental Protection Agency Significant New Use Rules on Certain Chemical Substances [40 CFR Parts 9 and 721]</p> <p>Direct final rule promulgates a SNUR for the following chemical substances</p> <ul style="list-style-type: none"> ▪ Methylenebis[isocyanatobenzene], polymer with alkanedioic acid, alkylene glycols, alkoxyated alkanepolyol and substituted trialkoxysilane (generic) ▪ Acetaldehyde, substituted-, reaction products with 2-butyne-1, 4-diol (generic) ▪ Functionalized multi-walled carbon nanotubes (generic) ▪ Alkenedioic acid dialkyl ester, reaction products with alkenoic acid alkyl esters and diamine (generic) ▪ 2-Propenoic acid, (2-ethyl-2-methyl-1,3-dioxolan-4-yl)methyl ester ▪ Quaternary ammonium compounds, bis(fattyalkyl) dimethyl, salts with tannins (generic) ▪ Slimes and sludges, aluminum and iron casting, wastewater treatment, solid waste ▪ Trisodium diethylene triaminepolycarboxylate (generic) ▪ Tertiary amine alkyl ether (generic) ▪ Bromine, manufacture of, by-products from, distillation residues <p>Persons must notify EPA at least 90 days before manufacturing, importing, or processing any of these substances for an activity designated as a significant new use by this rule. Effective 07/08/2013. [RIN 2070-AB27]</p>	NASA should be aware of this action.

1.2 Other News and Developments

1.2.1 EPA Releases Emerging Technologies Report for Wastewater Treatment

EPA has revised the technology guide titled, "[Emerging Technologies for Wastewater Treatment and In-Plant Wet Weather Management](#)", which provides wastewater treatment plant owners and operators, governments, and engineers with information about new wastewater technologies. This report updates the original 2008 version and contains information regarding the following technology development categories:

- Research: Technologies in the development or laboratory testing stage
- Emerging: Technologies implemented within the last year or used at three or fewer facilities
- Innovative: Technologies implemented within the last 5 years and used at more than 3 but fewer than 150 facilities
- Adaptive Use: Established technologies that have been altered or improved in recent years

Additional information is available on the EPA Wastewater Technology [website](#).

1.2.2 EPA Adds E-mail Notifications to WebFIRE

EPA recently added optional e-mail notifications to the [WebFIRE](#) database, which contains emission factors and reports submitted to EPA in accordance with [NSPS](#) and [NESHAP](#) regulations. New e-mail notifications include reminder alerts for filing reports. Notifications can be customized based on geographic area and topic of interest. Users also have the capability to specify the frequency of e-mail notifications. [WebFIRE registration](#) is required to receive e-mail notifications.

1.2.3 United Nations Conference on Chemicals Management

From 28 April to 10 May 2013, the [Basel](#), [Rotterdam](#), and [Stockholm](#) Conventions held a [conference](#) in Geneva, Switzerland, to discuss the global management of hazard chemicals and waste. The conference resulted in release of the "[Geneva Statement on the Sound Management of Chemicals and Waste.](#)" This joint statement documents the conference activities and affirms each Convention's commitment to sustainable development, protection of human health and the environment, and sound management of chemicals.

1.2.4 European Chemicals Agency Updates

On 06 May 2013, as part of its implementation of the European Union's (EU's) regulation on the Registration, Evaluation, Authorization and Restriction of Chemicals ([REACH](#)), [ECHA](#) added 4,4'-isopropylidenediphenol, also known as bisphenol A or BPA (CAS No. 80-05-7), to the [Registry of Restriction Intentions](#). Substances on the [List of Restrictions](#) have the potential to be limited or banned from manufacture, use, or placement in the market in the EU. Although restriction does not affect operations in the U.S. directly, it can affect the global supply chain and potentially reduce the future availability of regulated substances. ECHA expects the technical dossier for this substance to be submitted in January 2014.

