



National Aeronautics and  
Space Administration

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

# Regulatory Tracking Summary

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*28 June 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](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms and Abbreviations

4-tert-OPnEO = 4-Tert-octylphenol ethoxylates  
 ADCA = Diazene-1,2-dicarboxamide (C,C'-azodi(formamide))  
 ATSDR = Agency for Toxic Substances and Disease Registry  
 Al-RCF = Aluminosilicate Refractory Ceramic Fibres  
 APFO = Ammonium pentadecafluorooctanoate  
 ASME = American Society of Mechanical Engineers  
 ASTM = American Society for Testing and Materials  
 BAAQMD = Bay Area Air Quality Management District  
 CAS = Chemical Abstract Service  
 CCR = California Code of Regulations  
 CFR = *Code of Federal Regulations*  
 CO = Carbon monoxide  
 COMAR = *Code of Maryland Regulations*  
 CRNR = California Regulatory Notice Register  
 DecaBDE = Decabromodiphenyl ether  
 DMF = N,N-dimethylformamide  
 DMWM = Division of Materials and Waste Management  
 DNT = Dinitrotoluene  
 DPP = Dipentyl phthalate  
 DSW = Division of Surface Water  
 ECHA = European Chemicals Agency  
 EGU = Electric utility steam generating unit  
 EPA = U.S. Environmental Protection Agency  
 EPCRA = Emergency Planning and Community Right-to-Know Act  
 ERC = Emissions reduction credit  
 EU = European Union  
 F.A.C. = Florida Administrative Code  
 FAR = *Florida Administrative Register*  
 FDEP = Florida Department of Environmental Protection  
 FFO = Federal Funding Opportunity  
 FIFRA = Federal Insecticide, Fungicide, and Rodenticide Act  
 FR = *Federal Register*  
 GHS = Globally Harmonized System  
 GRC = Glenn Research Center  
 GSA = General Services Administration  
 GSFC = Goddard SpaceFlight Center  
 KSC = Kennedy Space Center  
 LaRC = Langley Research Center  
 Md.R. = *Maryland Register*  
 MGI = Materials Genome Initiative  
 µg/m<sup>3</sup> = Micrograms per cubic meter  
 M-TAC = Manufacturing Technology Acceleration Centers  
 NAA = Nonattainment area  
 NAAQS = National Ambient Air Quality Standards  
 NASA = National Aeronautics and Space Administration  
 NESHAP = National Emission Standards for Hazardous Air Pollutants  
 NCEA = National Center for Environmental Assessment  
 NHTSA = National Highway Traffic Safety Administration  
 NIOSH = National Institute for Occupational Safety and Health

NIST = National Institute of Standards and Technology  
 NMAC = New Mexico Administrative Code  
 NO<sub>x</sub> = Nitrogen oxides  
 NPDES = National Pollutant Discharge Elimination System  
 NSPS = New Source Performance Standards  
 NSR = New Source Review  
 O<sub>3</sub> = Ozone  
 OAC = Ohio Administrative Code  
 OEHHA = Office of Environmental Health Hazard Assessment  
 OEPA = Ohio Environmental Protection Agency  
 Pb = Lead  
 PBS = Plum Brook Station  
 PEL = Permissible exposure limit  
 PFOA = Pentadecafluorooctanoic acid  
 PM = Particulate matter  
 PM<sub>10</sub> = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less  
 PM<sub>2.5</sub> = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less  
 PPA = Pollution Prevention Act  
 ppm = Parts per million  
 PSD = Prevention of significant deterioration  
 REACH = Registration, Evaluation, Authorization, and Restriction of Chemicals  
 REL = Reference exposure level  
 RICE = Reciprocating internal combustion engine  
 RIN = Regulatory Identification Number  
 RRAC PC = Principal Center for Regulatory Risk Analysis and Communication  
 SAE = Society of Automotive Engineers  
 SCAQMD = South Coast Air Quality Management District  
 SI = Spark-ignition  
 SIP = State Implementation Plan  
 SJRWMD = St. Johns River Water Management District  
 SNUR = Significant New Use Rule  
 STEL = Short-term exposure limit  
 SVHC = Substance of very high concern  
 TDI = Toluene diisocyanate  
 TMDL = Total maximum daily load  
 TWA = Time-weighted average  
 U.S. = United States  
 USACE = U.S. Army Corps of Engineers  
 UST = Underground storage tank  
 VAC = Virginia Administrative Code  
 VA.R = *Virginia Register*  
 VCAPCD = Ventura County Air Pollution Control District  
 VDEQ = Virginia Department of Environmental Quality  
 VOC = Volatile organic compound  
 WFF = Wallops Flight Facility  
 WSTF = White Sands Test Facility  
 Zr-RCF = Zirconia aluminosilicate-refractory ceramic fibres

