



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

30 November 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).

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Acronyms

ADEM = Alabama Department of Environmental Management
ANPRM = Advance Notice of Proposed Rulemaking
CAAWG = Clean Air Act Working Group
CAS = Chemical Abstract Service
CCR = *California Code of Regulations*
CFR = *Code of Federal Regulations*
chRD = Child-specific reference dose
CRNR = *California Regulatory Notice Register*
DAPC = Division of Air Pollution Control
DEA = Drug Enforcement Administration
DoD = U.S. Department of Defense
DOE = U.S. Department of Energy
DOT = U.S. Department of Transportation
EMD = Environmental Management Division
EPA = U.S. Environmental Protection Agency
F.A.C = Florida Administrative Code
FAR = Federal Acquisition Regulation
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental Protection
FR = *Federal Register*
F.S. = Florida Statute
FY = Fiscal year
GSA = General Services Administration
GSE = Ground support equipment
HAP = Hazardous air pollutant
HQ = Headquarters
HTML = HyperText Markup Language
mg/kg = Milligrams per kilogram
MSFC = Marshall Space Flight Center
NASA = National Aeronautics and Space Administration

NESHAP = National Emission Standards for Hazardous Air Pollutants
NPRM = Notice of Proposed Rulemaking
NRC = Nuclear Regulatory Commission
OAC = Ohio Administrative Code
OAL = Office of Administrative Law
OBD = On-board diagnostic
OEHHA = Office of Environmental Health Hazard
OEPA = Ohio Environmental Protection Agency
OSHA = Occupational Safety and Health Administration
PFAC = Perfluoroalkyl carboxylates
PFAS = Perfluoroalkyl sulfonates
PM = Particulate matter
RFS = Renewable fuels standard
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SCAQMD = South Coast Air Quality Management District
SIP = State implementation plan
SJVAPCD = San Joaquin Valley Air Pollution Control District
SJRWMD = St. Johns River Water Management District
SNUR = Significant New Use Rule
TMDL = Total maximum daily load
TSCA = Toxic Substances Control Act
U.S. = United States
UST = Underground storage tank
Va.R. = *Virginia Register*
VAC = Virginia Administrative Code
VOC = Volatile organic compound

