



National Aeronautics and  
Space Administration

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

# Regulatory Tracking Summary

---

*09 April – 20 April 2007*

This report summarizes regulatory items reviewed by the NASA RRAC PC during the timeframe. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

## Contents of This Issue

<b>Acronyms</b>	<b>3</b>
<b>1.0 U.S. Federal Regulatory Review</b>	<b>4</b>
1.1 Federal Register Summary	4
1.2 Discussion of Significant Actions and Other Developments	6
1.2.1 <i>EPA to Conduct a Superfund Hazardous Ranking System Assessment of Santa Susanna Field Laboratory Property</i>	6
1.2.2 <i>Deadline for Comments on the Proposed Changes to the Definition of Solid Waste was Extended</i>	6
1.2.3 <i>Watershed Plan Builder Online Tool Available</i>	7
1.3 Status of Selected Continuing Actions in Progress	7
1.4 Clean Air Act Working Group Updates	8
1.4.1 <i>Clean Air Act Working Group Face-to-Face Meeting</i>	8
1.4.2 <i>Clean Air Act Working Group Telecons for 2007</i>	8
<b>2.0 State Regulatory Reviews</b>	<b>9</b>
2.1 Alabama State Regulatory Review	9
2.2 California State Regulatory Review	9
2.3 Florida State Regulatory Review	10
2.4 Hawaii State Regulatory Review	11
2.4.1 <i>Other Information: Public Invited to Statewide Community Meetings for the Hawaii 2050 Sustainability Planning Process</i>	12
2.5 Louisiana State Regulatory Review	12
2.6 Maryland State Regulatory Review	12
2.7 Mississippi State Regulatory Review	12
2.8 New Mexico State Regulatory Review	13
2.9 Ohio State Regulatory Review	14
2.10 Texas State Regulatory Reviews	15
2.11 Virginia State Regulatory Review	17

## Acronyms

ADEM = Alabama Department of Environmental Management  
AAI = All appropriate inquiries  
ANPRM = Advance Notice of Proposed Rulemaking  
CAA = Clean Air Act  
CAAWG = Clean Air Act Working Group  
CAIR = Clean Air Interstate Rule  
CFR = *Code of Federal Regulations*  
CRNR = California Regulatory Notice Register  
CWA = Clean Water Act  
DAPC = Division of Air Pollution Control  
DEA = Drug Enforcement Administration  
DHWM = Division of Hazardous Waste Management  
DoD = U.S. Department of Defense  
DOE = U.S. Department of Energy  
DOT = U.S. Department of Transportation  
DSW = Division of Surface Water  
EGU = Electrical generator  
EPA = U.S. Environmental Protection Agency  
ESA = Environmental site assessment  
F.A.C. = Florida Administrative Code  
FAW = Florida Administrative Weekly  
FDEP = Florida Department of Environmental Protection  
FR = *Federal Register*  
GSE = Ground support equipment  
HAP = Hazardous air pollutant  
hp = Horsepower  
IEU = Insignificant emissions unit  
KSC = Kennedy Space Center  
LAC = Louisiana Administrative Code  
MAF = Michoud Assembly Facility  
MSFC = Marshall Space Flight Center  
NAAQS = National Ambient Air Quality Standards  
MS4 = Municipal Separate Storm Sewer Systems  
NASA = National Aeronautics and Space Administration

NESHAP = National Emission Standards for Hazardous Air Pollutants  
NFPA = National Fire Protection Association  
NMAC = New Mexico Administrative Code  
NMED = New Mexico Environment Department  
NOD = Notice of Deficiency  
NOx = Nitrogen oxide  
NPDES = National Pollutant Discharge Elimination System  
NPL = National Priorities List  
NPRM = Notice of Proposed Rulemaking  
OAC = Ohio Administrative Code  
ODS = Ozone depleting substances  
OEPA = Ohio Environmental Protection Agency  
OMB = Office of Management and Budget  
OSHA = Occupational Health and Safety Administration  
PFAC = Perfluoroalkyl carboxylates  
PFAS = Perfluoroalkyl sulfonates  
RCRA = Resource Conservation and Recovery Act  
RIN = Regulatory Identification Number  
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication  
SEA = Shuttle Environmental Assurance  
SDWA = Safe Drinking Water Act  
SIP = State Implementation Plan  
SNUR = Significant new use rule  
SO<sub>2</sub> = Sulfur dioxide  
SSFL = Santa Susana Field Laboratory  
SSP = Space Shuttle Program  
TAC = Texas Administrative Code  
TBD = To be determined  
TMDL = Total maximum daily load  
UST = Underground storage tank  
VOC = Volatile organic compound  
WSTF = White Sands Test Facility