1.2.5 Occupational Safety and Health Administration Releases Chromium Exposure and Health Effects Web Page

OSHA recently established a [website](#) that provides information about chromium, including the following:

- Hazards of exposure to certain forms of chromium
- Employer responsibilities
- Worker rights

Chromium is a metal used in numerous industrial applications such as corrosion inhibition; plating; production of stainless-steel, dyes, glass, and coatings; and as a catalyst in certain chemical manufacturing processes. One form of the element, [hexavalent chromium](#), poses the greatest risks in terms of occupational exposure due to its carcinogenicity.

1.2.6 Two Energy Star Webinars Regarding Data Center Efficiency

EPA has scheduled the following [Energy Star](#) Program [webinars](#) regarding energy efficiency of data centers:

- "[Designing and Implementing Successful Data Center Efficiency Programs](#)" is scheduled for 10 June 2013. The webinar will focus on energy-saving opportunities and practices.
- "[Data Center Energy Efficiency Opportunities: What Managers Should Know](#)" is scheduled for 13 June 2013. EPA will provide answers to frequently asked questions regarding energy savings.

Energy Star is a voluntary EPA program dedicated to improving energy efficiency in appliances, buildings, and other items used by businesses and individuals. Registration is required for webinar participation.

1.2.7 EPA Releases Assessment of PCNB Bioaccumulation and Long-range Transport Potential

On 06 May 2013, EPA [released](#) an [assessment](#) of pentachloronitrobenzene's (PCNB's) potential for bioaccumulation and long-range transport. PCNB is a registered organochlorine fungicide used to suppress the growth of fungi. The assessment updates the 2006 bioaccumulative potential analysis referenced during the registration process for PCNB. The assessment indicates that PCNB has the characteristics of a persistent, bioaccumulative, and toxic chemical, and that it has the potential for long-range transport.

1.2.8 2013 Energy Information Administration Energy Conference

The U.S. Energy Information Administration ([EIA](#)), the statistical and analytical section of the U.S. Department of Energy, has scheduled the [2013 EIA Energy Conference](#) for 17 and 18 June 2013 in Washington D.C. The conference will focus on issues related to current and future energy markets, as well as policy on the national and international levels. Proposed topics for discussion include the following:

- Global Natural Gas Outlook
- Renewable, Storage, and Grid Integration
- World Hydrocarbon Resources
- Energy Consumption and Building Efficiency
- Energy in the Americas
- Alternatives to Oil in Transportation
- U.S. Natural Gas Production Growth and its Implications
- Coal and Nuclear: World and Domestic Outlook
- U.S. Oil Production Growth and its Implications
- International Energy Statistics: Coverage and Quality

[Registration](#) is required to attend the conference.

1.2.9 2013 International Low Impact Development Symposium

The [2013 International Low Impact Development \(LID\) Symposium](#) is scheduled for 18 through 21 August 2013 in Saint Paul, Minnesota. [LID](#) is the development or redevelopment of land for the purpose of managing stormwater to minimize environmental impacts. The symposium will focus on LID research, implementation, policy, financing, and education strategies. [Registration](#) is required to attend the symposium.

1.3 NASA Regulatory Communication Working Group Updates

The next Regulatory Communication Working Group call will be held on Wednesday, 19 June 2013, at 10 a.m. CT.

2.0 State Regulatory Reviews

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

2.1 Alabama State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL051713-1	Species Rabbitsfoot	05/09/2013	78 FR 27171 HTML PDF	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Neosho Mucket, Threatened Status for the Rabbitsfoot, and Designation of Critical Habitat for Both Species [50 CFR Part 17]</p> <p>Announces availability of a draft economic analysis and draft environmental assessment of the proposed designation of critical habitat for the rabbitsfoot, as well as an amended required determinations section of the proposed rule that includes a change of mapping along the Saline and Middle Fork Little Red Rivers (78 FR 63439, 10/12/2012). Comments due 06/10/2013. [RIN 1018-AX73; 1018-AZ30]</p> <p>Action would designate critical habitat for the rabbitsfoot mussel in Madison County, Alabama.</p>	MSFC should be aware of this action.