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-2007-262	Anti-Terrorism Standards Chemical Security	11/20/2007	72 FR 65395	Final Rule	<p>Department of Homeland Security Appendix to Chemical Facility Anti-Terrorism Standards [6 CFR Part 27]</p> <p>Revises the list of chemicals of interest included as Appendix A to the Chemical Facility Anti-Terrorism Standards Interim Final Rule (72 FR 17688, 04/09/2007). Appendix A lists chemicals of interest and screening threshold quantities. Any facility that possesses (or later comes into possession of) the listed chemicals in quantities that meet or exceed the screening threshold quantities for any applicable security issue must complete and submit a Top-Screen. The Rule does the following:</p> <ul style="list-style-type: none"> Adjusts the screening threshold quantities for certain chemicals of interest Defines the specific security issue or issues implicated by each chemical of interest, and in some cases, establishes different thresholds for chemicals based upon the security issue presented Adds provisions that instruct facilities on how to calculate the quantities of chemicals of interest that they have in their possession <p>Effective 11/20/2007 [RIN 1601-AA41].</p> <p>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 NRC.</p>	<p>NASA Centers and Programs should review this rule for potential applicability. Please notify Sharon Scroggins/MSFC of any adverse impacts or concerns.</p>
Fed-2007-263	Controlled Substances	11/27/2007	72 FR 66118	Proposed Rule	<p>Drug Enforcement Administration New Single-Sheet Format for U.S. Official Order Form for Schedule I and II Controlled Substances [21 CFR PART 1305]</p> <p>Proposes to amend regulations to implement a new format for order forms that are issued to DEA registrants to allow them to order Schedule I or II controlled substances. Comments are due 01/28/2007 [RIN 1117-AB15].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-264	Controlled Substances Pseudoephedrine and Phenylpropanolamine	11/20/2007	72 FR 65248	Proposed Rule	Drug Enforcement Administration, Department of Justice Removal of Thresholds for the List I Chemicals Pseudoephedrine and Phenylpropanolamine [21 CFR Part 1310] Proposes to remove the thresholds for importation, exportation, and domestic distributions of the List I chemicals pseudoephedrine and phenylpropanolamine. Also clarifies that all transactions of drug products containing ephedrine, pseudoephedrine, and phenylpropanolamine, except retail transactions, are considered to be regulated transactions. Comments are due 01/22/2008 [RIN 1117-AB10].	
Fed-2007-265	Energy	11/23/2007	72 FR 65868	Final Rule	DoD, GSA, and NASA Federal Acquisition Regulation; FAR Case 2006-008, Implementation of Section 104 of the Energy Policy Act of 2005 [48 CFR Parts 2, 22, 23, 36, and 52] Amends the FAR to address the implementation of the Energy Policy Act of 2005, which requires that all acquisitions of energy-consuming products and all contracts that involve the furnishing of energy-consuming products require the acquisition of ENERGY STAR® or Federal Energy Management Program designated products. Effective 12/24/2007 [RIN 9000-AK63].	
Fed-2007-266	Environmental Marketing	11/27/2007	72 FR 66091	Notice	Federal Trade Commission Guides for the Use of Environmental Marketing Claims [16 CFR Part 260] Requests public comment on Guides for the Use of Environmental Marketing Claims (16 CFR Part 260). Comments are due 02/11/2008.	
Fed-2007-267	Environmental Marketing	11/27/2007	72 FR 66094	Notice	Federal Trade Commission Guides for the Use of Environmental Marketing Claims; Carbon Offsets and Renewable Energy Certificates; Public Workshop [16 CFR Part 260] Announces a public workshop to examine the emerging market for carbon offsets (greenhouse gas emission reduction products) and renewable energy certificates, and related advertising claims. The workshop is a component of the regulatory review of the Guides for the Use of Environmental Marketing Claims (16 CFR Part 260). Workshop is scheduled for 01/08/2008 in Washington, D.C. Comments are due 01/25/2008.	
Fed-2007-268	Hazardous Materials Bisphenol A	11/30/2007	72 FR 67730	Notice	National Institute of Environmental Health Sciences; National Institutes of Health. Announcement of the Availability of the Bisphenol A Expert Panel Report; Request for Public Comment Announces the availability of the final bisphenol A expert panel report . The report is an evaluation of the reproductive and developmental toxicity of bisphenol A, conducted by an independent, 12-member expert panel. Comments are due 01/25/2008.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description		Suggested Actions
					Description		
Fed-2007-269	Hazardous Materials Transport Special Permits	11/21/2007	72 FR 65644	Notice	Pipeline and Hazardous Materials Safety Administration Office of Hazardous Materials Safety; Notice of Application for Special Permits List of applications for special permits received. The list includes the following: <ul style="list-style-type: none"> ▪ Application No. 14602-N, Lockheed Martin Space Systems Company, Sunnyvale, California. To authorize the transportation in commerce of anhydrous ammonia in non-DOT specification packaging. 		
Fed-2007-270	Nuclear Radioactive Material Transport	11/21/2007	72 FR 65470	Notice	Nuclear Regulatory Commission Regulations for the Safe Transport of Radioactive Material; Notice of Document Availability and Request for Comments [10 CFR Part 71] Seeks public comment on a draft revision of the International Atomic Energy Agency's "Regulations for the Safe Transport of Radioactive Material," which is scheduled for publication in 2009. Requests input from the public to assist in developing the U.S. comments. A summary Table of Changes document comparing the 2005 version to the proposed 2009 changes by paragraph also is available. Comments are due 01/04/2008.		
Fed-2007-271	Nuclear Regulatory Guides	11/30/2007	72 FR 67764	Notice	Nuclear Regulatory Commission Revised Regulatory Guides: Impending Issuance, Availability Notice that several draft Regulatory Guides are expected to be published for review and comment over the next 90 days. Included in the listed Regulatory Guides are the following: <ul style="list-style-type: none"> ▪ 10.6–Guide for the Preparation of Applications for Use of Sealed Sources and Devices for Performing Industrial Radiography ▪ 10.7–Guide for the Preparation of Applications for Licenses for Laboratory and Industrial Use of Small Quantities of Byproduct Material ▪ 10.8–Guide for the Preparation of Applications for Medical Use Programs ▪ 10.9–Guide for the Preparation of Applications for Licenses for the Use of Self-Contained Dry Source-Storage Gamma Irradiators The comment period for each Regulatory Guide will be 60 days from the date of its posting on the NRC Web site .		

