



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

19 October 2007

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "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).

Contents of This Issue

1.0	U.S. Federal Regulatory Review	4
1.1	Federal Register Summary	4
1.2	Status of Continuing Actions in Progress	10
1.3	Status of Emerging Actions and Other Issues	11
1.4	Significant News and Other Developments	11
1.4.1	<i>EPA Enforcement Priorities for 2008-2010</i>	11
1.4.2	<i>EPA Publishes Guidelines to Control Volatile Organic Compounds from Coatings</i>	11
1.4.3	<i>EPA to Consider the Capture and Storage of Carbon Dioxide</i>	11
1.5	Clean Air Act Working Group Updates	12
1.5.1	<i>Clean Air Act Working Group Telecons for 2007</i>	12
2.0	State Regulatory Reviews	12
2.1	Alabama State Regulatory Review	12
2.2	California State Regulatory Review	12
2.3	Florida State Regulatory Review	14
2.4	Hawaii State Regulatory Review	16
2.5	Louisiana State Regulatory Review	16
2.6	Maryland State Regulatory Review	16
2.7	Mississippi State Regulatory Review	16
2.8	New Mexico State Regulatory Review	16
2.9	Ohio State Regulatory Review	17
2.10	Texas State Regulatory Reviews	19
2.10.1	<i>TCEQ Releases TERP Guidelines Revisions for Public Comment</i>	19
2.11	Virginia State Regulatory Review	19

Acronyms

AB = Assembly Bill	NAAQS = National Ambient Air Quality Standards
ANPRM = Advance Notice of Proposed Rulemaking	NASA = National Aeronautics and Space Administration
ASTM = American Society for Testing and Materials	NEPA = National Environmental Protection Agency
ATCM = Airborne toxic control measure	NESHAP = National Emission Standards for Hazardous Air Pollutants
BAT = Best available technologies	NOx = Nitrogen oxide
CAA = Clean Air Act	NPDES = National Pollutant Discharge Elimination System
CAAWG = Clean Air Act Working Group	NPRM = Notice of Proposed Rulemaking
CAIR = Clean Air Interstate Rule	NSR = New Source Review
CAMR = Clean Air Mercury Rule	NSRL = No Significant Risk Levels
CCAFS = Cape Canaveral Air Force Station	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations</i>	OEPA = Ohio Environmental Protection Agency
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act	PCB = polychlorinated biphenyl
CFR = <i>Code of Federal Regulations</i>	PCP = Pollution control projects
COMAR = <i>Code of Maryland Regulations</i>	PFAC = Perfluoroalkyl carboxylates
CRNR = <i>California Regulatory Notice Register</i>	PFAS = Perfluoroalkyl sulfonates
CTG = Control techniques guideline	PM = Particulate matter
CWA = Clean Water Act	ppm = Parts per million
DOE = U.S. Department of Energy	PSD = Prevention of Significant Deterioration
DOT = U.S. Department of Transportation	RACT = Reasonably Available Control Technology
EA = Environmental Assessment	RCRA = Resource Conservation and Recovery Act
EIS = Environmental Impact Statement	RIN = Regulatory Identification Number
EMD = Environmental Management Division	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	SDWA = Safe Drinking Water Act
EVEL = Equivalent visible emission limits	SIP = State Implementation Plan
F.A.C = Florida	SNUR = Significant New Use Rule
FAW = <i>Florida Administrative Weekly</i>	SO ₂ = Sulfur dioxide
FDEP = Florida Department of Environmental Protection	SPCC = Spill Prevention, Control, and Countermeasure
FIP = Federal Implementation Plan	SSFL = Santa Susana Field Laboratory
FR = <i>Federal Register</i>	TCEQ = Texas Commission on Environmental Quality
GHG = Greenhouse gases	TERP = Texas Emissions Reduction Plan
GSE = Ground support equipment	TSCA = Toxic Substances Control Act
HAP = Hazardous air pollutant	U.S. = United States
HQ = Headquarters	UIC = Underground Injection Control
KSC = Kennedy Space Center	Va.R. = <i>Virginia Register</i>
MADL = Maximum achievable daily limit	VAC = Virginia Administrative Code
MAF = Michoud Assembly Facility	VOC = Volatile organic compound
MS4 = Municipal Separate Storm Sewer Systems	WSTF = White Sands Test Facility
MSFC = Marshall Space Flight Center	