## 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
FED062813-1	Air Engines	06/17/2013	<a href="#">78 FR 36369 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>U.S. Environmental Protection Agency; National Highway Traffic Safety Administration</p> <p>Heavy-Duty Engine and Vehicle, and Nonroad Technical Amendments [40 CFR Parts 85, 86, 1036, 1037, 1039, 1042, 1048, 1054, 1065, 1066, and 1068; and 49 CFR Parts 523 and 535]</p> <p>Direct final rule implements amendments intended to:</p> <ul style="list-style-type: none"> <li>▪ Streamline reporting requirements.</li> <li>▪ Harmonize certain differences between EPA and NHTSA programs.</li> <li>▪ Align testing procedures to market realities.</li> <li>▪ Reduce unnecessary testing burdens.</li> <li>▪ Adjust replacement engine exemption provisions.</li> <li>▪ Increase flexibility for the Tier 4 standards for nonroad diesel engines.</li> <li>▪ Specify applicable SAE standards related to fuel lines of certain nonroad SI engines.</li> <li>▪ Allow use of ethanol-based test fuel for certain nonroad SI engines.</li> </ul> <p>Comments due 07/17/2013. Effective 08/16/2013. [RIN 2060-AR48; 2127-AL31]</p>	
FED062813-2	Air Lead	06/26/2013	<a href="#">78 FR 38318 HTML</a>   <a href="#">PDF</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>Integrated Science Assessment for Lead</p> <p>Announces availability of the final document, "<a href="#">Integrated Science Assessment for Lead</a>," as part of the review of the Lead NAAQS. Additional information is available at the <a href="#">NCEA website</a>.</p>	
FED062813-3	Air NESHAPs-EGUs and Steam Generating Units	06/25/2013	<a href="#">78 FR 38001 HTML</a>   <a href="#">PDF</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Reconsideration of Certain Startup/Shutdown Issues: National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units [40 CFR Parts 60 and 63]</p> <p>Solicits comments on technical analyses of public comments about proposed revisions of requirements related to periods of startup and shutdown. Comments due 08/26/2013. [RIN 2060-AR62]</p>	<a href="#">NASA Centers and related facilities</a> should be aware of this action.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED062813-4	Air Reporting	06/20/2013	<a href="#">78 FR 37164 HTML</a>   <a href="#">PDF</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Revisions to the Air Emissions Reporting Requirements: Revisions to Lead (Pb) Reporting Threshold and Clarifications to Technical Reporting Details [40 CFR Part 51]</p> <p>Proposes amendments including the following:</p> <ul style="list-style-type: none"> <li>Develop lower reporting threshold for Pb sources as point sources.</li> <li>Eliminate emissions reporting requirements for wildfires and prescribed fires.</li> <li>Replace reporting requirement for mobile source emissions with a requirement to report input parameters required for federal emissions estimates models.</li> <li>Remove requirements to report daily and seasonal emissions associated with CO, O<sub>3</sub>, and PM<sub>10</sub> NAAs and NO<sub>x</sub> SIP call areas</li> </ul> <p>Comments due 08/19/2013. [RIN 2060-AR29]</p>	
FED062813-5	Conservation	06/28/2013	<a href="#">78 FR 38848 HTML</a>   <a href="#">PDF</a>	Proposed Rule	<p>National Oceanic and Atmospheric Administration</p> <p>Re-establishing the Sanctuary Nomination Process [15 CFR Part 922]</p> <p>Proposes to amend regulations governing the process for nominating and evaluating sites for eligibility as a national marine sanctuary. Comments due 08/27/2013. [RIN 0648-BD20]</p>	
FED062813-6	Emergency Response	06/19/2013	<a href="#">78 FR 36753 HTML</a>   <a href="#">PDF</a>	Notice	<p>U.S. Army Corps of Engineers</p> <p>North Atlantic Coast Comprehensive Study</p> <p>Announces the efforts to complete a comprehensive study that will focus on reduction of flood risks to vulnerable coastal populations, and will promote sustainable coastal communities. The draft Study will be available for public review and comment in early 2014.</p> <p><a href="#">Additional information is available at the USACE North Atlantic Division's website.</a></p>	<a href="#">GSFC, LaRC, and WFF</a> should be aware of this action.
FED062813-7	Occupational Safety Nanomaterials	06/19/2013	<a href="#">78 FR 36784 HTML</a>   <a href="#">PDF</a>	Notice Meeting	<p>Centers for Disease Control and Prevention</p> <p>Survey of Nanomaterial Risk Management Practices</p> <p>Announces a public meeting to discuss a proposed NIOSH <a href="#">survey</a> to evaluate the use of NIOSH guidelines and risk mitigation practices for safe handling of engineered nanomaterials. Comments due 09/15/2013.</p>	
FED062813-8	Occupational Safety Toluene Diisocyanate	06/24/2013	<a href="#">78 FR 37818 HTML</a>   <a href="#">PDF</a>	Notice	<p>Centers for Disease Control and Prevention</p> <p>Request for Information on Toluene Diisocyanates</p> <p>Announces intent to evaluate data on TDI to develop a Criteria Document to establish an updated TDI REL. Solicits information about topics, including the following:</p> <ul style="list-style-type: none"> <li>Information about possible health effects observed in workers exposed to TDI</li> <li>Description of work tasks and scenarios with a potential for TDI exposure</li> <li>Information about control measures used in workplaces where there is a potential for TDI exposure</li> <li>Surveillance findings</li> </ul> <p>Comments due 08/08/2013.</p> <p><a href="#">TDI is used as a component of materials such as polyurethane foams, coatings, adhesives, and sealants. Further information on TDI is posted on EPA's website.</a></p>	<a href="#">NASA Centers and related facilities</a> should be aware of this action.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED062813-9	Technology	06/21/2013	<a href="#">78 FR 37522 HTML</a>   <a href="#">PDF</a>	Notice	<p>National Institute of Standards and Technology Request for Information on Pilots to Inform the Creation of Potential New Manufacturing Technology Acceleration Centers</p> <p>Solicits comments on NIST's planning process for development of a FFO to competitively fund new M-TACs. The emphasis of future M-TACs will be to conduct technology transition and commercialization activities for small- to mid-sized U.S. manufacturers with the intent to improve their readiness to adopt or adapt advanced technologies into their processes and products. Comments due 07/22/2013.</p>	