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-59	Alternative Fuel Transportation Program Alternative Compliance Guidelines	04/16/2007	<a href="#">72 FR 18860</a>	Notice	Office of Energy Efficiency and Renewable Energy, Department of Energy  Alternative Fuel Transportation Program; Alternative Compliance [10 CFR Part 490]  Announces the availability of a document entitled " <a href="#">Alternative Compliance: Guidelines for Preparing and Submitting a Waiver Request and Other Documentation Requirements, 10 CFR Part 490 Subpart I.</a> " Document provides guidelines to fleets covered by 10 CFR Part 490 for submission of an application for a waiver from the alternative fuel vehicle acquisition requirements. To obtain a waiver, the requesting covered fleet must show that in lieu of the alternative fuel vehicle acquisitions, it will reduce petroleum consumption in its vehicle fleet by an amount that would equal 100-percent alternative fuel use in all of its existing covered light-duty vehicles.	
Fed-2007-60	Anti-Terrorism Standards Chemical Security	04/09/2007	<a href="#">72 FR 17688</a>	Interim Final Rule	Department Of Homeland Security  Chemical Facility Anti-Terrorism Standards [6 CFR Part 27]  Establishes risk-based performance standards regarding the security of certain chemicals of interest, listed in Appendix A of this interim final rule. Requires owners of some types of facilities housing more than the specified threshold quantities of listed chemicals to complete a preliminary screening assessment that evaluates the level of risk associated with the facility. For facilities determined to be potentially at risk, owners must prepare a Security Vulnerability Assessment and Site Security Plan. This standard also includes provisions addressing inspections and audits, recordkeeping, and information protection. The rule, except Appendix A, is effective 06/08/2007. The effective date for Appendix A will be announced in a subsequent final rule; comments on Appendix A are due 05/09/2007 [RIN 1601-AA41].  <a href="#">If this interim rule is finalized as currently written, its provisions may apply to some NASA Centers and other Program-related facilities. Appendix A includes threshold quantities for materials of interest to NASA, including ammonium perchlorate, hydrazine, methyl hydrazine, and hydrogen. This rule does not apply to facilities owned or operated by the DoD or the DOE, or facilities subject to regulation by the Nuclear Regulatory Commission.</a>	<a href="#">NASA Centers and Programs</a> should review this rule for potential applicability. Please notify Sharon Scroggins/MSFC of any adverse impacts or other concerns.
Fed-2007-61	Clean Air Act – ODS Methyl Bromide	04/17/2007	<a href="#">72 FR 19197</a>	Notice	Protection of Stratospheric Ozone: Request for Critical Use Exemption Applications for the Years 2009 and 2010  Solicits applications for the critical use exemption from the phase-out of methyl bromide for 2010 and beyond.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-62	Drinking Water Test Procedures	04/10/2007	<a href="#">72 FR 17902</a>	Notice	<p>Expedited Approval of Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures</p> <p>Announces intent to implement an expedited process for approving alternative testing methods for existing regulations for drinking water contaminants. Requests comments on implementation aspects of the expedited method approval process. Comments due 06/11/2007.</p>	
Fed-2007-63	Explosives	04/13/2007	<a href="#">72 FR 18791</a>	Proposed Rule	<p>Occupational Safety and Health Administration</p> <p>Explosives [29 CFR Part 1910]</p> <p>Proposes to revise the explosives and blasting agents standard in Part 1910, Subpart H. Significant changes include updating the definition of explosives to be consistent with the DOT definition; incorporating the DOT and United Nations-based classification system in the explosives definition; updating references to DOT regulations; requiring package labels to be in accordance with OSHA's Hazard Communication standard and to use the Globally Harmonized System of Classification and Labeling of Chemicals; eliminating storage magazine requirements; and adding provisions to ensure that employees are properly trained in hazard recognition and safe work practices. Comments and hearing requests are due 07/12/2007 [RIN 1218-AC09].</p> <p><b>This proposed rule applies to the manufacture, storage, sale, transportation, handling, and use of explosives, including blasting agents and pyrotechnics.</b></p>	<p><a href="#">NASA Centers and Programs</a> should be aware of this proposal, which could affect operations involving explosives, initiators and igniters, shaped charges, and other covered energetic items.</p>
Fed-2007-64	Fire Protection	04/13/2007	<a href="#">72 FR 18632</a>	Notice	<p>National Institute of Standards and Technology; Department of Commerce</p> <p>National Fire Codes: Request for Proposals for Revision of Codes and Standards</p> <p>The NFPA revises and updates its fire safety codes and standards on a cyclic schedule, and is requesting proposals from the public to amend existing or begin the process of developing new codes and standards. Dates for the submittal of proposals vary, depending on the standard. Further information is available at the NFPA website: <a href="http://www.nfpa.org">http://www.nfpa.org</a>.</p> <p><b>Codes and standards being updated or revised in this cycle include those related to oxygen-enriched atmospheres, compressed gases and cryogenic fluids, hypobaric facilities, gas and vacuum systems, and others.</b></p>	<p>Some proposed changes could affect procedures or requirements for <a href="#">NASA Centers or Programs</a>.</p>
Fed-2007-65	Fire Protection	04/13/2007	<a href="#">72 FR 18634</a>	Notice	<p>National Institute of Standards and Technology; Department of Commerce</p> <p>National Fire Codes: Request for Comments on NFPA Technical Committee Reports</p> <p>The NFPA requests comments on certain technical reports that will be presented at NFPA's 2008 Annual Revision Cycle.</p> <p>The draft <a href="#">2008 Annual Revision Cycle Report on Proposals</a> is available, as well as numerous other documents, on the NFPA website: <a href="http://www.nfpa.org">http://www.nfpa.org</a>. The final document will be available on 06/22/2007; comments are due 08/31/2007.</p> <p><b>The Report on Proposals document is to address standards or codes related to Halon 1301 fire extinguishing systems, chemical laboratories, electrical safety, pipe insulation, hazardous chemical code, storage of liquid and solid oxidizers, and others.</b></p>	<p>Some proposed changes could affect procedures or requirements for <a href="#">NASA Centers or Programs</a>.</p>