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-2007-229	CAA Cogeneration Units	10/19/2007	72 FR 59190	Final Rule	<p>Revisions to Definition of Cogeneration Unit in CAIR, CAIR Federal Implementation Plans, CAMR; and Technical Corrections to CAIR, CAIR Federal Implementation Plans, CAMR, and Acid Rain Program Rules [40 CFR Parts 51, 60, 72, 78, 96, and 97]</p> <p>Changes the "cogeneration unit" definition in CAIR, the CAIR model cap-and-trade rules, the CAIR FIPs, CAMR, and the CAMR model cap-and-trade rule. Revises the calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass, thus making it more likely that units co-firing biomass will be able to meet the efficiency standard and qualify for exemption. Also clarifies the term "total energy input" used in the efficiency calculation and makes minor technical corrections to CAIR, the CAIR FIPs, CAMR, and the Acid Rain Program rules. Effective 11/19/2007 [RIN 2060-A033].</p>	
Fed-2007-230	CAA Flexible Permits	10/18/2007	72 FR 59065	Notice Comment Period Extension	<p>Operating Permit Programs and Prevention of Significant Deterioration and Nonattainment New Source Review: Flexible Air Permitting Rule [40 CFR Parts 51, 52, 70, and 71]</p> <p>Extends comment period on proposed amendments for the Operating Permit Programs and PSD and NSR: Flexible Air Permitting Rule (72 FR 52206) from 11/13/2007 to 01/14/2008 [RIN 2060-AM45].</p>	
Fed-2007-231	CAA VOC Control Technique Guidelines	10/09/2007	72 FR 57215	Final Rule	<p>Consumer and Commercial Products: Control Techniques Guidelines in Lieu of Regulations for Paper, Film, and Foil Coatings; Metal Furniture Coatings; and Large Appliance Coatings [40 CFR Part 59]</p> <p>Issues control techniques guidelines for VOCs in ozone nonattainment areas in lieu of national regulations for the following three Group III consumer and commercial product categories:</p> <ul style="list-style-type: none"> ▪ Paper, film, and foil coatings ▪ Metal furniture coatings ▪ Large appliance coatings <p>Also takes final action to list the three categories. These control techniques guidelines will provide guidance to the states concerning recommendations for reasonably available control technology-level controls for these product categories. Effective 10/09/2007 [RIN 2060-A014].</p>	NASA Programs should note that states could use this guideline to impose further requirements on paper, film, and foil coating operations, which potentially could drive future materials changes.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	
					Suggested Actions	
Fed-2007-232	Coastal Management	10/17/2007	72 FR 58812	Notice	<p>National Centers for Coastal Ocean Science, National Oceanic and Atmospheric Administration</p> <p>National Centers for Coastal Ocean Science Human Dimensions Strategic Plan</p> <p>Announces the availability of the National Centers for Coastal Ocean Science Human Dimensions Strategic Plan (Fiscal Years 2009 through 2014). The National Centers for Coastal Ocean Science program provides coastal managers and other decision makers with scientific information and tools needed to balance environmental, social, and economic goals in mitigating and adapting to ecosystem stressors such as climate change, extreme natural events, pollution, invasive species, and resource use.</p>	
Fed-2007-233	Drinking Water	10/10/2007	72 FR 57781	Final Rule	<p>National Primary Drinking Water Regulations for Lead and Copper: Short-term Regulatory Revisions and Clarifications [40 CFR Parts 141 and 142]</p> <p>Finalizes regulatory changes to the National Primary Drinking Water Regulations for lead and copper. Strengthens the Lead and Copper Rule in the following areas:</p> <ul style="list-style-type: none"> ▪ Monitoring ▪ Treatment processes ▪ Public education ▪ Customer awareness ▪ Lead service line replacement <p>Effective 12/10/2007. Earliest compliance date is 06/07/2008 [RIN 2040-AE83].</p> <p>Affects drinking water systems that are public water systems classified as community water systems or non-transient non-community water systems.</p>	
Fed-2007-234	Emergency Response National Response Framework	10/09/2007	72 FR 57341	Notice	<p>Federal Emergency Management Agency</p> <p>National Response Framework</p> <p>Requests comments on the draft supporting documents to the National Response Framework. Supporting documents include the Emergency Support Functions Annexes, Support Annexes, and Incident Annexes. Combined with the National Response Framework, these documents incorporate lessons-learned from recent disasters and articulate more clearly the roles of the states, tribal, local jurisdictions, and the private sector to guide a successful response to natural disasters or terrorist attacks. More information, including draft copies of the documents, is available online in the National Response Framework Resource Center. Comments are due 11/10/2007.