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
CA051713-1	Fuels	05/10/2013	CRNR 2013, 19z, p. 708	Proposed Rule	<p>California Department of Food and Agriculture</p> <p>Hydrogen Fuel Standards [4 CCR 4180-4181]</p> <p>Proposes to adopt SAEInternational's J2719, "Hydrogen Fuel Quality for Fuel Cell Vehicles," specifications for hydrogen fuel used in fuel cells and internal combustion engines. Comments due 06/24/2013.</p> <p>SAEInternational's J2719 is available for purchase.</p>	
CA051713-2	Natural Resources	05/09/2013	78 FR 27256 HTML PDF	Notice Meeting	<p>Bureau of Land Management</p> <p>Meeting of the California Desert District Advisory Council</p> <p>Announces two meetings to discuss the West Mojave Plan and additional agenda topics that are yet to be determined. Business meeting is scheduled for 06/07/2013 in Cantil, California. Public meeting is scheduled for 06/08/2013 in Ridgecrest, California.</p>	DFRC should be aware of this action.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA051713-3	Occupational Safety	05/17/2013	CRNR 2013, 20z, p. 746	Final Rule	Occupational Safety and Health Standards Board Globally Harmonized System Update to Hazard Communication–Health [8 CCR 1529, 1532, 1532.1-1532.2, 1535, 5150, 5189-5192, 5194, 5198, 5200-5202, 5206-5214, 5217-5218, 5220, and 8358-8359] Adopts updated requirements for the following, to be consistent with the United Nations' GHS: <ul style="list-style-type: none"> HCS warning labels, signs, and safety data sheets Employee training to inform workers and other downstream users of manufactured and imported chemical products Effective 05/06/2013.	
CA051713-4	Toxic Substances Proposition 65	05/17/2013	OEHHA Website	Notice Workshop	Office of Environmental Health Hazard Assessment Notice of Public Workshops and Public Comments for Proposed Section 25904 Listings by Reference to the California Labor Code [27 CCR 25904] and Proposed Amendments to Section 25302 Science Advisory Board [27 CCR 25302] Announces pre-regulatory workshops to gather input concerning the following proposed regulatory actions: <ul style="list-style-type: none"> Rulemaking to clarify the procedure and criteria used to list and de-list chemicals via the Labor Code listing mechanism Amendments to clarify and specify the qualification requirements for members of the CIC and DART-IC Comments due 06/01/2013. Public workshops are scheduled for 06/17/2013 in Sacramento, California, and will be available through webcasts .	
CA051713-5	Water Recycled Water	05/10/2013	CRNR 2013, 19z, p. 719	Final Rule	State Water Resources Control Board Recycled Water Policy Amendment [23 CCR 2920] Adopts amendments to the Recycled Water Policy that implement the following actions: <ul style="list-style-type: none"> Establish monitoring requirements for constituents of concern. Reduce monitoring requirements for priority pollutants in recycled water used for groundwater recharge or landscape irrigation. Effective 04/25/2013. Constituents of concern include chemicals in personal care products; certain pharmaceuticals; industrial, agricultural, and household chemicals; hormones; food additives; transformation products; inorganic constituents; and nanomaterials. Additional information is available on the SWRCB website.	

2.2.1 California Energy Commission Adopts 2013-2014 Investment Plan Update

On 08 May 2013, the California Energy Commission (CEC) [adopted](#) the [2013-2014 Investment Plan Update](#) to support and fund projects involving the development of innovative technologies and alternative renewable fuels. The 2013-2014 update designates funding priorities to support fuel and vehicle development to encourage attainment with the state's climate change-specific goals. Additional information is available on the CEC [website](#).