FED062813-10	Technology	06/21/2013	<a href="#">78 FR 37591 HTML</a>   <a href="#">PDF</a>	Notice	<p>National Science Foundation Making the Most of Big Data: Request for Information</p> <p>Solicits information for projects under the second annual Big Data Initiative. The initiative encourages development of and participation in Big Data innovation projects. Topics of interest include the following:</p> <ul style="list-style-type: none"> <li>▪ Advanced technologies that support Big Data and data analytics</li> <li>▪ Education and expansion of the Big Data workforce</li> <li>▪ Development, demonstration, and evaluation of Big Data applications that result in economic improvements</li> <li>▪ Demonstrations of the role that prizes and challenges can play in deriving new insights from Big Data</li> <li>▪ Fostering regional innovation</li> </ul> <p>Project submissions due 09/02/2013.</p>	
FED062813-11	Toxic Substances Nonylphenol	06/20/2013	<a href="#">78 FR 37176 HTML</a>   <a href="#">PDF</a>	Proposed Rule	<p>U.S. Environmental Protection Agency Addition of Nonylphenol Category; Community Right-to-Know Toxic Chemical Release Reporting [40 CFR Part 372]</p> <p>Proposes to add a nonylphenol category to the list of toxic chemicals subject to reporting under EPCRA Section 313 and PPA Section 6607. Comments due 08/19/2013. [RIN 2025-AA34]</p> <p><b>Nonylphenols may be constituents of formulated materials such as cleaning agents and coatings. Further information on nonylphenols and related substances is posted on EPA's <a href="#">website</a>.</b></p>	<a href="#">NASA Centers and related facilities</a> should be aware of this action.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions																												
FED062813-12	Toxic Substances SNURs	06/26/2013	<a href="#">78 FR 38210 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Significant New Use Rules on Certain Chemical Substances [40 CFR Parts 9 and 721]</p> <p>Direct final rule finalizes SNURs for the following chemical substances:</p> <ul style="list-style-type: none"> <li>▪ Ethane, 2-bromo-1, 1-difluoro-</li> <li>▪ Multi-walled carbon nanotubes (generic)</li> <li>▪ [5,6]Fullerene-C60-Ih</li> <li>▪ [5,6]Fullerene-C70-D5h(6)</li> <li>▪ [5,6]Fullerene-C84-D2</li> <li>▪ [5,6]Fullerene-C84-D2d</li> <li>▪ 3'H-Cyclopropa[1,9][5,6]fullerene-C60-Ih-3'-butanoic acid, 3'-phenyl-, methyl ester</li> <li>▪ 3'H-Cyclopropa[8,25][5,6]fullerene-C70-D5h(6)-3'-butanoic acid, 3'-phenyl-,methyl ester</li> <li>▪ 3'H-Cyclopropa[7,22][5,6]fullerene-C70-D5h(6)-3'-butanoic acid, 3'-phenyl-, methyl ester.</li> <li>▪ Single-walled and multi-walled carbon nanotubes (generic)</li> <li>▪ 4,4'-Bipyridinium, 1-(phosphonoalkyl)-1'-substituted-, salt with anion (1:2) (generic)</li> <li>▪ Benzene ethenyl-, polymer with 1,3 butadiene,brominated</li> </ul> <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 08/26/2013. [RIN 2070-AB27]</p>	NASA should be aware of this action.																												
FED062813-13	Toxic Substances	06/28/2013	<a href="#">78 FR 38982 HTML</a>   <a href="#">PDF</a>	Notice	<p>Department of Health and Human Services</p> <p>Availability of Draft Toxicological Profiles</p> <p>Solicits comments on the <a href="#">Set 25 Toxicological Profiles</a> and requests additional information or reports on studies about the health effects of the following substances:</p> <table border="1"> <thead> <tr> <th>Substance</th> <th>CAS</th> </tr> </thead> <tbody> <tr> <td>1 Hexachlorobenzene (UPDATE)</td> <td>118-74-1</td> </tr> <tr> <td>2 Endosulfan (UPDATE)</td> <td>115-29-7</td> </tr> <tr> <td>Endosulfan sulfate</td> <td>1031-07-8</td> </tr> <tr> <td>Endosulfan-alpha</td> <td>95-99-98</td> </tr> <tr> <td>Endosulfan-beta</td> <td>33213-65-9</td> </tr> <tr> <td>3 1,1-Dichloroethane (UPDATE)</td> <td>75-34-3</td> </tr> <tr> <td>4 Dinitrotoluenes (UPDATE)</td> <td></td> </tr> <tr> <td>2,3-DNT</td> <td>602-01-7</td> </tr> <tr> <td>2,4-DNT</td> <td>121-14-2</td> </tr> <tr> <td>2,5-DNT</td> <td>619-15-8</td> </tr> <tr> <td>2,6-DNT</td> <td>606-20-2</td> </tr> <tr> <td>3,4-DNT</td> <td>610-39-9</td> </tr> <tr> <td>3,5-DNT</td> <td>618-85-9</td> </tr> </tbody> </table> <p>Comments due 09/30/2013.</p>	Substance	CAS	1 Hexachlorobenzene (UPDATE)	118-74-1	2 Endosulfan (UPDATE)	115-29-7	Endosulfan sulfate	1031-07-8	Endosulfan-alpha	95-99-98	Endosulfan-beta	33213-65-9	3 1,1-Dichloroethane (UPDATE)	75-34-3	4 Dinitrotoluenes (UPDATE)		2,3-DNT	602-01-7	2,4-DNT	121-14-2	2,5-DNT	619-15-8	2,6-DNT	606-20-2	3,4-DNT	610-39-9	3,5-DNT	618-85-9	
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FED062813-14	Water Storm water	06/27/2013	<a href="#">78 FR 38591 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>National Pollutant Discharge Elimination System Regulation Revision: Removal of the Pesticide Discharge Permitting Exemption in Response to Sixth Circuit Court of Appeals Decision [40 CFR Part 122]</p> <p>Final rule removes 2006 NPDES Pesticides Rule language that exempted application of pesticides from permit requirements when the pesticide is applied directly to waters of the U.S. and when the pesticide is applied to control pests that are over, or near, waters of the U.S. Effective 06/27/2013. [RIN 2040-AF47]</p>																													