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-235	Enforcement Priorities	10/12/2007	72 FR 58084	Notice	<p>Announcement of the National Enforcement and Compliance Assurance Priorities for Fiscal Years 2008, 2009, and 2010</p> <p>Announces the triennial national enforcement and compliance assurance priorities for fiscal years 2008, 2009, and 2010. The priorities are as follows:</p> <ul style="list-style-type: none"> ▪ CWA – Storm Water ▪ CWA - Combined Sewer Overflow ▪ CWA - Sanitary Sewer Overflow ▪ CWA - Concentrated Animal Feeding Operations ▪ CAA – NSR and PSD ▪ CAA - Air Toxics ▪ RCRA and CERCLA - Financial Assurance ▪ RCRA - Mineral Processing ▪ Indian Country <p>The fiscal years 2005 to 2007 priority Petroleum Refinery has been taken off the list, but will continue to be a core program. For each of the national priority areas, EPA has developed a strategy to achieve specific goals. The strategy summaries contain descriptions of an environmental problem or noncompliance problem, and notes why and how the problem will be addressed; and then highlights previous progress.</p>	
Fed-2007-236	Hazardous Materials	10/18/2007	72 FR 59146	Correction	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications [49 CFR Parts 172 and 178]</p> <p>Makes minor editorial corrections to final rule published 10/01/2007 (72 FR 55678) [RIN 2137-AE30].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-237	Hazardous Materials Special Permit Applications	10/16/2007	72 FR 58713	Notice	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Office of Hazardous Materials Safety; Actions on Special Permit Applications</p> <p>Notice of actions on special permit applications. Included in the list of modifications of special permits granted are the following:</p> <ul style="list-style-type: none"> ▪ Special Permit No. 11383-M-NASA, Washington, D.C. To modify the special permit to authorize additional trade names for UN1975. ▪ Special Permit No. 12005-M, RSPA-3233-Pratt & Whitney Rocketdyne, Inc., Canoga Park, California. To modify the special permit to authorize the transportation in commerce of a specially designed unit equipped with an unvented cylinder charged with xenon gas, Division 2.2, as a part of a space station project. ▪ Special Permit No. 10442-M-Pratt & Whitney Rocketdyne (Former Grantee: United Technologies Corporation), San Jose, California. To modify the special permit to authorize the transportation in commerce of certain Division 1.1D and 1.3C waste materials in UN11G fiberboard boxes and UN11D plywood crates. ▪ Special Permit No. 11215-M-Orbital Sciences Corporation, Mojave, California. To modify the special permit to authorize the transportation in commerce of additional Division 1.4B and 1.4C explosives and Division 2.2 gases, and to establish alternative landing sites. <p>Included in the list of new special permits granted are the following:</p> <ul style="list-style-type: none"> ▪ Special Permit No. 14388-N, PHMSA-25633-ATK Thiokol, Inc., Brigham City, Utah. To authorize the transportation in commerce of certain desensitized explosives in a non-DOT specification 40-cubic-yard metal roll-off box by motor vehicle. ▪ Special Permit No. 14394-N, PHMSA-25799-Boeing Company, Kennedy Space Center, Florida. To authorize the transportation in commerce of Nitrogen Tank Assemblies between KSC and CCAFS not subject to the packaging requirements of the Hazardous Materials Regulations. <p>Included in the list of emergency special permits granted are the following:</p> <ul style="list-style-type: none"> ▪ Special Permit No. EE 14389-N, PHMSA-25607-The Boeing Company, Huntington Beach, California. To authorize the one-way transportation in commerce of the NEXTSat satellite containing a non-DOT specification pressure vessel and a lithium ion battery by motor vehicle. 	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-238	NEPA Santa Susana Field Laboratory	10/17/2007	72 FR 58834	Notice	Office of Environmental Management, Department of Energy Advance Notice of Intent To Prepare an Environmental Impact Statement for Area IV of the Santa Susana Field Laboratory and Public Involvement Activities Provides an Advance Notice of Intent to prepare an EIS for remediation of Area IV of SSFL. The EIS is being prepared in response to a court decision that the DOE violated NEPA by preparing a Finding of No Significant Impact and conducting remediation of Area IV on the basis of an EA, instead of preparing an EIS. Requests comment on the scope of the EIS and issues to be considered in the EIS analysis. DOE will conduct community and regulator interviews through November 2007 and will notify the community through the local media if a public meeting will be held. Comments are due 12/14/2007. NASA owns 671 acres of Area I of SSFL.	
Fed-2007-239	Nuclear Byproduct Material	10/19/2007	72 FR 59157	Notice	Nuclear Regulatory Commission Notification of the Plan for the Transition of Regulatory Authority Resulting from the Expanded Definition of Byproduct Material Provides a transition plan, "Plan for the Transition of Regulatory Authority Resulting from the Expanded Definition of Byproduct Material," to facilitate an orderly transition of regulatory authority with respect to new byproduct material.	