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-66	Hazardous Materials Applications for Special Permit Modification	04/19/2007	<a href="#">72 FR 19756</a>	Notice	Pipeline and Hazardous Materials Safety Administration Office of Hazardous Materials Safety; Notice of Applications for Modification of Special Permit. Notice of receipt of applications for modification of special permit. Includes application submitted for Orbital Sciences Corporation, Mohave, California, to modify the special permit to authorize the transportation in commerce of additional Division 1.4B, 1.4C explosives and Division 2.2 gases, and to establish alternative landing sites.	
Fed-2007-67	Hazardous Materials Cargo tank motor vehicles, specification cylinders, and pressure receptacles	04/12/2007	<a href="#">72 FR 18446</a>	Proposed Rule	Pipeline and Hazardous Materials Safety Administration Hazardous Materials: Miscellaneous Cargo Tank Motor Vehicle and Cylinder Issues; Petitions for Rulemaking [49 CFR Parts 107, 171, 172, 173, 176, 178, and 180] Proposes to clarify and revise requirements applicable to the manufacture, maintenance, and use of certain cargo tank motor vehicles, cylinders, and pressure receptacles. Comments are due 06/11/2007 [RIN: 2137-AE23].	<a href="#">NASA Centers</a> using such equipment should be aware of this proposal.
Fed-2007-68	Underground Storage Tanks Training	04/10/2007	<a href="#">72 FR 17896</a>	Notice of availability	Draft Operator Training Grant Guidelines for States; Solid Waste Disposal Act, Subtitle I, as Amended by Title XV, Subtitle B of the Energy Policy Act of 2005 Issues for public comment draft operator training grant guidelines for states. Guidelines describe the minimum requirements a state's UST program must contain for a state to comply with the funding requirements. These guidelines include a description of the classes of operators; required training for each class of operator; deadlines when operator training is required; and examples of acceptable state approaches to operator training. Comments are due 05/10/2007.	

## 1.2 Discussion of Significant Actions and Other Developments

### 1.2.1 EPA to Conduct a Superfund Hazardous Ranking System Assessment of Santa Susanna Field Laboratory Property

EPA is planning to conduct a Hazard Ranking System scoring analysis on the SSFL site in Simi Valley, California. EPA will evaluate all of the SSFL property for both chemical and radiological contaminants. The purpose of this assessment is to assess whether the SSFL property as a whole has a preliminary score sufficient for possible listing on the NPL.

EPA anticipates completion of this evaluation by the end of 2007. Once the scoring process is complete, EPA, in consultation with the State of California, will determine whether SSFL should be considered for the NPL or Superfund list.

### 1.2.2 Deadline for Comments on the Proposed Changes to the Definition of Solid Waste was Extended

EPA published a supplemental proposal on 26 March 2007 ([72 FR 14172](#)) that would revise the definition of solid waste to exclude certain hazardous secondary materials from regulation under Subtitle C of RCRA. EPA also is requesting comments on regulatory factors to be used to determine whether recycling of hazardous secondary materials is legitimate. The purpose of this proposal is to encourage safe, environmentally sound recycling and resource conservation

and to respond to several court decisions concerning the definition of solid waste. The RRAC PC prepared a regulatory summary, which is archived at: [http://rracpc.org/Regulatory%20Alerts/NASA%20Alert%20Solid%20Waste%20Definition%20Regulatory%20Summary\\_04-04-2007.pdf](http://rracpc.org/Regulatory%20Alerts/NASA%20Alert%20Solid%20Waste%20Definition%20Regulatory%20Summary_04-04-2007.pdf)

The comment period on this proposal has been extended. EPA will now accept comments through 25 June 2007. EPA will publish an FR Notice announcing the extension shortly. The Principal Center for Recycling and Affirmative Procurement is collecting and integrating NASA's comments for submittal to EPA.