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-272	OSHA Confined Spaces	11/28/2007	72 FR 67351	Proposed Rule	<p>OSHA Confined Spaces in Construction [29 CFR Part 1926]</p> <p>Proposes a rule to protect employees from the hazards associated with confined spaces in the construction industry. Under the proposed rule, employers would first determine whether there is a confined space at a job site. If there is a confined space, the employer would determine if there are existing or potential hazards in the space. If there are such hazards, the employer then would classify the space according to the physical and atmospheric hazards found in it. The four classifications are as follows:</p> <ul style="list-style-type: none"> ▪ Isolated-Hazard Confined Space ▪ Controlled-Atmosphere Confined Space, Permit Required ▪ Confined Space ▪ Continuous System, Permit-Required Confined Space. <p>Comments are due 01/28/2008 [RIN 1218-AB47].</p>	
Fed-2007-273	TSCA SNUR	11/19/2007	72 FR 64951	Final Rule Withdrawal	<p>Certain Chemical Substances: Withdrawal of Significant New Use Rules [40 CFR Part 721]</p> <p>Withdraws two SNURs (72 FR 53470, 9/19/2007) for substances that were the subject of premanufacture notices:</p> <ul style="list-style-type: none"> ▪ Dodecandioic acid, 1, 12-dihydrazide (CAS No. 4080-98-2) ▪ Thiophene, 2,5-dibromo-3-hexyl- (CAS No. 116971-11-0) <p>EPA intends to propose SNURs for these two substances in the future. Effective 11/19/2007 [RIN 2070-AB27].</p>	

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	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	12/2008			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	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	08/2007			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.
Final	06/2009			

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	07/16/2007	72 FR 38951	Proposed Rule	Possible space vehicle materials impacts.
Final Action	12/2007	National VOC Rule for Aerosol Coatings [2060-AN69]		Rule would impose limits on VOC content for aerosol coatings. The limits would apply to coating manufacturers, and could be a driver for formulation changes to reduce VOC content.
NPRM	09/17/2007	72 FR 52957	Proposed Rule	Possible space vehicle operational or materials impacts.
Final Action	12/2007	Area Sources: Surface Coating and Paint Stripping [2060-AN21]		The proposed standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. A regulatory alert was prepared regarding this rulemaking and is available on the RRAC PC website .
NPRM	01/03/2007	72 FR 69	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]		Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	03/07/2006	71 FR 11483	Proposed Rule	Possible space vehicle materials impacts.
Final Action	01/2008	SNUR: Perfluorinated Polymers [2070-AD58]		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 Significant News and Other Developments

1.3.1 EPA Announces 2008 Renewable Fuels Standard

EPA published a notice on 27 November 2007 ([72 FR 66171](#)) setting a new RFS of 4.66 percent to meet the 2005 Energy Policy Act's mandate that at least 5.4 billion gallons of renewable fuels be blended into transportation gasoline in 2008. On the basis of the standard, the nation's gasoline supply must include 4.66 percent renewable fuel content in 2008. The standard for 2007 was 4.02 percent, equating to roughly 4.7 billion gallons. The overall volume target increases every year, reaching 7.5 billion gallons in 2012. The Energy Policy Act requires EPA to determine the standard that applies to refiners, importers and non-oxygenate blenders of gasoline by 30 November annually for the following calendar year.

More information about the RFS Notice of 2008 Requirement is available at EPA's website at: <http://www.epa.gov/otaq/renewablefuels>.

