



National Aeronautics and  
Space Administration

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

# Regulatory Tracking Summary

---

*25 July 2008*

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 at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

## Contents of This Issue

<b>1.0</b>	<b>U.S. Federal Regulatory Review</b>	<b>4</b>
1.1	Federal Register Summary	4
1.2	Status of Continuing Actions in Progress	9
1.3	Significant News and Other Developments	11
1.3.1	<i>EPA Releases Report on Climate Change and Health</i>	11
1.3.2	<i>EPA Reissues Final Rule for the Organic Liquids Distribution NESHAP</i>	11
1.3.3	<i>EPA Determines Regulation Not Needed for 11 Potential Drinking Water Contaminants</i>	11
1.4	Clean Air Act Working Group Updates	12
1.4.1	<i>Clean Air Act Working Group Telecons for 2008</i>	12
<b>2.0</b>	<b>State Regulatory Reviews</b>	<b>13</b>
2.1	Alabama State Regulatory Review	13
2.2	California State Regulatory Review	13
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	17
2.9	Ohio State Regulatory Review	17
2.10	Texas State Regulatory Reviews	17
2.11	Utah State Regulatory Review	18
2.12	Virginia State Regulatory Review	18

## Acronyms

AACM = Alternative Asbestos Control Method	NPDES = National Pollutant Discharge Elimination System
ANPRM = Advance Notice of Proposed Rulemaking	NPRM = Notice of Proposed Rulemaking
CAA = Clean Air Act	ODS = Ozone depleting substance
CAAWG = Clean Air Act Working Group	OLD = Organic liquids distribution
CCL 2 = Second Contaminant Candidate List	PBR = Permit-by-Rule
CCR = <i>California Code of Regulations</i>	PFAC = Perfluoroalkyl carboxylate
CDC = Centers for Disease Control	PFAS = Perfluoroalkyl sulfonate
CFR = <i>Code of Federal Regulations</i>	PHG = Public Health Goal
CO <sub>2</sub> = Carbon dioxide	RECLAIM = Regional Clean Air Incentives Market
CRNR = <i>California Regulatory Notice Register</i>	RFP = Reasonable further progress
CWA = Clean Water Act	RIN = Regulatory Identification Number
DEQ = Department of Environmental Quality	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
DTSC = Department of Toxic Substances Control	SCAQMD = South Coast Air Quality Management District
EPA = U.S. Environmental Protection Agency	SDWA = Safe Drinking Water Act
F.A.C. = Florida Administrative Code	SIP = State implementation plan
FAW = <i>Florida Administrative Weekly</i>	SJRWMD = St. Johns River Water Management District
FDEP = Florida Department of Environmental Protection	SNUR = Significant New Use Rule
FR = <i>Federal Register</i>	SO <sub>2</sub> = Sulfur dioxide
F.S. = Florida Statutes	SOx = Sulfur oxides
GHG = Greenhouse gases	SRF = State Revolving Fund
GS = Geologic Sequestration	SWCB = State Water Control Board
GSE = Ground support equipment	TAC = Texas Administrative Code
HAP = Hazardous air pollutant	TexReg = <i>Texas Register</i>
HCFC = Hydrochlorofluorocarbon	TSCA = Toxic Substances Control Act
HPV = High production volume	U.S. = United States
HTML = HyperText Markup Language	UAC = Utah Administrative Code
KSC = Kennedy Space Center	UIC = Underground injection control
NAAQS = National Ambient Air Quality Standards	USACE = U.S. Army Corps of Engineers
NASA = National Aeronautics and Space Administration	Va.R. = <i>Virginia Register</i>
NESHAP = National Emission Standards for Hazardous Air Pollutants	VAC = Virginia Administrative Code
NIOSH = National Institute for Occupational Safety and Health	VOC = Volatile organic compound
NMAC = New Mexico Administrative Code	WSTF = White Sands Test Facility
NOx = Nitrogen oxide	