### 1.2.3 Watershed Plan Builder Online Tool Available

EPA's [Watershed website](#) now offers the opportunity for organizations, agencies, and others to beta test a new online tool, the Watershed Plan Builder. This tool is intended to assist in developing or updating watershed plans, and walks the user through planning steps including watershed monitoring and assessment; community outreach; models; best management practices; implementation; and feedback. Further information is available on the Watershed Planning homepage at:

<http://iaspub.epa.gov/watershedplan/watershedPlanning.do?pageId=48>.

## 1.3 Status of Selected Continuing Actions in Progress

This section illustrates the status of selected actions the RRAC PC is actively tracking. Imminent actions are shown in red text. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	08/2007	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	08/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	09/2007	ODS: Continued Use of ODS in Mission-Critical Applications	Pre-rule	Space vehicle operational impacts.
Final Action	01/2009			NASA is currently in discussions with EPA regarding options to enable THE future use of relatively small quantities of ODSs for mission-critical applications. The latest discussions suggest that future production of ODSs will require the certified destruction of other, existing ODSs (contaminated, etc.) with an offset of approximately 15%.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
	<a href="#">72 FR 14734</a>			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
NPRM	06/2007			
Final Action	06/2008			
NPRM	TBD	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Pre-rule	Possible space vehicle operational or materials impacts.
Final Action				EPA has merged three area source categories into one standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The resulting standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAPs. Other NASA Centers that have HAP emissions would be considered as area sources.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	01/03/2007	<a href="#">72 FR 69</a>	Proposed Rule	Possible impacts to facilities, including space flight support facilities. KSC and MSFC currently are major sources of HAPs; MAF recently attained "synthetic minor" status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.
Final Action	12/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]		
NPRM	03/07/2006	<a href="#">71 FR 11483</a>	Proposed Rule	Possible space vehicle materials impacts. Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
Final Action	12/2007	SNUR: Perfluorinated Polymers [2070-AD58]		
NPRM	03/10/2006	<a href="#">71 FR 12311</a>	Proposed Rule	Possible space vehicle materials impacts. Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule effectively would allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. SSP Orbiter tile waterproofing materials previously incorporated a PFAS additive, but this material has been replaced. It is unknown whether regulating additional PFAS-related chemicals would affect other operational materials.
Final Action	05/2007	SNUR: Perfluoroalkyl Sulfonates [2070-AJ18]		
NPRM	08/11/2006	<a href="#">71 FR 46144</a>	Proposed Rule	Possible space vehicle materials impacts. The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for the purchase, transport, and storage of iodine and mixtures containing more than 2.2 percent iodine. The space suits and International Space Station use such products for water disinfection, so this rule could have supply chain impacts in the future.
Final Action	04/2007	DEA: Iodine [1117-AA93]		
OMB received draft final for review on 02/01/2007.				

## 1.4 Clean Air Act Working Group Updates

### 1.4.1 Clean Air Act Working Group Face-to-Face Meeting

The Clean Air Act Working Group will have a face-to-face meeting on the afternoon of Wednesday, 16 May 2007, in Huntsville, Alabama. The meeting will be held after the SEA face-to-face meeting. A conference call dial-in number will be provided for those who cannot travel. The meeting will begin at 3:30 p.m. ET, 2:30 p.m. CT, 1:30 p.m. MT, and 12:30 p.m. PT.

### 1.4.2 Clean Air Act Working Group Telecons for 2007

The Clean Air Act Working Group (CAAWG) will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 20 June 2007
- 18 July 2007
- 15 August 2007
- 19 September 2007
- 17 October 2007
- 14 November 2007
- 19 December 2007

## 2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for states in which NASA facilities are located.

### 2.1 Alabama State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL-2007-05	Air State Implementation Plan	04/12/2007	<a href="#">72 FR 18428</a>	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans: Alabama: Proposed Approval of Revisions to the Visible Emissions Rule  Proposes to approve the Visible Emissions portion of the SIP revision submitted to EPA by ADEM on 09/11/2003, provided it is resubmitted with revisions addressing EPA's concerns regarding the impacts of the rule changes on attainment of the NAAQS. The open burning portion of the submittal previously was approved in a separate action on 03/09/2006 ( <a href="#">71 FR 12138</a> ).	
AL-2007-06	Water Secondary Containment for Underground Storage Tanks	03/31/2007	<a href="#">Alabama Administrative Monthly Volume XXV, Issue No. 6</a>	Proposed Rule Amendment	335–Alabama Department of Environmental Management 6–Water Quality 10–Technical Standards, Corrective Action Requirements and Financial Responsibility for Owners and Operators of Underground Storage Tanks  Proposed changes would amend Rule 335-6-15, providing updated regulations that would meet the requirements of the Secondary Containment Provision of the Federal Energy Policy Act of 2005 and other necessary updates.	MSFC should consider reviewing for applicability.