1.3.2 EPA Issues Final Emission Standards for Volatile Organic Compounds in Aerosol Spray Paints

On 16 November 2007, EPA published on its website the [final rule](#) for a National Emission Standard for VOCs for Aerosol Coatings. EPA based the rule on a California state regulation and establishes a reactivity-based standard for aerosol coatings that are used by both individual and industrial end users. The standard was set based on how rapidly the VOCs react with sunlight to form ground-level ozone.

This rule will take effect upon its publication in the *FR* or on 13 December 2007, whichever is later. Regulated entities must comply with applicable requirements by 1 January 2009.

Companies that have not previously manufactured, processed, or distributed aerosol coatings in California may seek a compliance extension from EPA until 1 January 2011.

Manufacturers and processors are required to use best available controls to limit VOC emissions. As an alternate means of compliance, it is possible that manufacturers may reformulate their coatings to reduce VOC content. Manufacturers producing aerosol coatings with an annual total VOC content of 7,500 kilograms or less are exempt from the rule's requirements for VOC content and product labeling.

1.3.3 Status of Emerging Actions

A consolidated list of emerging actions being tracked by NASA HQ/EMD is available on the [RRAC PC website](#), under Regulatory Alerts. Updates will be noted in this section as they become available. 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 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 16 January
- 20 February
- 19 March
- 16 April
- 21 May
- 18 June
- 16 July
- 20 August
- 17 September
- 15 October
- 19 November

2.0 State Regulatory Reviews

The following sections provide details of the 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-2007-30	Water	11/30/2007	Division 6	Proposed Amendments Hearing Notice	<p>335–Alabama Department of Environmental Management (ADEM) 6–Water Division</p> <p>Proposed amendments to ADEM's Administrative Code include the following:</p> <ul style="list-style-type: none"> ▪ 335-6-15-.02 Definitions ▪ 335-6-15-.04 Interim Prohibition for Deferred UST Systems ▪ 335-6-15-.05 Notification Requirements ▪ 335-6-15-.06 Performance Standard for New USTs, Piping, UST Systems, and/or Dispensers ▪ 335-6-15-.11 Compatibility ▪ 335-6-15-.13 Reporting and Recordkeeping ▪ 335-6-15-.14 General Release Detection Requirements for all UST Systems ▪ 335-6-15-.15 Release Detection Requirements for Petroleum UST Systems ▪ 335-6-15-.17 Methods of Release Detection for Tanks ▪ 335-6-15-.24 Initial Release Response ▪ 335-6-15-.29 Corrective Action Plan ▪ 335-6-15-.31 Public Participation ▪ 335-6-15-.45 Delivery Prohibition ▪ 335-6-15-.46 Severability <p>Amendments are intended to provide updated regulations to meet the requirements of the Delivery Prohibition Provisions of the Federal Energy Policy Act of 2005 and other necessary updates. A list of specific changes can be found in the Summary of Reason document. A hearing is scheduled for 01/04/2008 at 10:00 a.m. to be held at the ADEM Headquarters, Montgomery, Alabama.</p>	<p>MSFC should review this rule for potential applicability. Please notify Sharon Scroggins/MSFC of any adverse impacts or concerns.</p>