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED062813-15	Water Testing	06/21/2013	<a href="#">78 FR 37463 HTML</a>   <a href="#">PDF</a>	Notice Correction	U.S. Environmental Protection Agency Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures [40 CFR Part 141]  Announces corrections to several Alternative Testing Methods tables listed in the final rule ( <a href="#">78 FR 32558</a> , 05/31/2013).	

## 1.2 Other News and Developments

### 1.2.1 European Chemicals Agency Updates

As part of its implementation of the European Union's (EU's) regulation on the Registration, Evaluation, Authorization, and Restriction of Chemicals ([REACH](#)), the European Chemicals Agency ([ECHA](#)) added dihexyl phthalate (CAS No. 84-75-3) and ethylene thiourea; imidazolidine-2-thione; 2-imidazoline-2-thiol (CAS No. 96-45-7) to the [Registry of Intentions](#) for Substances of Very High Concern ([SVHCs](#)). ECHA expects the technical dossiers for these substances to be submitted in August 2013. 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 Authorization](#). In addition, on 20 June 2013, the ECHA added 6 SVHCs to the Candidate List for Authorization under REACH, bringing the total number of SVHCs to 144. Substances on the SVHC Candidate List are eligible to be considered for listing on the [Authorization List](#), Reach Annex XIV. Inclusion on the Authorization List would impose special authorization requirements for continued manufacture and use in the EU. The new substances identified as SVHCs and added to the Candidate List are listed in the following table:

Substance Name	CAS Number
Dipentyl phthalate (DPP)	131-18-0
Pentadecafluorooctanoic acid (PFOA)	335-67-1
Ammonium pentadecafluorooctanoate (APFO)	3825-26-1
Cadmium oxide	1306-19-0
Cadmium	7440-43-9
4-Nonylphenol, branched and linear, ethoxylated [substances with a linear and/or branched alkyl chain with a carbon number of 9 covalently bound in position 4 to phenol, ethoxylated covering UVCB- and well-defined substances, polymers and homologues, which include any of the individual isomers and/or combinations thereof]	N/A

On 24 June 2013, ECHA launched a public [consultation](#) regarding the inclusion of 6 new substances in the Authorization List. The comment deadline for the consultation is 23 September 2013. The substances recommended for inclusion in the Authorization List are listed in the following table:

Substance Name	CAS Number
N,N-dimethylformamide (DMF)	68-12-2
Diazene-1,2-dicarboxamide (C,C'-azodi(formamide) (ADCA)	123-77-3
Bis(pentabromophenyl) ether (decabromodiphenyl ether) (DecaBDE)	1163-19-5
4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated (4-tert-Octylphenol ethoxylates) (4-tert-OPnEO)	9081-99-6
Aluminosilicate Refractory Ceramic Fibres (Al-RCF)	N/A
Zirconia Aluminosilicate Refractory Ceramic Fibres (Zr-RCF)	N/A

Although requirements associated with Authorization do not affect operations in the U.S. directly, they can affect the global supply chain and reduce the availability of regulated materials.