### 2.2 California State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-20	Air Diesel Vehicles	04/10/2007	<a href="#">CRNR, Register 2007, 14-Z, 04/06/07, page 587</a>	Notice	California Air Resources Board Notice of Public Hearing to Consider the Adoption of a Proposed Regulation for In-Use Off-Road Diesel Vehicles  Announces a public hearing to consider adopting a regulation to reduce emissions of diesel PM and NOx from in-use, off-road diesel vehicles that operate in California. Public hearing is scheduled for 05/24/2007.  <b>Applicability: Diesel-fueled engines with a maximum power of 25 hp or greater used to provide motive power. The proposed regulation only addresses engines that drive self-propelled vehicles (does not apply to stationary equipment or portable equipment such as generators).</b>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-21	Lead-based Paint	04/19/2007	<a href="#">CRNR Register 2007, 15-Z, 04/13/07, page 632</a>	Proposed Regulation	California Department of Health Services Requirements for Lead-based Paint Activities Proposes to amend Title 17 to reflect new federal standards for lead-based paint. The regulation changes would amend the current definitions and adopt new definitions, reflect the proposed elimination of the project designer discipline and adoption of the sampling technician discipline, and adopt a standard for lead-safe work practices to set minimum safety standards for lead activities. Comments are due 06/05/2007.	

## 2.3 Florida State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-25	Air Federal Acid Rain Program	04/20/2007	<a href="#">FAW Notice #4015817</a>	Proposed Rule	Chapter 62–FDEP 214–Requirements for Sources Subject to the Federal Acid Rain Program The proposed rulemaking involves amendments to Chapter 62-214, F.A.C., related to implementation of EPA’s permitting requirements for Title V sources that are subject to the Federal Acid Rain Program or that elect to “opt in” to the Federal Acid Rain Program. There is no draft rule language available at this time; however, it is expected that FDEP will post draft rule language at the following web site by 05/02/2007: <a href="http://www.dep.state.fl.us/Air/rules/regulatory.htm">http://www.dep.state.fl.us/Air/rules/regulatory.htm</a> .	<b>KSC</b> should be aware of the proposed rule modifications.
FL-2007-26	Air Permits	04/20/2007	<a href="#">FAW Notice #4014265</a>	Proposed Rule	Chapter 62–FDEP 4–Permits The proposed rule development involves amendments to Chapter 62-4, F.A.C., related to the FDEP’s Title V air permitting program. The amendments extend the lead time for applying for renewal of a Title V permit. There is no draft rule language available at this time; however, it is expected the department will post draft rule language at the following website by 05/02/2007: <a href="http://www.dep.state.fl.us/Air/rules/regulatory.htm">http://www.dep.state.fl.us/Air/rules/regulatory.htm</a> .	
FL-2007-27	Air Permits	04/20/2007	<a href="#">FAW Notice #4014459</a>	Proposed Rule	Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution The proposed rulemaking involves amendments to Chapter 62-213, F.A.C., related to implementation of the EPA’s permitting requirements for Title V sources that are subject to the CAIR, Clean Air Mercury Rule, and Federal Acid Rain Program. There is no draft rule language available at this time; however, it is expected that the department will post draft rule language at the following web site by 05/02/2007: <a href="http://www.dep.state.fl.us/Air/rules/regulatory.htm">http://www.dep.state.fl.us/Air/rules/regulatory.htm</a> .	<b>KSC</b> should be aware of the proposed rule modifications.
FL-2007-28	Air Stationary Sources	04/20/2007	<a href="#">FAW Notice #4014362</a>	Proposed Rule	Chapter 62–FDEP 210–Stationary Sources–General Requirements The proposed rulemaking involves amendments to Chapter 62-210, F.A.C., related to implementation of the EPA’s permitting requirements for Title V sources that are subject to the CAIR, Clean Air Mercury Rule, and Federal Acid Rain Program. There is no draft rule language available at this time; however, it is expected that the department will post draft rule language at the following web site by 05/02/2007: <a href="http://www.dep.state.fl.us/Air/rules/regulatory.htm">http://www.dep.state.fl.us/Air/rules/regulatory.htm</a> .	<b>KSC</b> should be aware of the proposed rule modifications.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-29	Waste Solid Waste - Compost	04/20/2007	<a href="#">FAW Notice #4027069</a>	Notice Meeting	Chapter 62–FDEP 709–Criteria for the Production and Use of Compost Made from Solid Waste  Meeting to discuss the status of organics recycling in Florida, and to investigate potential improvements. Discussions also will include possible changes to Chapter 62-709, F.A.C. Presentations by the Florida Organics Recycling Center for Excellence and Recycle Florida Today Organics Committees are planned. The meeting is scheduled for 05/09/2007 at 10:00 a.m.; to be held at the Orange County Public Library, Albertson Room, 101 East Central Boulevard, Orlando, Florida.	
FL-2007-30	Water Permits	04/20/2007	<a href="#">FAW Notice #4005244</a>	Proposed Rule	Chapter 62–FDEP 4–Permits  The proposed rule amendment will increase certain NPDES storm water permitting fees in paragraph 62-4.050(4)(d) and Phase I MS4 annual surveillance fees in subsection 62-4.052(10), F.A.C. The rule, as amended, increases the following fees: <ul style="list-style-type: none"> <li>▪ Generic Permit for Storm Water Discharge from Large and Small Construction Activities</li> <li>▪ No Exposure Certification for Exclusion from NPDES Storm Water Permitting</li> <li>▪ Generic Permit for Discharge of Storm Water from Phase II MS4</li> <li>▪ Phase I MS4 annual surveillance fees</li> </ul>	