Fed-2007-240	Nuclear Source Tracking	10/19/2007	72 FR 59162	Final Rule	Nuclear Regulatory Commission National Source Tracking of Sealed Sources; Revised Compliance Dates [10 CFR Part 20] Amends the regulations to revise the compliance dates for licensees to begin reporting source transactions and initial source inventory information to the National Source Tracking System for nationally tracked sources. Compliance dates changed to 01/31/2009 for Category 1 and 2 sources. The National Source Tracking System will not be ready to accept data in time for the original compliance dates in 11/2007 [RIN 3150-A122].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	
					Suggested Actions	
Fed-2007-241	Oil Pollution SPCC	10/15/2007	72 FR 58377	Proposed Rule	Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule Requirements–Amendments [40 CFR Part 112]	
					<p>Proposes to amend the SPCC Rule to provide increased clarity, to tailor requirements to particular industry sectors, and to streamline certain requirements for a facility owner or operator subject to the rule. Proposes to do the following:</p> <ul style="list-style-type: none"> ▪ Exempt hot-mix asphalt ▪ Exempt pesticide application equipment and related mix containers used at farms ▪ Exempt heating oil containers at single-family residences ▪ Amend the facility diagram requirement to provide additional flexibility ▪ Amend the definition of “facility” to clarify the flexibility associated with describing a facility’s boundaries ▪ Clarify the equipment subject to facility tank car and tank truck loading and unloading rack provisions ▪ Provide streamlined requirements for certain facilities ▪ Amend the general secondary containment requirement to provide more clarity ▪ Amend the security requirements ▪ Amend the integrity testing requirements to allow more flexibility ▪ Amend the integrity testing requirements for certain containers that store animal fat or vegetable oil ▪ Streamline the requirements for oil production facilities ▪ Exempt completely buried oil storage tanks at nuclear power generation facilities <p>Comments are due 12/14/2007 [RIN 2050-AG16].</p> <p>A regulatory alert was prepared on this rulemaking and is available on the RRAC PC website.</p>	
Fed-2007-242	PCB Management	10/09/2007	72 FR 57235	Final Rule	Transfer of Polychlorinated Biphenyl Cleanup and Disposal Program from the Office of Prevention, Pesticides and Toxic Substances to the Office of Solid Waste and Emergency Response [40 CFR Parts 750 and 761]	
					<p>Transfers the management of the PCB cleanup program and most of the PCB disposal program from the Office of Prevention, Pesticides and Toxic Substances to the Office of Solid Waste and Emergency Response. Updates contact information to be consistent with the new internal organization. After the administrative transfer is completed, the Office of Solid Waste and Emergency Response will oversee most issues pertaining to PCB cleanup and disposal under TSCA, RCRA, and CERCLA. The Office of Prevention, Pesticides and Toxic Substances will continue to oversee other issues pertaining to PCBs, such as issues pertaining to PCB use under TSCA. Effective 10/09/2007.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-243	TSCA SNUR– Perfluoroalkyl Sulfonates	10/09/2007	72 FR 57222	Final Rule	Perfluoroalkyl Sulfonates: Significant New Use Rule [40 CFR Part 721] Amends a SNUR to include certain additional PFAS chemicals. Adds a new table that includes the PFAS chemicals currently on the public TSCA Inventory that are not already covered by the SNUR. Requires manufacturers to notify EPA of any new materials or significant new uses of the PFAS chemicals listed in the table. Effective 11/08/2007 [RIN 2070-AJ18]. A regulatory alert was prepared on this rulemaking and is available on the RRAC PC website.	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC is currently tracking. 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 01/2008 Final Action 12/2008	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations. Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
ANPRM 03/29/2007 72 FR 14734 NPRM 08/2007 Final 06/2009	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts. 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 the 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.
Proposed Rule 09/17/2007 72 FR 52957 NASA Comments Submitted 10/16/2007 Final Action 12/2007	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Proposed Rule	Possible space vehicle operational or materials impacts. The proposed standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. The rule would not apply to NASA-owned facilities, but would apply to vendors and contractor facilities that are area sources of HAPs. A regulatory alert was prepared on this rulemaking and is available on the RRAC PC website .
NPRM 01/03/2007 72 FR 69 Final Action 12/2007	NESHAP General Provisions–Once In, Always In [2060-AM75]	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 would require any facility switching from major source to area source status to comply with any applicable area source regulations.
NPRM 03/07/2006 71 FR 11483 Final Action 01/2008	SNUR: Perfluorinated Polymers [2070-AD58]	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.