### 1.2.2 EPA Report on Development's Impacts on Public Health and Environment

EPA has [released](#) a [technical review](#) document, "[Our Built and Natural Environments: A Technical Review of the Interactions among Land Use, Transportation, and Environmental Quality \(2nd Edition\)](#)." The document is intended to address potential public health and environmental impacts resulting from land use, development, and transportation. Specifically, the report discusses the following topics:

- Current land use practices and associated environmental impacts
- The relationship between land use and transportation and the quality of air, water, land resources, habitat, and human health
- Development strategies intended to reduce impacts to human health and the environment

### 1.2.3 Web-based Pesticide Emergency Exemption Program Training

EPA has launched an online [training](#) resource for the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) [Section 18](#) emergency exemption program. Under Section 18, EPA is authorized to allow unregistered use of a pesticide during emergency conditions. A federal or state agency may request such exemptions through Section 18. The following training modules provide information about applying for exemption status:

- Module 1: [Options to Address Critical Pest Situations](#)
- Module 2: [Section 18s in Detail](#)
- Module 3: [Significant Economic Loss](#)
- Module 4: [Application Requirements](#)
- Module 5: [EPA Review and Decision Process](#)
- Module 6: [Reporting and Recordkeeping Requirements](#)
- Module 7: [Repeat Requests and Recertifications](#)
- Module 8: [Interactive Review](#)

### 1.2.4 National Institute of Standards and Technology Center for Excellence Advanced Materials Research

The National Institute of Standards and Technology ([NIST](#)) has [announced](#) plans to create the Advanced Materials Center of Excellence to promote collaboration between NIST and external researchers on materials development projects. The center will promote the Materials Genome Initiative ([MGI](#)), which was established with the goal of reducing the time required to research materials for mainstream uses.

### 1.2.5 GSA Green Products and Services Webinar

The U.S. General Services Administration (GSA) recently posted a [webinar](#) regarding green products and services. The goal of the webinar is to provide government employees with information about sustainability procedures. The webinar will focus on the following topics:

- Executive Orders, Federal Acquisition Regulation, and reporting requirements regarding sustainable procurement
- Identification of agency and facility environmentally responsible features
- Management of resources for procurement of green products and services

### 1.2.6 EPA RICE NESHAP and NSPS Regulation Tools

EPA recently updated [guidance tools](#), including an [applicability navigator](#), for complying with requirements under the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Reciprocating Internal Combustion Engines (RICE) [[40 CFR 63 Subpart ZZZZ](#)]. EPA's Region I also has posted a RICE NESHAP [guidance page](#) that summarizes recent rule revisions and outlines applicability and requirements for various subcategories of stationary RICE.

In addition, EPA has added regulation navigation tools for the New Source Performance Standards (NSPS) for [spark ignition](#) RICE and [compression ignition](#) RICE ([40 CFR 60 Subparts IIII](#) and [JJJJ](#)). The NSPS navigation tools provide the following information:

- Historic Federal Register notices, including both proposed and final rules
- Technical information used to develop the rules
- Program implementation guidance
- Website links providing additional information

### 1.3 NASA Regulatory Communication Working Group Updates

The next Regulatory Communication Working Group call will be held on Wednesday, 17 July 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

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

### 2.2 California State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA062813-1	Occupational Safety Hazard Communication	06/28/2013	<a href="#">CRNR 2013, 26z, p. 953</a>	Proposed Rule	Occupational Safety and Health Standards Board  Notice of Proposed Changes to GHS–Update to Hazard Communication [8 CCR 1929-1932, 1934-1936, 5154, 5191, 5194, 5415, 5449, 5451, 5531-5534, 5541-5543, 5545-5547, 5549, 5556, 5558, 5560, 5566, 5568-5570, 5573-5579, 5590, 5592, 5594, 5596-5599, 5601, 5606, 5616-5622, and 5624], Powered Industrial Trucks - Excessive Loads [8 CCR 3650], and Airborne Contaminants, Naphthalene [8 CCR 5155]  Proposes the following amendments: <ul style="list-style-type: none"> <li>Conform state standards to the federal rules for Hazard Communication (<a href="#">77 FR 17573</a>, 03/26/2012), particularly as related to the handling, storage, and use of flammable and combustible liquids.</li> <li>Revise language to focus on load stability and security rather than size or dimensions, by following the industrial truck manufacturers' recommendations for securing a load against displacement.</li> <li>Revise the 8-hour TWA PEL and 15-minute STEL for naphthalene to 0.1 ppm and 3.2 ppm, respectively.</li> </ul> Public hearing is scheduled for 08/15/2013 in Sacramento, California. Comments due 08/15/2013.	
CA062813-2	Toxic Substances Benzene	06/21/2013	<a href="#">CRNR 2013, 25z, p. 945</a>	Proposed Rule	Office of Environmental Health Hazard Assessment  Proposed Revised RELs for Benzene  <a href="#">Proposes</a> the following revised RELs for benzene: <ul style="list-style-type: none"> <li>1-hour acute REL: 27 µg/m<sup>3</sup></li> <li>8-hour REL: 7 µg/m<sup>3</sup></li> <li>Chronic REL: 7 µg/m<sup>3</sup></li> </ul> Solicits comments about the draft <a href="#">technical support document</a> for the derivation of the revised noncancer RELs, which is available for review. Public workshop is scheduled for 07/17/2013 in Sacramento, California. Comments due 08/20/2013.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA062813-3	Toxic Substances Tetraconazole	06/25/2013	<a href="#">OEHHA Website</a>	Notice Withdrawal	Office of Environmental Health Hazard Assessment  Withdrawal of Intent to List Tetraconazole as Known to the State to Cause Cancer [27 CCR 25306]  Withdraws OEHHA's notice of intent to list tetraconazole as known to the state to cause cancer. ( <a href="#">CRNR 2011, 48z, p.1942, 12/02/2011</a> )	
CA062813-4	Waste Spills	06/28/2013	<a href="#">CRNR 2013, 26z, p. 971</a>	Final Rule	Office of Spill Prevention and Response  Removal of State Interagency Oil Spill Committee References [14 CCR 816.01(c)(3), 826.01(c)(2), and 870.21(d)]  Removes references to "State Interagency Oil Spill Committee" as a result of the committee's dissolution. Effective 06/19/2013.	