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-2007-145	Air Consumer Products	11/23/2007	CRNR 2007, 47z, p. 1972	Notice	Air Resources Board Consumer Products [17 CCR 94508, 94509, 94510, 94511, 94512, 94513, 94514, 94515, 94523] Amendments adding and modifying product categories and establishing new VOC limits for many product categories. Various effective dates are applicable. Some of the affected products are electronic cleaners, brake cleaners, engine degreasers, floor polish or wax, automotive windshield washer fluid, bathroom and tile cleaners, laundry starch, oven cleaner, carburetor or fuel-injection air intake cleaners, floor covering adhesives, and general purpose cleaners (aerosol). The amendments also prohibit the use of three toxic air contaminants—methylene chloride, perchloroethylene, and trichloroethylene—in the regulations on “Bathroom and Tile Cleaner,” “Construction, Panel and Floor Covering Adhesive,” “General Purpose Cleaner,” and “Oven Cleaner.” Effective 12/08/2007.	NASA Centers and Programs should review this rule for potential applicability. Please notify Sharon Scroggins/MS FC of any adverse impacts or concerns.
CA-2007-146	Air On-Board Diagnostic	11/23/2007	CRNR 2007, 47z, p. 1972	Notice	Air Resources Board On-Board Diagnostic (OBD) II [13 CCR 1968.2, 1968.5, 2035, 2037, 2038] This action is the resubmittal of a previously disapproved OAL file and makes extensive updates to the OBD II program. Effective 11/09/2007.	
CA-2007-147	Air State Implementation Plan	11/20/2007	72 FR 65283	Proposed Rule	Environmental Protection Agency Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District Proposes to approve revisions to the SJVAPCD portion of the California SIP. These revisions concern VOC emissions from flare operations at facilities such as oil and chemical refineries. Comments due: 12/20/2007.	
CA-2007-148	Air State Implementation Plan	11/20/2007	72 FR 65285	Proposed Rule	Environmental Protection Agency Revisions to the California State Implementation Plan, South Coast Air Quality Management District Proposes to approve revisions to the SCAQMD portion of the California SIP. These revisions concern PM emissions from fugitive dust sources and cement manufacturing plants. Comments due: 12/20/2007.	
CA-2007-149	Exposure Guidelines	11/30/2007	CRNR 2007, 48z, p. 2039	Notice of Availability	Office of Environmental Health Hazard Assessment; California Environmental Protection Agency Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code Section 901(G): Dieldrin Evaluation Announces the availability of the subject document. OEHHA has found additional information indicating that exposure to dieldrin during the childhood neurological developmental period could irreversibly affect the system of nerve cells that use dopamine as its neurotransmitter. This document is a status report regarding dieldrin's potential to affect children at low doses.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-150	Exposure Guidelines	11/30/2007	CRNR 2007, 48z, p. 2039	Notice of Public Comment Period	<p>Office of Environmental Health Hazard Assessment; California Environmental Protection Agency</p> <p>Child-Specific Reference Dose (chRD) for Chlorpyrifos for Use in Assessing Health Risks at Existing and Proposed School Sites</p> <p>Announces availability of draft report, "Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code Section 901(g): PROPOSED CHILD-SPECIFIC REFERENCE DOSE (chRD) FOR SCHOOL SITE RISK ASSESSMENT, Chlorpyrifos," for review and comment. Comments are due 01/18/2008.</p>	
CA-2007-151	Exposure Guidelines	11/30/2007	CRNR 2007, 48z, p. 2040	Notice of Availability	<p>Office of Environmental Health Hazard Assessment; California Environmental Protection Agency</p> <p>Development of Health Criteria for School Site Risk Assessment Pursuant to Health and Safety Code Section 901(G): Malathion Evaluation</p> <p>Announces the availability of the subject document. OEHHA has found additional information indicating that indicates the immune system could be a sensitive target of malathion, and this chemical potentially could affect children at low, non-cholinergic doses (doses that do not result in overt neurotoxicity from cholinesterase inhibition). However, there is insufficient information to derive a chRD based on the immune endpoint. EPA is requiring the registrant to develop additional immunotoxicity data as part of the re-registration process. When the immunotoxicity data become available, OEHHA will review and determine the applicability of those data to establishing a chRD. In the interim, OEHHA recommends the chronic reference dose of 0.003 mg/kg-day for malathion for assessing health risk at school sites. The document is a status report on malathion's potential to affect children at low non-cholinergic doses.</p>	
CA-2007-152	Proposition 65	11/30/2007	CRNR 2007, 48z, p. 2040	Notice to Interested Parties	<p>Office of Environmental Health Hazard Assessment; California Environmental Protection Agency</p> <p>December 10, 2007, Meeting of the Science Advisory Board's Developmental and Reproductive Toxicant Identification Committee</p> <p>A public meeting of this committee will be held on 12/10/2007 at the California Environmental Protection Agency Headquarters Building, Byron Sher Auditorium, at 1001 I Street, Sacramento, California, at 10:00 a.m. Information and materials related to the meeting are posted on the OEHHA web site at: http://www.oehha.ca.gov/prop65.html.</p>	
CA-2007-153	Recycling	11/23/2007	CRNR 2007, 47z, p. 1969	Notice Rulemaking Petition Decision	<p>Department of Conservation, Division of Recycling</p> <p>Petition concerning previously baled material delivered by certified recycling centers [14 CCR 2401(b)]</p> <p>Pursuant to Government Code Sections 11340.6 and 11340.7 of the California Administrative Procedure Act, the petition requesting amending regulations related to the beverage container recycling program is denied.</p>	
CA-2007-154	Toxic Substances Environmental Fee	11/23/2007	CRNR 2007, 47z, p. 1974	Notice	<p>Department of Toxic Substances Control</p> <p>Environmental Fee [22 CCR 66269.1]</p> <p>Effective 12/07/2007</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-155	Water TMDL	11/23/2007	CRNR 2007, 47z, p. 1974	Notice	State Water Resources Control Board San Francisco Bay Mercury TMDL [23 CCR 3915] This amendment establishes fish tissue objectives for mercury, removes the marine waters' 4-day average water quality objective, and establishes the allowable annual mercury load and monitoring provisions necessary to implement the TMDL. The State Water Resources Control Board approved this amendment on 07/17/2007.	