1.3 Status of Emerging Actions and Other Issues

This section will provide updates as they become available on the status of other developing environmental- or safety-related initiatives being monitored by NASA HQ/EMD. A consolidated list of items being tracked is available on the [RRAC PC website](#), under Regulatory Alerts. Please direct any comments or questions to Dr. Linda Wennerberg/HQ (linda.s.wennerberg@nasa.gov) and Sharon Scroggins/MSFC (sharon.scroggins@nasa.gov).

1.4 Significant News and Other Developments

1.4.1 EPA Enforcement Priorities for 2008-2010

EPA published an FR notice on 12 October 2007 ([72 FR 58084](#)) outlining its enforcement priorities for 2008 through 2010. EPA indicated that it will continue to include storm water runoff, combined sewer overflows, and sanitary sewer overflow as priorities under the CWA. EPA also plans to continue to enforce new source review requirements and maximum achievable control technology standards under the CAA.

Additionally, EPA will make it a priority to ensure that those who handle hazardous waste have adequate funds to close facilities, clean up releases, and compensate affected parties, as required under the CERCLA and the RCRA.

1.4.2 EPA Publishes Guidelines to Control Volatile Organic Compounds from Coatings

EPA published guidelines on 9 October 2007 to control VOC emissions from coatings used on paper, film, and foil, and on metal furniture and large appliances, rather than issuing national VOC rules ([72 FR 57215](#)).

EPA determined that CTGs, which establish RACT for specific types of operations, would be as effective as national regulations in reducing VOC emissions in areas that are violating ozone-related air quality standards. State regulators may impose the RACT measures, as well as other controls, as part of their SIPs to comply with EPA's air quality standard for ozone, which is 0.08 ppm averaged over 8 hours.

1.4.3 EPA to Consider the Capture and Storage of Carbon Dioxide

On 11 October 2007, EPA announced plans to develop regulations for geologic sequestration in collaboration with the DOE. Geologic sequestration is the process of injecting captured carbon dioxide in deep rock formations for long-term storage. The regulations will ensure that there is a consistent and effective permit system under the SDWA, which established the UIC program, to allow the safe injection of substances into the subsurface in a manner that does not endanger current or future underground sources of drinking water.

EPA is working with DOE as it advances its research and development program regarding the technology and the potential impacts on health, safety, and the environment. EPA plans to propose the regulations in the summer of 2008. Additional information about geologic sequestration can be found at EPA's website:

http://www.epa.gov/safewater/uic/wells_sequestration.html.

1.5 Clean Air Act Working Group Updates

1.5.1 Clean Air Act Working Group Telecons for 2007

The 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:

- 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

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 Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-120	Air Diesel Engines	10/12/2007	CRNR 2007, 41z, p. 1715	Notice	Air Resources Board Reduce Emissions from Diesel Engines on Commercial Craft Operated within California Waters and 24 Nautical Miles of the California Baseline This notice provides changes to the notice originally published in CRNR 2007, 36z, p. 1482 . Corrects errors associated with conversion to pdf in the posted regulatory documents. The text of the notice, the Initial Statement of Reasons and the Technical Support Document are available for review.	
CA-2007-121	Air Emissions Testing	10/19/2007	CRNR 2007, 42z, p. 1747	Notice Hearing	Air Resources Board Gaseous Pollutant Measurement Allowances for California's Heavy-Duty Diesel In-Use Compliance Regulation [13 CCR 1956.8] Announces a hearing to consider amending California's heavy-duty diesel engine test procedures to be more similar to the modifications planned by EPA. The proposed amendments would modify the measurement allowances for the regulated gaseous pollutants during heavy-duty diesel in-use compliance testing when using Portable Emissions Measurement Systems. The notice and Staff Report are available online. A public hearing is scheduled for 12/06/2007 in El Monte, California. Comments are due at noon on 12/05/2007.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-122	Air GHG Emissions	10/19/2007	CRNR 2007, 42z, p. 1777	Notice Hearing	Air Resources Board Mandatory Reporting of Greenhouse Gas Emissions [17 CCR 95100-33] Announces a hearing to discuss adoption of regulations requiring mandatory reporting of GHG emissions for California facilities pursuant to the requirements in AB 32. The notice and staff report are available online. A public hearing is scheduled for 12/06/2007 in El Monte, California. Comments are due at noon on 12/05/2007.	
CA-2007-123	Air State Implementation Plan	10/12/2007	72 FR 58013	Direct Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Revisions to the California SIP; San Francisco Bay Area [40 CFR 52] Approves a revision to the San Francisco Bay Area portion of the California SIP. This revision updates transportation conformity criteria and procedures related to interagency consultation and enforceability of certain transportation-related control measures and mitigation measures. Comments are due 11/13/2007. If no adverse comments are received, revision is effective 12/11/2007.	
CA-2007-124	Proposition 65	10/19/2007	CRNR 2007, 42z, p. 1784	Notice Workshop	Office of Environmental Health Hazard Assessment Proposition 65 Regulatory Update Project Request for input regarding the relative importance of identified potential regulatory actions and items that should be changed. Previously identified items include the following: <ul style="list-style-type: none"> ▪ Add needed definitions of statutory terms. ▪ Address averaging issues related to exposures to listed chemicals. ▪ Address scientific issues concerning methods of detection and analysis and detection limits. ▪ Adopt NSRLs and MADLs for important and common chemicals. ▪ Amend warning regulations to more specifically address the form, content, and delivery of warnings for exposures from consumer products, occupational exposures, and environmental exposures. ▪ Clarify issues related to minor deviations from safe harbor form or language. ▪ Clarify relative level of responsibility for providing warnings among manufacturers, distributors, and retailers for various types of exposures (including phone and internet sales). ▪ Consider additional changes to the Safe Use Determination regulation. ▪ Consider clarifying issues relating to assessing the level of exposure to listed chemicals from consumer products (i.e., transfer factors). ▪ Develop a regulation addressing exposures to beneficial nutrients in foods. Public workshop will be held 11/02/2007 in Sacramento, California. Comments are due 11/16/2007.	
CA-2007-125	Waste Treated Wood Waste	10/12/2007	CRNR 2007, 41z, p. 1732	Approved Amendment	Department of Toxic Substances Control Alternative Management Standards for Treated Wood Waste [22 CCR 67386.5, 67386.6, 67386.11] Allows containers filled to capacity with treated wood waste to be transported to treated wood waste facilities and makes editorial changes. Effective 11/02/2007.	