## 2.2.1 California Air Districts Regulatory Review

### 2.2.1.1 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](#).

### 2.2.1.2 Bay Area Air Quality Management District

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAB062813-1	Air Fees-Open Burning	06/19/2013	<a href="#">BAAQMD Website</a>	Final Rule	Bay Area Air Quality Management District  Fees [Regulation 3], Open Burning [Regulation 5]  Adopts the following amendments to Regulations 3 and 5: <ul style="list-style-type: none"> <li>▪ Fee increases for the following activities: <ul style="list-style-type: none"> <li>▪ Certain permit operations</li> <li>▪ New and modified source reviews</li> <li>▪ Emission banking</li> <li>▪ Compliance plans</li> <li>▪ Permit renewal processing</li> </ul> </li> <li>▪ New fees for the following activities: <ul style="list-style-type: none"> <li>▪ Transfer of ownership</li> <li>▪ Certificate of exemptions</li> <li>▪ Incident response</li> <li>▪ Open burning</li> </ul> </li> <li>▪ Language clarifications for permit renewals and late fee payments Effective 07/01/2013.</li> </ul>	

### 2.2.1.3 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](#).

### 2.2.1.4 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](#).

### 2.2.1.5 South Coast Air Quality Management District

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS062813-1	Air SIP-PM	06/24/2013	<a href="#">78 FR 37719 HTML</a>   <a href="#">PDF</a>	Final Rule	U.S. Environmental Protection Agency Interim Final Determination To Defer Sanctions; California; South Coast Air Quality Management District [40 CFR Part 52]  Interim final rule defers sanctions on proposed revisions to the SCAQMD portion of the SIP regarding the 1997 annual and 24-hour NAAQS for PM <sub>2.5</sub> in the Los Angeles-South Coast Air Basin. Effective 06/24/2013. Comments due 07/24/2013.	
CAS062813-2	Air SIP-PM	06/26/2013	<a href="#">78 FR 38223 HTML</a>   <a href="#">PDF</a>	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; California; South Coast Air Basin; Approval of PM <sub>10</sub> Maintenance Plan and Redesignation to Attainment for the PM <sub>10</sub> Standard [40 CFR Parts 52 and 81]  Final rule approves the following revisions to the California SIP: <ul style="list-style-type: none"> <li>Redesignation of the Los Angeles-South Coast Air Basin 24-hour PM<sub>10</sub> NAAQS NAA</li> <li>PM<sub>10</sub> maintenance plan</li> <li>Attainment of year emissions inventory Effective 07/26/2013.</li> </ul>	
CAS062813-3	Air SIP-VOC, NO <sub>x</sub> , PM	06/24/2013	<a href="#">78 FR 37757 HTML</a>   <a href="#">PDF</a>	Proposed Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, South Coast Air Quality Management District [40 CFR Part 52]  Proposes revisions to the SCAQMD portion of the California SIP regarding local fees and penalties associated with emissions of VOCs NO <sub>x</sub> , and PM resulting from open burning and wood burning devices. Comments due 07/24/2013.	

### 2.2.1.6 Ventura County Air Pollution Control District

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV062813-1	Air Monitoring	06/21/2013	<a href="#">VCAPCD Website</a>	Notice	Ventura County Air Pollution Control District Draft 2013 Ambient Air Monitoring Network Plan  Announces availability of the " <a href="#">Draft 2013 Ambient Air Quality Monitoring Network Plan</a> " for review. Comments due 07/29/2013.	