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-2007-130	Environmental Regulation Commission	11/21/2007	FAW Notice #4849629	Notice Meeting	Chapter 62–Environmental Regulation Commission A meeting to discuss rule adoptions and briefings is scheduled for 12/04/2007 at 9:00 a.m. at FDEP, Tallahassee, Florida.	
FL-2007-131	Water Clean Water Act	11/21/2007	FAW Notice #4868932	Notice Workshop	Chapter 62–Fiscal Year 2008 Federal Clean Water Act To present the FDEP's recommendations and to receive public comment on the intended use of the FY 2008 Federal Clean Water Act appropriations and state matching funds. Funds may be used to finance wastewater, storm water, or non-point source preconstruction and/or construction projects through direct loans under State Revolving Fund Rule, Chapter 62-503, F.A.C. The workshop is scheduled for 01/09/2008 at 10:00 a.m. at FDEP, Tallahassee, Florida.	
FL-2007-132	Water Reuse of Reclaimed Water	11/19/2007	FAW Notice #4863597, #4863791, #4863888, #4863985, #4864082, #4864276, #4864470, #4864664, and #4864761	Final Rule	Chapter 62–FDEP 610–Reuse of Reclaimed Water The final rule is intended to ensure consistency with statutory requirements in Section 403.064, F.S., related to the linkage between reuse requirements in consumptive use permits and FDEP permits. The rule also should do the following: <ul style="list-style-type: none"> Encourage efficient and effective use of reclaimed water Eliminate outdated rule references or requirements Clarify and refine the reuse rules 	
FL-2007-133	Water SJRWMD	11/21/2007	FAW Notice #4895122	Notice Meeting	Chapter 40C–St. John's River Water Management District Informational workshop regarding Water Resource and Water Supply Development. The meeting is scheduled for 12/10/2007 at 2:00 p.m. at Headquarters, Palatka, Florida.	
FL-2007-134	Water SJRWMD	11/21/2007	FAW Notice #4895704	Notice Meeting	Chapter 40C–St. John's River Water Management District The Projects and Land Committee will meet to discuss agenda items, followed by committee recommendations to be approved by the full Governing Board. The meeting is scheduled for 12/11/2007 at 8:00 a.m. at Headquarters, Palatka, Florida.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-135	Water SJRWMD	11/21/2007	FAW Notice #4896092	Notice Meeting	Chapter 40C--St. Johns River Water Management District Announces a public meeting to discuss SJRWMD business, including regulatory and non-regulatory matters. The meeting is scheduled for 12/11/2007 at 8:15 a.m. at District Headquarters, Palatka, Florida.	
FL-2007-136	Water State Revolving Fund	11/21/2007	FAW Notice #4886877	Notice Hearing	Chapter 62--FY 2008 State Revolving Fund The purpose of the hearing is to receive testimony and public comment and to take final action on the management of the FY 2008 State Revolving Fund priority list for water pollution control loan projects under Chapter 62-503, F.A.C. Projects qualifying under Chapter 62-503, F.A.C., for wastewater, storm water, or non-point source loans will be ranked and added to the contingency portion of the FY 2008 priority list. After the hearing, FDEP will file the written Record of Final Agency Action and will make it available to persons sponsoring the projects at issue and to any person submitting a timely written request. The hearing is scheduled for 01/09/2008 at 2:00 p.m. at FDEP, Tallahassee, Florida.	