2.3 Florida State Regulatory Review

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

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-110	Air General Provisions	10/01/2007	FAW Notice #4698988	Final Rule	<p>Chapter 62–FDEP 204–Air Pollution Control General Provisions</p> <p>The final rule updates, through 06/30/2007, FDEP’s adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 50, 51, 52, and 53, as described below:</p> <ul style="list-style-type: none"> ▪ 40 CFR 50, National Primary and Secondary Ambient Air Quality Standards. Updated §50.1 Definitions to include Exceptional Events. Adopted §50.14 Treatment of Air Quality Monitoring Data Influenced by Exceptional Events, which requests that EPA exclude data showing exceedances or violations of NAAQS resulting from exceptional events from use in determinations. ▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart I, Review of New Sources and Modifications: Deleted all references to PCP and Clean Units. ▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart Y, Mitigation of Exceptional Events: Adopted mitigation of exceptional events. ▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Adopted Subpart Z, Provisions for Implementation of PM-2.5 NAAQS. ▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Appendix S, Emission Offset Interpretive Language: Updated to include definitions and procedures applicable to Nonattainment Major NSR Pollutants. ▪ 40 CFR 52, Approval and Promulgation of Implementation Plans, Subpart A, General Provisions: Deleted all references to PCPs and Clean Units. ▪ 40 CFR 53, Ambient Air Monitoring Reference and Equivalent Methods: Updated requirements for reference method determinations, processing of applications, and conditions of designation. ▪ 40 CFR 60, Standards of Performance for New Stationary Sources, Subpart A, General Provisions: Incorporated “force majeure” into definitions and performance testing. Updated 1-hour average measurements for continuous monitoring systems. Updated ASTM standard specifications and test methods for various compounds. ▪ 40 CFR 60, Standards of Performance for New Stationary Sources, Subpart D, Standards of Performance for Fossil Fuel-fired Steam Generators for which Construction is Commenced After 08/17/1971; Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for which Construction is Commenced after 09/18/1978; Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units: Updated standards for PM, SO₂, and NO_x. 	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
					<ul style="list-style-type: none"> ▪ 40 CFR 61, NESHAP, Subpart A, General Provisions: Incorporated "force majeure" into definitions and emissions testing. ▪ 40 CFR 63, NESHAP for Source Categories, Subpart IIII, Surface Coating of Automobiles and Light-Duty Trucks: Adopted requirements for capture systems and add-on control devices that are not taken into account when demonstrating compliance with applicable emissions limitations. ▪ 40 CFR 63, NESHAP for Source Categories, Subpart PPPP, Surface Coating of Plastic Parts and Products: Updated tables for operating limits, applicability of general provisions, and organic HAP mass fractions for solvents, solvent blends, and petroleum solvent groups. ▪ 40 CFR 63, NESHAP for Source Categories, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Processes: Vacated subpart. 	
FL-2007-111	Air State Implementation Plan	10/12/2007	72 FR 58016	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Florida; Clean Air Interstate Rule [40 CFR Part 52]</p> <p>Approves a revision to the Florida SIP that addresses the requirements of EPA's CAIR. EPA has determined that the SIP revision fully implements the CAIR requirements for Florida. As a result of this action, EPA also will withdraw, through a separate rulemaking, the CAIR FIPs concerning SO₂, NOX annual, and NOX ozone season emissions for Florida. Effective 11/13/2007.</p>	
FL-2007-112	Energy and Climate Change	10/19/2007	FAW Notice #4747585	Notice Meetings	<p>Chapter 62–Governor's Action Team on Energy and Climate Change</p> <p>Announces meetings to continue discussion of policy issues regarding the development of a comprehensive Energy and Climate Change Action Plan to address statewide greenhouse gas reductions. These meetings are scheduled for 10/29/2007 at 9:30 a.m. and 10/30/2007 at 8:30 a.m. at the Knott Building, The Capital, Tallahassee, Florida.</p>	
FL-2007-113	Energy Renewable Energy Technologies and Energy Efficiency	10/22/2007	FAW Notice #4732647 , #4732841 , #4732938 , #4733035 , #4733423 , and #4733520	Final Rules	<p>Chapter 62–FDEP 16–Renewable Energy Technologies and Energy Efficiency</p> <p>Finalizes rules under this section related to the Renewable Energy Technologies Grants Program and the Solar Energy Systems Incentives Program.</p>	
FL-2007-114	Reclamation	10/19/2007	FAW Notice #4729640	Notice Meeting	<p>Chapter 62–Land Reclamation Committee</p> <p>Announces a meeting to modify and approve the prioritization of Reclamation Applications. This meeting is scheduled for 10/30/2007 at 10:00 a.m. at the University of Florida IFAS, Bartow, Florida.</p>	
FL-2007-115	Restoration	10/17/2007	72 FR 58833	Notice	<p>Department of the Army, U.S. Army Corps of Engineers</p> <p>Revised final draft of the six guidance memoranda required by the programmatic regulations for the Comprehensive Everglades Restoration Plan. Comments are due 12/17/2007.</p>	
FL-2007-116	Water Storm Water; MS4 Fees	10/31/2007	FAW Notice #4756606 and #4756800	Final Rule	<p>Chapter 62–FDEP 4.050 and 4.052–Storm Water Permit Fees and MS4 Surveillance Fees</p> <p>Amends the rule to 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.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-117	Water St. John's Water Management District	10/19/2007	FAW Notice #4738467	Notice Meeting	Chapter 40C--St. Johns River Water Management District Announces a public meeting; staff may recommend approval of external amendments that affect the adopted budget. The meeting is scheduled for 11/13/2007 at 8:15 a.m. at District Headquarters, Palatka, Florida.	