## 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
FL062813-1	Air SIP	06/20/2013	<a href="#">78 FR 37132 HTML</a>   <a href="#">PDF</a>	Final Rule Correction	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Revised Format for Materials Being Incorporated by Reference for Florida; Approval of Recodification of the Florida Administrative Code; Correcting Amendments [40 CFR Part 52]  Announces correction of the direct final rule ( <a href="#">64 FR 32346</a> , 06/16/1999) that removed certain regulations associated with obsolete FDEP air emissions test methods and incorporation of federally approved ASTM methods from the SIP. Correction updates text to reflect repealed regulations. Effective 06/20/2013.	
FL062813-2	Storage Tanks USTs	06/25/2013	<a href="#">FAR Notice #13051270</a>	Notice Rulemaking	Department of Environmental Protection Underground Storage Tank Systems [Chapter 62-761 F.A.C.]  Announces a rulemaking that would require UST owners and operators to complete training and obtain certification. Rulemaking also would prohibit delivery of potential pollutants to non-compliant facilities. Workshop is scheduled for 07/12/2013 in Tallahassee, Florida.	<a href="#">KSC</a> should be aware of this action.
FL062813-3	Water SJRWMD	06/28/2013	<a href="#">FAR Notice #13161656</a>	Notice Meeting	St. John's River Water Management District Projects and Land Committee Meeting  Announces a meeting to discuss District business, including regulatory and non-regulatory matters, followed by committee recommendations to be approved by the full Governing Board. <a href="#">Agenda</a> to be posted before the meeting, which is scheduled for 07/09/2013 in Palatka, Florida.	
FL062813-4	Water Surface Water	06/28/2013	<a href="#">FAR Notice #13170483</a> ; <a href="#">FAR Notice #13170580</a>	Notice Hearing	Department of Environmental Protection Table: Surface Water Quality Criteria [Chapter 62-302.530, F.A.C.]; Drinking Water Use Support and Protection of Human Health [Chapter 62-303.380, F.A.C.; Chapter 62-303.480, F.A.C.]  Announces a continuation of a 04/23/2013 ERC hearing to discuss revisions to the human health-based surface water criteria. Additional information is available on the FDEP <a href="#">website</a> . Hearing is scheduled for 10/22/2013 in Tallahassee, Florida.	
FL062813-5	Water Water Quality	06/20/2013	<a href="#">FAR Notice #13140898</a>	Notice Meeting	U.S. Environmental Protection Agency Florida Water Resources Monitoring Council's Monitoring Catalog Workgroup  Announces a meeting to discuss metadata elements to be included in the monitoring catalog. Meeting is scheduled for 07/11/2013 as a <a href="#">webinar</a> .	

## 2.4 Louisiana State Regulatory Review

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

## 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
MD062813-1	Air NSR-PM <sub>2.5</sub>	06/28/2013	<a href="#">40:13 Md.R. 1077</a>	Final Rule	Department of the Environment General Administrative Provisions [COMAR 26.11.01]; Nonattainment Provisions for Major New Sources and Major Modifications [COMAR 26.11.17] Final rule incorporates by reference federal standards for the NSR program for PM <sub>2.5</sub> and its precursors. Effective 07/08/2013.	
MD062813-2	Air NSR, PSD	06/28/2013	<a href="#">40:13 Md.R.1076</a>	Final Rule	Department of the Environment General Administrative Provisions [COMAR 26.11.01]; General Emissions Standards, Prohibitions, and Restrictions [COMAR 26.11.06] Final rule incorporates by reference updated federal NSR and PSD standards, which will automatically include future federal amendments. Updates include the following: <ul style="list-style-type: none"> <li>Add provisions for PM<sub>2.5</sub> and its precursors.</li> <li>Add provisions to defer the inclusion of biogenic emission sources under PSD.</li> <li>Remove certain grandfathering provisions.</li> </ul> Effective 07/08/2013.	
MD062813-3	Occupational Safety Elevators and Escalators	06/28/2013	<a href="#">40:13 Md.R.1073</a>	Final Rule	Department of Labor, Licensing, and Regulation Elevator, Escalator, and Chairlift Safety [COMAR 09.12.81] Incorporates by reference certain sections of the ASME A17.1-2010/CSA B44-10 Safety Code for Elevators, Escalators, and ASME A17.2-2010 Guide for Inspection of Elevators, Escalators, and Moving Walks. Effective 07/08/2013.	
MD062813-4	Occupational Safety Hazard Communication	06/28/2013	<a href="#">40:13 Md.R.1082</a>	Proposed Rule	Department of Labor, Licensing, and Regulation Maryland Occupational Safety and Health Act-Incorporation by Reference of Federal Standards [COMAR 09.12.31] Proposes to incorporate by reference amendments and revisions relating to Hazard Communication Standards, which would conform state regulations to the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals. The modifications would include the following: <ul style="list-style-type: none"> <li>Revised criteria for classification of chemical hazardous</li> <li>Revised labeling provisions</li> <li>Specified format for safety data sheets</li> </ul> Comments due 07/29/2013.	

## 2.6 Mississippi State Regulatory Review

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

## 2.7 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM062813-1	Waste Liquid Waste	06/28/2013	<a href="#">NM Register, Vol. 24, No. 12</a>	Final Rule	New Mexico Environmental Department Liquid Waste Disposal and Treatment [20.7.3 NMAC] Announces the repeal and replacement of New Mexico's Liquid Waste Disposal and Treatment rules, which apply to certain onsite liquid waste systems. Effective 09/01/2013.	<b>WSTF</b> should be aware of this action.

## 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	Suggested Actions
OH062813-1	Waste Infectious Waste	06/11/2013	<a href="#">DMWM-Early Stakeholder Outreach</a>	Notice	Division of Materials and Waste Management, Ohio Environmental Protection Agency Infectious Waste Rules [OAC 3745-27-30 through 3754-27-39] <a href="#">Solicits</a> comments about the following proposed rule modifications: <ul style="list-style-type: none"> <li>Reorganization of the rules into a new chapter (3745-570)</li> <li>Modifications to offsite storage timeframes</li> <li>Broadening of exemptions to include "tissue banks"</li> <li>Expansion of bleach treatment requirements</li> </ul> Comments due 07/12/2013.	<b>GRC and PBS</b> <a href="#">medical and dental activities</a> should be aware of this action.
OH062813-2	Water NPDES	06/27/2013	<a href="#">DSW-Proposed Rules</a>	Final Rule	Division of Surface Water, Ohio Environmental Protection Agency Storm Water Program Rules [OAC 3745-39-04] <a href="#">Adopts</a> the following modifications to the NPDES rules: <ul style="list-style-type: none"> <li>Minor updates to clarify rule contents</li> <li>Removal of expired dates</li> <li>Revised references</li> </ul> Effective 07/15/2013.	<b>GRC and PBS</b> should be aware of this action.