2.2.2 Cap-and-Trade Workshops

On 15 May 2013, the California ARB [announced](#) the following public workshops to discuss draft changes to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms:

- Market-Related Reporting and Cost Containment, scheduled for 25 June 2013
- Proposed Amendments to the California Cap-and-Trade Program, scheduled for 18 July 2013

Workshop materials will be available on the ARB [website](#) before the workshops. Both workshops will be held in Sacramento, California, and available via [webcast](#).

2.2.3 Diesel Compliance Training

On 16 May 2013, the California Air Resources Board (ARB) announced the following training courses:

- [Course #504](#), In-Use Off-Road Diesel Vehicle Regulation Training
- [Course #511.2](#), Overview of Diesel Emission Control Strategies
- [Course #520](#), How to Comply with ARB Diesel Regulations

These training courses, which are scheduled throughout the summer in various locations, are intended to clarify requirements and technologies for compliance with California's diesel regulations. Additional information is available on the ARB's Compliance Training Courses [website](#).

2.2.4 California Air Districts Regulatory Review

2.2.4.1 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](#).

2.2.4.2 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](#).

2.2.4.3 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](#).

2.2.4.4 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
CAM051713-1	Air Fees	05/13/2013	MDAQMD Website	Proposed Rule	<p>Mojave Desert Air Quality Management District Permit Fees [Rule 301]</p> <p>Proposes amendments to Rule 301 to implement the following actions:</p> <ul style="list-style-type: none"> ▪ Increase of permit-related fees by 2 percent ▪ Fee collection for the PSD program ▪ "Pass through of costs" for permitting activities that require CEQA action <p>Proposed effective date is 01/01/2014. Further information is available in the "Draft Staff Report." Public hearings are scheduled for 06/10/2013 and 06/24/2013 in Victorville, California. Comments due 06/17/2013.</p>	

2.2.4.5 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
CAS051713-1	Air	05/03/2013	SCAQMD Website	Final Rule	<p>South Coast Air Quality Management District Open Burning [Rule 444] and Wood-Burning Devices [Rule 445]</p> <p>Adopts Rules 444 and 445 to control PM_{2.5} emissions from open burn and wood burning activities. Effective 05/03/2013.</p>	
CAS051713-2	Air	05/03/2013	SCAQMD Website	Final Rule	<p>South Coast Air Quality Management District Equipment Not Requiring a Written Permit Pursuant to Regulation II [Rule 219] and Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II [Rule 222]</p> <p>Adopts Rules 219 and 222 to allow for the following actions:</p> <ul style="list-style-type: none"> ▪ Establishes 16 additional exemptions for certain minor source categories, including systems for laser cutting and laser etching, diesel fuel boilers, and aerosol can recycling systems. ▪ Requires operators of certain equipment, including certain diesel fuel boilers and fuel cells, to comply with Rule 222 filing program. Effective 05/03/2013. 	

2.2.4.6 Ventura County Air Pollution Control District

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

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	Suggested Actions
FL051713-1	Air SIP-SO ₂	05/13/2013	FAR Notice #12994525	Notice	Department of Environmental Protection Division of Air Resource Management Announces an opportunity to request a hearing or to provide comments on the proposal to submit documentation to EPA confirming that Florida complies with the requirements of CAA Section 110(a)(2) with respect to the implementation, maintenance, and enforcement of the 2010 revised NAAQS for SO ₂ . The submittal would not be a proposed SIP revision, nonattainment SIP, or attainment plan; it would be a confirmation that Florida's existing SIP meets the CAA's structural requirements.	
FL051713-2	Waste Sewage	05/14/2013	FAR Notice #13007620	Notice Change	Department of Environmental Health Standards for Onsite Sewage Treatment and Disposal Systems [Chapter 64E-6, F.A.C.] Changes proposed rule (FAR Notice #12680342 , 02/25/2013) as follows: <ul style="list-style-type: none"> Clarify applicability of the rule. Revise references. Remove text from Chapter 64E-6.028 Location and Installation. Revised proposed text is available for review.	KSC should be aware of this change.
FL051713-3	Water Permit Fees	05/08/2013	FAR Notice #12978714	Proposed Rule	Department of Environmental Protection Scope of Part I [Chapter 62-4.001, F.A.C.]; Procedures to Obtain Permits and Other Authorizations; Applications [Chapter 62-4.050, F.A.C.]; Scope of Part II [Chapter 62-4.200, F.A.C.] Proposes to simplify the ERP processing fee schedule. Proposed rule text is available for review. Comments due 05/29/2013.	