## 2.4 Hawaii State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
HI-2007-03	Air Permits	04/20/2007	<a href="#">72 FR 19804</a> <a href="#">(72 FR 19838)</a>	Direct Final Rule  (Proposed Rule)	40 CFR Part 70 Clean Air Act Full Approval of Revisions to the State of Hawaii Operating Permit Program  Fully approves revisions to Hawaii's Title V operating permit program that amend state regulations for IEUs. Addresses a previous NOD (04/01/2002, <a href="#">67 FR 15385</a> ) that stated the IEU program was inadequate and did not meet the minimum federal requirements. As part of the response to the NOD, Hawaii revised its regulations by removing the provision exempting IEUs from permitting requirements (see § 11-60.1-82(e) <a href="#">HAR Title 11, Chapter 60.1</a> ). Approval of Hawaii's operating permit program is effective 06/19/2007 without further notice, unless EPA receives adverse comments by 05/21/2007.	NASA facilities in Hawaii should be aware of these revisions and their potential effects on the permit application and renewal processes.
HI-2007-04	ESA	04/09/2007		Notice Workshop	Hawaii Department of Health  EPA Workshop on the New All Appropriate Inquiries (AAI) Rule  A workshop will be held to provide training to EPA, state, local government officials, consultants, and the general public on the final rule for AAI. The workshop will cover the regulatory requirements to comply with the new AAI rule and its effect on performing ESAs.  The workshop is scheduled for 06/14/2007 from 9 a.m. to 4:00 p.m. at Ala Moana Hotel Garden Lanai Room, Honolulu, Hawaii. The registration dateline is 05/25/2007.	

## 2.4.1 Other Information: Public Invited to Statewide Community Meetings for the Hawaii 2050 Sustainability Planning Process

The Hawaii 2050 Sustainability Task Force is inviting the general public to a series of community meetings that will be held from April to May for the Hawaii 2050 Sustainability Plan. The objective of these statewide community meetings is to encourage Hawaii residents to contribute ideas for long-term future sustainability planning for the State of Hawaii. For more information regarding the meeting venues and schedules, please refer to [Hawaii 2050 Sustainability Planning Process](#).

## 2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-11	Office of Secretary Permits	04/19/2007	<a href="#">LAC 33</a>	Notice of Intent	LAC 33:I.1501-1505–Permit Application Review Timeline Reduces the time frame for environmental permit application administrative completeness reviews from 110 days to 60 days, and the time for making a final decision on permit applications from 410 days to 300 days.	
LA-2007-12	Water TMDLs	04/19/2007	<a href="#">LAC 33</a>	Notice of Availability	LAC 33:IX..2311, 2519, and 2523 Announces final action on 80 TMDLs prepared by EPA Region 6 for waters listed in Louisiana's Red River, Sabine River, and Terrebonne Basins, under Section 303(d) of the CWA.	

## 2.6 Maryland State Regulatory Review

No items of interest were identified during this reporting period for Maryland.