2.4 Hawaii State Regulatory Review

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

2.5 Louisiana State Regulatory Review

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

2.6 Maryland State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD-2007-12	Air Clean Air Interstate Rule	10/12/2007	34:21 Md. R. 1918	Final Action	Department of the Environment Clean Air Interstate Rule [COMAR 26.11.28] Adds regulations under COMAR 26.11.28 that outline the provisions for allocation of NOx allowances. Effective date is 10/22/2007.	
MD-2007-13	Air Emission Reduction Credits	10/12/2007	34:21 Md. R. 1917	Final Action	Department of the Environment Nonattainment Provisions for Major New Sources and Modifications [COMAR 26.11.17] Amends emission reduction credit regulations by adding new provisions for transferring emission reduction credits and plantwide applicability limits for major new sources and modifications. Effective 10/22/2007.	

2.7 Mississippi State Regulatory Review

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

2.8 New Mexico State Regulatory Review

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

2.9 Ohio State Regulatory Review

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

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-68	Air Emissions Fees	10/16/2007	OAC 3745-78	Public Notice	<p>Division of Air Pollution Control, OEPA</p> <p>The Title V Emissions Fee for calendar year 2007 emissions is \$41.96/ton.</p> <p>Each facility with a Title V permit must submit a fee emission report annually to the OEPA. Fees are assessed on quantities of actual emissions of PM, SO₂, NO_xs, organic compounds, and lead. The fee for reporting year 2007 is \$41.96/ton.</p>	
OH-2007-69	Air NAAQS–Best Available Technology	10/17/2007	OEPA Letter to Stakeholders	Public Notice	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p>Best Available Technology (BAT) Rule Making Activity</p> <p>Requests stakeholder input in developing a prioritized list of air contaminant source categories to be controlled at BAT levels for NAAQS pollutants. OEPA will shift from a case-by-case determination of BAT to a rule-based approach for NAAQS pollutants (or precursors) on 08/03/2009. Please see the BAT Rulemaking website for information. Comments are due 11/14/2007.</p>	
OH-2007-70	Air Opacity	10/16/2007	72 FR 58523	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Ohio Particulate Matter [40 CFR Part 52]</p> <p>Approves Ohio rules concerning EVELs; specifically, alternate opacity limits that may be established for stack sources that meet mass emission limits but cannot meet standard opacity limits. Ohio's rules provide criteria for the establishment of EVELs that may take effect without formal review by EPA. Effective date is 11/15/2007.</p>	
OH-2007-71	Air State Implementation Plan	10/16/2007	72 FR 58546	Direct Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval of Implementation Plans; Ohio; Clean Air Interstate Rule [40 CFR Parts 52 and 97]</p> <p>Approves Ohio's abbreviated SIP revision that addresses the methodology used to allocate annual and ozone season NO_x allowances to affected electric-generating units, and the opt-in provisions, under the CAIR trading programs and the CAIR FIP. Effective 12/17/2007 unless EPA receives adverse comments by 11/15/2007.</p>	