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
LA051713-1	Air	05/20/2013	AQ337ft	Final Rule	Louisiana Department of Environmental Quality 2012 Annual Incorporation by Reference of Certain Federal Air Quality Regulations [LAC 33:III.506,507,2160,3003,5116,5311 and 5901] Finalizes incorporation by reference of the following federal air quality regulations, into LAC 33, Part III: <ul style="list-style-type: none"> 40 CFR Part 51, Appendix M, Capture Efficiency Test Procedures 40 CFR Part 60, NSPS 40 CFR Part 61, NESHAP 40 CFR Part 63, NESHAP for Source Categories 40 CFR Part 68, Chemical Accident Prevention and Minimization of Consequences 40 CFR Part 70.6(a), Standard Permit Requirements Effective 05/20/2013.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA051713-2	Air Emission Controls	05/20/2013	AQ338	Final Rule	Louisiana Department of Environmental Quality Control Facilities to be Installed When Feasible [LAC 33:III.905.B] Finalizes an exemption to LAC 33:III.905.A, which requires installation of air control facilities when feasible. Rule will allow the department to grant an exemption if the control facility is installed solely to comply with a proposed federal or state regulation that fails to be finalized, provided that the facility complies with the source's air permit emissions limitations. Effective 05/20/2013.	
LA051713-3	Air NSR	05/20/2013	AQ340ft	Final Rule	Louisiana Department of Environmental Quality Definition of "Regulated New Source Review (NSR) Pollutant" [LAC 33:III.509] Revises the definition of "regulated NSR pollutant" to be consistent with the revised federal definition. The revision to the federal rule removed a general requirement in the definition of "regulated NSR pollutant" to include condensable PM when measuring one of the emissions-related indicators for PM known as particulate matter emissions in the context of the PSD and NSR regulations (77 FR 65107 , 10/25/2012). Effective 05/20/2013.	
LA051713-4	Water 303(d) List	05/09/2013	78 FR 27233 HTML PDF	Notice	U.S. Environmental Protection Agency Clean Water Act: Availability of List Decisions Announces availability of EPA's action identifying water quality limited segments and associated pollutants in Louisiana to be listed on the state 2012 303(d) List. Solicits comments about EPA's proposed decision to add three additional waterbodies that were not included with the state's submittal. Correspondence and lab reports are available for review. Comments due 06/10/2013.	