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

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

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed072508-1	Asbestos	07/24/2008	<a href="#">73 FR 43242</a>	Notice	Centers for Disease Control and Prevention (CDC) Revised Draft Document, "Asbestos Fibers and Other Elongated Mineral Particles: State of the Science and Roadmap for Research"  Announces the following revised draft document available for public comment entitled, " <a href="#">Asbestos Fibers and Other Elongated Mineral Particles: State of the Science and Roadmap for Research</a> ." The document and further information can be found on the <a href="#">NIOSH rulemaking website</a> . Comments due 09/30/2008.	
Fed072508-2	Asbestos	07/22/2008	<a href="#">73 FR 42573</a>	Notice	Notice of Availability of the Draft Demonstration of Alternative Asbestos Control Method Demolition for Two Asbestos-Containing Buildings and Expert Peer Review Meeting  Announces the availability of two draft reports titled, " <a href="#">Evaluation of the Alternative Asbestos Control Method at Site Two (AACM2) for Demolition of Asbestos-Containing Buildings</a> " and " <a href="#">Evaluation of the Alternative Asbestos Control Method at Site Three (AACM3) for Demolition of Asbestos-Containing Buildings</a> ." These reports provide details of test demolitions related to an EPA research project to evaluate whether an AACM can reliably meet the current emission standard while speeding up efforts to demolish abandoned, dilapidated buildings. Further information is posted on the <a href="#">project website</a> . Comments due 08/21/2008.	
Fed072508-3	CAA-NAAQS Ozone	07/21/2008	<a href="#">73 FR 42294</a>	Proposed Rule	Proposed Rule to Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard: Addressing a Portion of the Phase 2 Ozone Implementation Rule Concerning Reasonable Further Progress Emissions Reductions Credits Outside Ozone Nonattainment Areas [40 CFR Parts 50 and 51]  Proposes to revise EPA's Phase 2 implementation rule for the 8-hour ozone national ambient air quality standard. Proposal addresses the District of Columbia Circuit's vacatur and remand of a provision that allowed credit toward RFP for the 8-hour standard from emission reductions outside the nonattainment area. Comments due 08/20/2008 [RIN 2060-A096].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed072508-4	CAA-NAAQS Sulfur Dioxide	07/21/2008	<a href="#">73 FR 42341</a>	Notice	Draft Risk and Exposure Assessment Report for Sulfur Dioxide (SO <sub>2</sub> )  Announces availability for public review and comment of a draft document titled, " <a href="#">Risk and Exposure Assessment to Support the Review of the SO<sub>2</sub> Primary National Ambient Air Quality Standards: First Draft.</a> " The purpose of this draft document is to convey the approach taken to assess exposures to ambient SO <sub>2</sub> and to characterize associated health risks, as well as to present the results of those assessments. Comments due 08/28/2008.	
Fed072508-5	CAA-NESHAP Metal Fabrication and Finishing Area Sources	07/23/2008	<a href="#">73 FR 42977</a>	Final Rule	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories [40 CFR Part 63]  Issues NESHAP rule for nine metal fabrication and finishing area source categories ( <a href="#">see entry in Sec. 1.2</a> ). These standards establish generally achievable control technology for the nine area source categories and provide management practices and equipment standards for dry abrasive blasting, machining, dry grinding and dry polishing with machines, spray painting and other spray coating, and welding operations. Effective 07/23/2008 [RIN 2060-AO27].  <b>This rule does not apply to NASA facilities.</b>	<b>NASA Programs</b> should be aware this rule potentially could affect vendors' facilities.
Fed072508-6	CAA-NESHAP Organic Liquids Distribution	07/17/2008	<a href="#">73 FR 40977</a>	Final Rule	NESHAP: Organic Liquids Distribution (Non-Gasoline) [40 CFR Part 63]  Withdraws two amendments in the previous direct final rule amendments ( <a href="#">73 FR 21889</a> , 04/23/2008) because of adverse comments received. The withdrawn amendments concern compliance dates for storage tanks and pressure relief device compliance provisions. Also, promulgates final rule amendments regarding the provisions that were commented upon and withdrawn and corrects typographical errors. Effective 07/17/2008 [RIN 2060-AO99].  <b>See Sec. 1.3.2 for further information.</b>	