## 2.7 Mississippi State Regulatory Review

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

## 2.8 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM-2007-06	Drinking Water	04/16/2007	<a href="#">NMAC 20.7.10</a>	Revised Rule	<p>Revised Rule: Public Drinking Water Systems</p> <p>The NMED revised regulation 20.7.10 NMAC is effective 04/16/2007.</p> <p><b>NMED revised regulation 20.7.10 NMAC includes the following:</b></p> <ul style="list-style-type: none"> <li>(1) Changes to the definition section to update, streamline, and simplify the regulations.</li> <li>(2) Adoption of 40 CFR Parts 141 and 143 as of the 07/01/2005 version.</li> <li>(3) Updating guidance documents.</li> <li>(4) Modifying regulations for public water system projects, general operating requirements, sampling requirements, and public notification.</li> </ul> <p>EPA required many of these updates to permit New Mexico to maintain primacy for enforcement and administration of the SDWA. Additional modifications to 20.7.10 NMAC include the adoption of 40 CFR Parts 141 and 143 as of the 07/01/2005 version and the adoption of two recent federal regulations: Stage 2 Disinfectants and Disinfection Byproducts Rule (01/04/2006, <a href="#">71 FR 388</a>) and the Long-term 2 Enhanced Surface Water Treatment Rule (01/05/2006, <a href="#">71 FR 654</a>).</p>	WSTF should be aware of the updated requirements.

## 2.9 Ohio State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-21	Air Clean Air Interstate Rules	04/09/2007	OAC Chapter <a href="#">3745-109</a>	Proposed Rule	<p>Ohio Environmental Protection Agency <a href="#">Department of Air Pollution Control</a></p> <p><a href="#">Proposed new OAC Rules 3745-109-01 to 3745-109-21 "Clean Air Interstate Rules"</a></p> <p>OEPA DAPC is proposing new rules in OAC Chapter 3745-109, "Clean Air Interstate Rules." Rules 3745-109-01 to 3745-109-21 are intended to assist Ohio in complying with the requirements of EPA's CAIR, finalized 05/12/2005, at <a href="#">70 FR 25161</a>. The CAIR requires reductions in air emissions of NOx and SO<sub>2</sub>. EPA has identified Ohio and several other states as sources of air pollution contributing to ozone and fine particulate nonattainment in downwind states. As required in Section 110(a)(2)(D) of the CAA, EPA is requiring Ohio and other states to decrease emissions of ozone precursors and fine particulates from fossil-fuel-fired EGUs. The rules establish a cap and trade program for annual and seasonal emissions of NOx and a discounting mechanism for emissions of SO<sub>2</sub> from EGUs and large industrial boilers ("non-EGUs") to achieve the emission reductions. The rules are being proposed after a 37-day public comment period that closed on 08/30/2006. Several comments were received. Please see the <a href="#">responsive summary to comments</a> for OEPA's responses. Please see the <a href="#">rule language</a>, <a href="#">synopsis</a>, and the <a href="#">public hearing notice</a> for information on the rule changes. A public hearing will be held on 05/17/2007.</p> <p><a href="#">The proposed regulations comply with the federal regulations and establish the "CAIR NOx annual trading program", "CAIR SO<sub>2</sub> trading program," and the "CAIR NOx ozone season trading program."</a></p>	<a href="#">NASA facilities</a> should consider reviewing for applicability.
OH-2007-22	Air Particulate Matter	04/11/2007	OAC Chapter <a href="#">3745-17</a>	Public Notice	<p><a href="#">Public Notice OAC Chapter 3745-17, Draft Amendments</a></p> <p>Proposes to amend OAC Chapter 3745-17 as part of the 5-year rule review required under the Ohio Revised Code. These rules are related to the control of fugitive dust and particulate emissions from various types of stationary sources. An OEPA review indicated that one rule, 3745-17-05, should be rescinded. All of the other rules in the Chapter continue to be necessary, but need changes. OEPA is accepting comments through 05/11/2007.</p> <p><a href="#">These rules are related to the control of fugitive dust and particulate emissions from various types of stationary sources.</a></p>	<a href="#">NASA facilities</a> should consider reviewing for applicability.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-23	Hazardous Waste	04/05/2007		Quarterly Newsletter	<p><a href="#">Spring 2007 Notifier is now available</a></p> <p>The OEPA DHWM Spring 2007 Notifier is now available. This issue includes the following articles:</p> <ul style="list-style-type: none"> <li>▪ DHWM Launches Lamp Initiative</li> <li>▪ Can Washwater be Considered Used Oil?</li> <li>▪ Time after Time</li> <li>▪ DHWM's New Publications Catalogue</li> </ul>	
OH-2007-24	Water Surface Water Quality Standards	04/17/2007	<a href="#">OAC Chapters 3745-1 and 3745-2</a>	Revised Public Notice (Original public notice posted 03/29/07)	<p><a href="#">Revised Public Notice--Proposed Rulemaking Governing Surface Water Quality Standards</a></p> <p>OEPA <a href="#">DSW</a> Rule 3745-1-03 (Analytical Methods and Availability of Documents) was revised to change the dates cited for CFR references in paragraph (B)(1) and federal statute references in paragraph (B)(2) from 01/01/2007 to 06/01/2007. This was done to incorporate the updates to 40 CFR, Parts 136 and 503 published by EPA in 72 FR 14219 (03/26/07). The dates for the public hearing and comment deadline have not been changed by this rule revision. The public comment period runs through 05/04/2007. A public hearing is scheduled for 05/02/2007.</p> <p><a href="#">These proposed rules address surface water quality standards and waste load allocation procedures.</a></p>	
OH-2007-24	Water Water Quality Certifications-Section 401	04/06/2007	<a href="#">OAC Chapter 3745-1-05</a>	Public Notice	<p>Public Notice for Final Action of General Isolated Wetland Permit</p> <p>OEPA has issued a final General NPDES Permit to Discharge Wastewater from Temporary Discharges in Ohio. Temporary discharges may be associated with some type of facility or site cleanup, or one-time emergency discharge due to unusual or short-term circumstances, or discharges from a pilot project or test facility. The type of pollutants found in temporary discharges may be variable due to the differences in projects. Also, flow rates could be quite different depending on the size of the project. The concentration of the discharges must be <i>de minimis</i>, defined as less than 10 percent of the waste load allocation for all applicable pollutants. In addition, temporary discharges are defined as facilities or projects that discharge for a time period not to exceed 60 days. The effective date is 05/01/2007.</p> <p><a href="#">Coverage of the permit is limited to temporary discharge projects that discharge for a time period not to exceed 60 days.</a></p>	<a href="#">NASA facilities</a> should consider reviewing for applicability.
OH-2007-25	Wetlands Isolated Wetlands Permit	04/10/2007	<a href="#">ORC 6111.021</a>	Public Notice	<p><a href="#">Public Notice for Final Action of General Isolated Wetland Permit</a></p> <p>OEPA has issued a final <a href="#">General Isolated Wetlands Permit</a>. This Permit regulates the filling of, and the discharge of, dredged material into Category 1 and Category 2 isolated wetlands of the state where the total combined impacts for a single and complete proposed project are ½ acre or less. The permit identifies the coverage limitations, notification requirements, review process, permit conditions, mitigation requirements, and limitations of an approved permit. The general permit is required under Section 6111.021 of the ORC. The effective date is 04/10/2007.</p> <p><a href="#">Coverage of the permit is limited to Category 1 and Category 2 isolated wetlands of up to ½ acre or less.</a></p>	<a href="#">NASA facilities</a> should consider reviewing for applicability.