OH-2007-72	Hazardous Waste	10/19/2007	Quarterly Newsletter	Notice	<p>Division of Hazardous Waste Management, OEPA</p> <p>The Fall 2007 Notifier newsletter is now available. This issue includes the following articles:</p> <ul style="list-style-type: none"> ▪ Environmental Stewardship Awards ▪ How Do I Count My Hazardous Waste? ▪ Rule Changes for Staging at Recycling Facilities ▪ Ask the Inspector about Generator Status 	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-73	Nuclear Radioactive Material Standards	10/04/2007	OAC 3701:1-52	Final Rule	Ohio Department of Health Revisions to Radioactive Material Standards Finalizes revisions to OAC Chapter 3701:1-52, which applies to use of sealed sources containing radioactive materials in irradiators used to irradiate objects or materials using gamma radiation. Additionally, the rules apply to panoramic irradiators that have either dry or wet storage of the radioactive sealed sources and to underwater irradiators in which both the source and the product being irradiated are under water. Irradiators whose dose rates exceed five hundred rad per hour at one meter from the radioactive sealed sources in air or in water, as applicable for the irradiator type, also are covered by this chapter. Effective 10/04/2007. The rule does not apply to self-contained dry-source-storage irradiators, radiography, or gauging.	
OH-2007-74	Solid Waste Construction and Debris Facilities	10/18/2007	OAC 3745-520-50	Final Rule	Division of Solid and Infectious Waste Management, OEPA Groundwater Monitoring Fee Rule [OAC 3745-520-50] Finalizes the Groundwater Monitoring Fee rule. This rule levies groundwater monitoring fees for construction and demolition debris facilities at a rate of \$0.05 per cubic yard or \$0.10 per ton on the disposal of construction and demolition debris. The fees will be used to fund and conduct groundwater monitoring of these facilities by the licensing authority. Effective 11/01/2007.	
OH-2007-75	Solid Waste Scrap Tires	10/18/2007	OAC 3745-27	Final Rule	Division of Solid and Infectious Waste Management, OEPA Scrap Tires Rules [OAC 3745-27] Finalizes rules pertaining to Scrap Tires. Effective 11/01/2007.	
OH-2007-76	Water NPDES General Permit	10/12/2007	Public Notice	Notice	Division of Surface Water, Ohio Environmental Protection Agency Final General NPDES Permit: Hydrostatic Test Water [OAC 3745-1-05] OEPA has issued a final NPDES general permit to Discharge Hydrostatic Test Water in Ohio. Hydrostatic test water means water placed in pipelines, tanks, etc. (new and unused or used) and raised to greater than atmospheric pressure to check for leaks or structural integrity. Hydrostatic test water also includes tanks and pipelines filled with water to test for leaks without raising pressure to above atmospheric pressure. Effective 11/01/2007.	

2.10 Texas State Regulatory Reviews

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

2.10.1 TCEQ Releases TERP Guidelines Revisions for Public Comment

TCEQ is providing an opportunity for written and oral public comment on the [Texas Emissions Reduction Plan - Guidelines for Emissions Reduction Incentive Grants](#). The guidelines have been revised to include policy changes and statutory changes from House Bill 160 and Senate Bill 12 enacted by the 80th Texas Legislature. Comments must be received by 16 November 2007. Public meetings will be held in the following locations:

- Houston, 5 November 2007
- Arlington, 6 November 2007
- San Antonio, 13 November 2007
- Austin, 15 November 2007

More information, including a [summary of the changes](#), is posted on the [TCEQ website for Emissions Reduction Incentive Grants](#).

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-41	Aboveground Storage Tanks	10/15/2007	24:3 Va.R. 350-376	Proposed Rule	State Water Control Board Aboveground Storage Tank and Pipeline Facility Financial Responsibility Requirements [9VAC25-640] Proposal would authorize the State Water Control Board to require owners and operators of pipelines and facilities to demonstrate financial responsibility based on total storage capacity. Comments are due 12/14/2007.	
VA-2007-42	Licensing Water Well Systems	10/15/2007	24:3 Va.R. 416-422	Final Rule	Board for Contractors Individual License and Certification Regulations [18VAC50-30] Amendments establish a certification program for water well system providers. Effective 11/15/2007.	