2.4 Hawaii State Regulatory Review

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

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
HI-2007-08	Endangered Species Critical Habitat	11/28/2007	72 FR 67427	Proposed Rule	Fish and Wildlife Service, Department of the Interior Endangered and Threatened Wildlife and Plants; Revised Proposed Designation of Critical Habitat for 12 Species of Picture-Wing Flies from the Hawaiian Islands [50 CFR Part 17] Proposes to revise a previous proposal (08/15/2006, 71 FR 46993) to designate critical habitat for 12 species of Hawaiian picture-wing flies. The boundaries of this proposed critical habitat designation encompass approximately 9,238 acres located in four counties: Honolulu, Hawaii, Maui, and Kauai. Further information regarding this critical habitat designation is available on the web . Comments are due 01/23/2008.	

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

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

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-2007-86	Air Emission Reporting	11/28/2007	Public Notice	Proposed Rule	Division of Air Pollution Control, OEPA Emission Statements and Fee Emission Reports [OAC 3745-24 and 3745-78] Proposes amendments to OAC rules 3745-24-01, "Definitions," 3745-24-03, "Deadlines for the Submission of the Emission Statements," 3745-78-01, "Definitions," and 3745-78-02, "Fee Emission Reports". The proposed rule changes would extend the filing deadline for fee emission reports and emissions statements during the calendar year 2008 to provide sufficient time for users of the new electronic reporting system in development by DAPC. Comments are due 01/07/2008.	
OH-2007-87	Air Stationary Source Emissions	11/20/2007	Public Notice	Proposed Rule	Division of Air Pollution Control, OEPA Control of emissions of organic materials from stationary sources [OAC 3745-21-07] OEPA has refiled OAC Rule 3745-21-07, "Control of Emissions of Organic Materials from Stationary Sources." Because major revisions have been made to existing Rule 3745-21-07, the existing rule has been rescinded and a new rule has been created. Details are provided in the Synopsis , White Paper , and Responsive Summary to Comments . The refiled rule is not effective at this time. OEPA will post further information on its website as it becomes available.	

2.10 Texas State Regulatory Reviews

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

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](#) 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-2007-49	Air State Implementation Plan	11/26/2007	24:6 Va.R 886	Notice	Virginia Department of Environmental Quality Air Quality Plan–Virginia State Implementation Plan Announces public comment period on a proposed air quality plan to address ozone and very fine particulate matter (PM2.5). If adopted, the plan would be submitted as a revision to the Virginia SIP. Comments are due 12/05/2007. A public meeting to discuss the plan is scheduled for 12/05/2007 at the Department's office in Richmond, Virginia. Further information is available on the web .	
VA-2007-50	Land Use Biosolids	11/26/2007	24:6 Va.R 700-806	Final Rule	State Water Control Board Biosolids (9 VAC 25-20, 9 VAC 25-31, 9 VAC 25-32, and 9 VAC 25-790) Transfers oversight of the biosolids regulatory program from the Virginia Department of Health to the Virginia Department of Environmental Quality. Effective 01/08/2008.	
VA-2007-51	Water TMDL	11/26/2007	24:6 Va.R 887-888	Notice	Virginia Department of Environmental Quality; Virginia Department of Conservation and Recreation; Hampton Roads Planning District Commission; City of Hampton; City of Poquoson; York County Notice that an Implementation Plan is being developed to address fecal bacteria impairments to shellfishing and recreation in the Back River and Poquoson River watersheds. Comments are due 01/02/2008. Further information is available on the web .	