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	Suggested Actions
MD051713-1	Air SIP-Lead	05/17/2013	40:10 Md.R. 951	Notice Hearing	Department of the Environment SIP-Lead NAAQS; Public Meeting Announces a public hearing to discuss the SIP that addresses implementation, maintenance, and enforcement measures for the 2008 Lead NAAQS. Hearing is scheduled for 06/12/2013 in Baltimore, Maryland.	
MD051713-2	Air SIP-NO ₂	05/17/2013	40:10 Md.R. 950	Notice Hearing	Department of the Environment SIP-NO ₂ NAAQS; Public Meeting Announces a public hearing to discuss the SIP that addresses implementation, maintenance, and enforcement measures for the 2010 1-hour NO ₂ NAAQS. Hearing is scheduled for 06/12/2013 in Baltimore, Maryland.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD051713-3	Occupational Safety	05/17/2013	40:10 Md.R. 916	Final Rule	<p>Department of Labor, Licensing, and Regulation Maryland Occupational Safety and Health Act—Incorporation by Reference of Federal Standards [COMAR 19.12.31]</p> <p>Adopts, through incorporation by reference, the following changes:</p> <ul style="list-style-type: none"> ▪ Corrects OSHA medical evaluation questionnaire by removing the term “fits” in a question. ▪ Restores requirements that inadvertently were removed from the OSHA Standard on Mechanical Power Presses for general industry. ▪ Corrects a cross-reference made in two paragraphs of the Scaffold Standard. <p>Effective 05/27/2013.</p>	
MD051713-4	Occupational Safety Bloodborne Pathogens	05/17/2013	40:10 Md.R. 916	Final Rule	<p>Department of Labor, Licensing, and Regulation Maryland Occupational Safety and Health Act—Incorporation by Reference of Federal Standards [COMAR 19.12.31]</p> <p>Adopts, through incorporation by reference, a technical amendment to OSHA’s Bloodborne Pathogens Standard to move the rule’s paragraph on sharps injury log requirements from the “Dates” paragraph to the “Recordkeeping” paragraph. Effective 05/27/2013.</p>	
MD051713-5	Occupational Safety PPE	05/17/2013	40:10 Md.R. 929	Proposed Rule	<p>Department of Labor, Licensing, and Regulation Maryland Occupational Safety and Health Act—Incorporation by Reference of Federal Standards [COMAR 19.12.31]</p> <p>Proposes to adopt, through incorporation by reference, corrections and amendments to OSHA’s consensus standards relating to head protection. Comments due 06/17/2013.</p>	
MD051713-6	Occupational Safety Rigging Equipment	05/17/2013	40:10 Md.R. 917	Final Rule	<p>Department of Labor, Licensing, and Regulation Maryland Occupational Safety and Health Act—Incorporation by Reference of Federal Standards [COMAR 19.12.31]</p> <p>Adopts, through incorporation by reference, OSHA’s amendment to a sling standard for construction titled, “Rigging Equipment for Material Handling.” Effective 05/27/2013.</p>	
MD051713-7	Radiation	05/17/2013	40:10 Md.R. 932	Proposed Rule	<p>Department of the Environment Radiation Protection [COMAR 26.12.01]</p> <p>Proposes to incorporate by reference Supplement 23 to the Regulations for the Control of Ionizing Radiation (1994), which includes the following:</p> <ul style="list-style-type: none"> ▪ Two U.S. Nuclear Regulatory Commission rules relating to radioactive material licensee decommissioning planning, and “construction” relative to radioactive material licensees ▪ Requirement for a decommissioning funding plan for certain radioactive material licensees ▪ Deletion of any use of a C-arm fluoroscope by untrained users ▪ Documentation requirements for radiation machine preventive maintenance reports <p>Comments due 06/17/2013.</p> <p>Additional information is available at MDE’s website.</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

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

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio. An archive of past public notices is available on the OEPA [website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH051713-1	Air Permitting	05/16/2013	DAPC-What's New	Notice	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p>Emergency Electrical Generator Permit-By-Rule Compliance Advisory</p> <p>Announces limitation of emergency electrical generators operating under an OEPA permit-by-rule to operate for peak shaving or other non-emergency demand response during specific timeframes as specified in the RICE NESHAP. Emergency electrical generators not permitted under OEPA's permit-by-rule cannot be operated for non-emergency demand response unless authorized by a permit term. Further details are provided in the Director's Final Findings and Notice.</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.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX051713-1	Air SIP-Low Emission Diesel	05/06/2013	78 FR 26255 HTML PDF	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Texas; Approval of Texas Low Emission Diesel Fuel Rule Revisions [40 CFR Part 52]</p> <p>Direct final rule approves the following revisions to the SIP concerning the Texas Low Emission Diesel fuel rules:</p> <ul style="list-style-type: none"> Clarification of existing definitions and provisions Approval of procedures for alternative diesel fuel formulations Addition of new registration requirements Updates to reflect the current program status since the rule was implemented <p>Effective 07/05/2013.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX051713-2	Air SIP-Stage II Vapor Recovery	05/10/2013	38 TexReg 2823	Proposed Rule	<p>Texas Commission On Environmental Quality Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities [30 TAC 115]</p> <p>Proposed rule would eliminate the requirement for owners of new gasoline dispensing facilities to install Stage II vapor recovery equipment. Also would require owners of existing gasoline dispensing facilities to properly decommission Stage II equipment. Public hearings are scheduled for the following dates and locations:</p> <ul style="list-style-type: none"> ▪ 05/30/2013 in El Paso, Texas ▪ 05/30/2013 in Beaumont, Texas ▪ 05/31/2013 in Houston, Texas ▪ 06/03/2013 in Arlington, Texas ▪ 06/04/2013 in Austin, Texas <p>Comments due 06/10/2013.</p>	