### 2.8.1 Open Burning Informational Pamphlet

Ohio EPA Division of Air Pollution Control has issued an updated version of the pamphlet "[Before You Light It... Know Ohio's Open Burning Regulations.](#)" The pamphlet, intended to encourage use of alternative methods to residential open burning, was updated to address 2012 rule amendments. Additional details are provided on OEPA's Open Burning [website](#).

## 2.9 Texas State Regulatory Review

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

## 2.10 Utah State Regulatory Review

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

## 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
VA062813-1	Air SIP	06/17/2013	<a href="#">29:21 VA.R. 2629-2630</a>	Notice	Virginia Department of Environmental Quality Public Notice–Air Quality Plan  Solicits comments on proposed changes to align the Commonwealth's SIP with federal regulations ( <a href="#">77 FR 65017</a> , 10/25/2012). Proposed rule would amend the definition of "regulated NSR pollutant" by removing "PM emissions" from the requirement to include the condensable PM fraction. Comments due 07/17/2013.	
VA062813-2	Air SIP–PM <sub>2.5</sub>	06/17/2013	<a href="#">29:21 VA.R. 2628</a>	Notice	Virginia Department of Environmental Quality Public Notice–Air Quality Plan  Solicits comments about proposed changes to align the Commonwealth's SIP with federal regulations. Proposed rule would amend the NAAQS for PM <sub>2.5</sub> by revising the annual arithmetic mean concentration to 12 µg/m <sup>3</sup> , while the standard for the 24-hour concentration would remain at 35 µg/m <sup>3</sup> . Comments due 07/17/2013.	
VA062813-3	Hazardous Materials Transportation	06/17/2013	<a href="#">29:21 VA.R. 2565</a>	Final Rule	Virginia Waste Management Board, Virginia Department of Environmental Quality  Regulations Governing the Transportation of Hazardous Materials [9VAC20-110]  Incorporates by reference minor editorial amendments to reflect current federal regulations promulgated as of 10/01/2012. Effective 07/17/2013.	
VA062813-4	Natural Resources Coastal Zone Management	06/19/2013	<a href="#">VDEQ website</a>	Notice	Virginia Department of Environmental Quality Federal Consistency Determination–LaRC  Solicits comments about a <a href="#">federal consistency determination</a> for the implementation of the LaRC Master Plan. Comments due 07/16/2013.	LaRC should be aware of this action.
VA062813-5	Waste Hazardous Waste	06/17/2013	<a href="#">29:21 VA.R. 2555-2558</a>	Final Rule	Virginia Waste Management Board, Virginia Department of Environmental Quality  Administrative Procedures for Hazardous Waste Facility Site Certification [9VAC20-40]  Final rule approves postal and electronic submittal of notifications associated with new hazardous waste facility siting. Effective 07/17/2013.	
VA062813-6	Waste Solid Waste	06/17/2013	<a href="#">29:21 VA.R. 2562-2565</a>	Final Rule	Virginia Waste Management Board, Virginia Department of Environmental Quality  Solid Waste Permit Action Fees and Annual Fees [9VAC20-90]  Direct final rule decreases the fee for a solid waste landfill corrective action permit to \$3,000. Effective 08/01/2013. Comments due 07/17/2013.	
VA062813-7	Waste Solid Waste	06/19/2013	<a href="#">VDEQ website</a>	Notice	Virginia Department of Environmental Quality  Announces release of the <a href="#">2012 Annual Report on Solid Waste Management in Virginia</a> .	
VA062813-8	Water TMDLs	06/26/2013	<a href="#">Virginia Town Hall Website</a>	Notice Meeting	Virginia Department of Environmental Quality  TMDL Studies of Waters in the Cities of Hampton, Newport News, Poquoson, and York County  Announces a public meeting focusing on TMDL studies for the Poquoson River and Back River, scheduled 07/30/2013 in Hampton, Virginia.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA062813-9	Water TMDLs – Chesapeake Bay	06/27/2013	<a href="#">78 FR 38713</a> <a href="#">HTML</a>   <a href="#">PDF</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>Additional Documents Available for Public Review Related to Willingness To Pay Survey for Chesapeake Bay Total Maximum Daily Load: Instrument, Pre-Test, and Implementation; Comment Request</p> <p>Solicits comments on revised Supporting Statement and additional supporting documents for the recent information collection request "Willingness to Pay Survey for Chesapeake Bay TMDL: Instrument, Pre-test, and Implementation" (<a href="#">77 FR 31006</a>, 05/24/2013). <a href="#">Additional documents</a> include:</p> <ul style="list-style-type: none"> <li>▪ Revised Supporting Statement</li> <li>▪ Peer Review Report</li> <li>▪ Focus Group and Cognitive Interview Report</li> <li>▪ Description of Hydrological, Biochemical, and Ecosystem Models</li> </ul> <p>Comments due 07/29/2013.</p>	