## 2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in text file format. Current

and historical versions of the *Texas Register* in Adobe Acrobat (.PDF) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-16	General Occupational Licenses and Registrations	04/13/2007	<a href="#">32 TexReg 2093</a>	Proposed Rules	<p>Occupational Licenses and Registrations [30 TAC §30]</p> <p>Would make grammatical and punctuation corrections and incorporate language modifications needed to improve readability and enhance enforceability. Also would provide consistency and further establish uniform procedures for issuing and renewing licenses, setting terms and fees, approving training and training providers, and enforcing licensing requirements. Would remove any requirements or references to dates that are no longer applicable. Changes include the following:</p> <ul style="list-style-type: none"> <li>▪ Modify provisions to allow for the approval of training providers who offer training and certification of visible emissions evaluators</li> <li>▪ Establish fees for reviewing and processing applications received for approval of training; address requirements for Web-based testing for licensure.</li> <li>▪ Address the license renewal requirements for individuals on active military duty outside Texas.</li> <li>▪ Adjust the current fees for obtaining initial and renewing licenses and registrations.</li> <li>▪ Change the validity period of two-year licenses and registrations to three years;</li> <li>▪ Adjust the training credit hour requirements for customer service inspectors.</li> <li>▪ Remove the licensing requirement for individuals who supervise or manage the collection or transportation of municipal solid waste.</li> <li>▪ Establish a level of license required to operate specific types of municipal solid waste facilities.</li> <li>▪ Add a transitional period to eliminate the municipal solid waste Class D license and provisional or solid waste facility supervisor in training letters.</li> <li>▪ Remove the definition of process control duties for public water system operators from the Chapter 30 rules and transfer the definition to the public drinking water rules located in Chapter 290.</li> </ul> <p>Comments are due 05/14/2007. A public hearing is scheduled on 05/07/2007.</p>	

## 2.11 Virginia State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-11	Air State Implementation Plan	04/13/2007	<a href="#">72 FR 18602</a>	Proposed Rule	Approval and Promulgation of Air Quality Implementation Plans; Virginia; Redesignation of the Hampton Roads 8-hour Ozone Nonattainment Area to Attainment and Approval of the Associated Maintenance Plan and 2002 Base-year Inventory  Proposes to approve the ozone redesignation request for the Hampton Roads area from nonattainment to attainment status for the 8-hour ozone standard. The rule also includes proposals to approve a 2002 base-year inventory and maintenance plan for the Hampton Roads Area as SIP revisions and to approve motor vehicle emission budgets for VOCs and NOx that are identified in the maintenance plan for purposes of transportation conformity. Written comments must be received on or before 05/14/2007.	