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
UT051713-1	Air SIP	05/09/2013	78 FR 27165 HTML PDF	Proposed Rule	<p>U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Utah; Revisions to Utah Rule R307-107; General Requirements; Breakdowns [40 CFR Part 52]</p> <p>Proposes to approve changes to Utah's rule R307-107 to correct rule deficiencies and to satisfy a 04/18/2011 EPA SIP call resulting from EPA's final rulemaking, which found that the Utah SIP was substantially inadequate to attain or maintain the NAAQS or to otherwise comply with the CAA requirements. Proposed changes would implement the following actions:</p> <ul style="list-style-type: none"> ▪ 24-hour reporting limit for source breakdowns and 14-day limit for a written description and corrective program ▪ Breakdown incident reports requirements, including cause and nature of event, estimated emissions, time of emissions, and relevant evidence ▪ Elimination of the unavoidable breakdown exemption <p>Comments due 06/10/2013.</p>	NASA-related operations in Utah should be aware of this action.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT051713-2	Water Wastewater	05/15/2013	UT Bull. Vol. 2013-10; DAR File No. 37575	Proposed Rule	Utah Department of Environmental Quality; Division of Water Quality Onsite Wastewater Systems [R317-4] Proposes to repeal and reenact the existing rule to improve organization and to implement current concepts and technology. Proposed changes include the following: <ul style="list-style-type: none"> Provide variances for properties that are unsuitable under the existing rule to approve installation of onsite wastewater systems. Provide updates to certain treatment specifications, including soil cover over tanks and maximum absorption trench length. Eliminate permitting of earth fill systems. Approve use of sand-lined trench systems under certain conditions. Grant authority to local health departments to administer the alternative system program. Proposed rule text is available for review. Comments due 06/14/2013.	

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
VA051713-1	Occupational Safety Hazard Communication	05/06/2013	29:18 VA.R. 2238	Final Rule	Virginia Department of Labor and Health Safety and Codes Board Federal Identical General Industry Standards [16VAC25-90], Federal Identical Shipyard Employment Standards [16VAC25-100], Federal Identical Construction Industry Standards [16VAC25-175] Incorporates the following corrections made to the OSHA Hazard Communications Standard (77 FR 17573 , 03/26/2012): <ul style="list-style-type: none"> Replaces "MSDS" with "SDS." Updates values and notations in certain tables. Updates certain references to terms defined in the Hazard Communication Standard. Effective 06/15/2013.	
VA051713-2	Water Stormwater	05/06/2013	29:18 VA.R. 2246	Final Rule Correction	Virginia Department of Conservation and Recreation Soil and Water Conservation Board Virginia Stormwater Management Program [4VAC50-60] Implements minor corrections to the final rule that amended and reissued the MS4 permit (29:17 VA.R. 2105 , 04/22/2013). Amendments include the following actions: <ul style="list-style-type: none"> Clarified permit discharge coverage. Required operators to identify surface waters listed in the state 303(d) list. Added tables clarifying Plan schedule and clarified calculation requirements. Updated language for application processes. Clarified minimum criteria for certain control measures. Clarified actions requiring permit modification and permit modification application process. 	