Fed072508-7	CAA-ODS ODS Destruction	07/17/2008	<a href="#">73 FR 41076</a>	Notice	Protection of Stratospheric Ozone: Notice of Data Availability; Information Concerning the Destruction of Ozone-depleting Substances in the United States  Notice of availability of the draft report, " <a href="#">Destruction of Ozone-Depleting Substances in the United States.</a> " Report analyzes ODS destruction practices in the U.S. and includes data on the following: <ul style="list-style-type: none"> <li>▪ Types and quantities of ODSs destroyed in previous years</li> <li>▪ Estimates of future destruction trends</li> <li>▪ Review of technologies currently being used to destroy ODSs</li> </ul> Comments due 09/15/2008.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed072508-8	CAA-VOCs Control Techniques Guidelines	07/14/2008	<a href="#">73 FR 40230</a>	Proposed Rule	<p>Consumer and Commercial Products: Control Techniques Guidelines in Lieu of Regulations for Miscellaneous Metal Products Coatings, Plastic Parts Coatings, Auto and Light-Duty Truck Assembly Coatings, Fiberglass Boat Manufacturing Materials, and Miscellaneous Industrial Adhesives [40 CFR Part 59]</p> <p>Proposes to determine that control techniques guidelines will be as effective as national regulations in reducing emissions of VOCs in ozone nonattainment areas from the following five product categories:</p> <ul style="list-style-type: none"> <li>▪ Miscellaneous metal products coatings</li> <li>▪ Plastic parts coatings</li> <li>▪ Auto and light-duty truck assembly coatings</li> <li>▪ Fiberglass boat manufacturing materials</li> <li>▪ Miscellaneous industrial adhesives</li> </ul> <p>Includes draft control techniques guidelines for the control of VOC emissions from each of the categories. If finalized, the control techniques guidelines would provide guidance to the states concerning EPA's recommendations for reasonably available control technology-level controls for these product categories. Comments due 08/13/2008, unless a public hearing is requested by 07/24/2008. If a public hearing is requested by 07/24/2008, hearing will be held on 07/29/2008, and comments will be due 08/28/2008 [RIN 2060-AP01].</p>	<p><a href="#">NASA Programs and Facilities</a> should be aware of the proposed guidelines, which could affect emission limits in ozone non-attainment areas and certain types of material formulations.</p>
Fed072508-9	Climate Change	07/17/2008	<a href="#">73 FR 41042</a>	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>U.S. Climate Change Science Program Draft Unified Synthesis Product Report: Global Climate Change in the United States</p> <p>Announces public comment period for the draft report titled, <a href="#">U.S. Climate Change Science Program Unified Synthesis Product</a>. Comments due 08/14/2008 [RIN 0648-XJ11].</p>	
Fed072508-10	Climate Change	07/25/2008	<a href="#">73 FR 43442</a>	Notice	<p>The Development of Land-Use Scenarios Consistent With Climate Change Emissions Storylines</p> <p>Announces a public comment period for the draft document entitled, "<a href="#">The Development of Land-Use Scenarios Consistent with Climate Change Emissions Storylines</a>." The report describes the modeling methodology used to create scenarios of housing density changes across the contiguous United States for each decade from the year 2000 to 2100 that are consistent with socio-economic storylines used by climate change modelers. Comments due 08/25/2008.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed072508-11	Conservation Practice Standards	07/14/2008	<a href="#">73 FR 40283</a>	Notice	<p>Natural Resources Conservation Service</p> <p>Notice of Proposed Changes to the Natural Resources Conservation Service's National Handbook of Conservation Practices</p> <p>Notice of the intention of to issue a series of revised conservation practice standards in the <a href="#">National Handbook of Conservation Practices</a>. These standards include the following:</p> <ul style="list-style-type: none"> <li>▪ Residue Management, Seasonal (Code 344)</li> <li>▪ Grassed Waterway (Code 412)</li> <li>▪ Mulching (Code 484)</li> <li>▪ Stripcropping (Code 585)</li> <li>▪ Cross Wind Ridges (Code 588)</li> <li>▪ Terrace (Code 600)</li> <li>▪ Underground Outlet (Code 620)</li> <li>▪ Water and Sediment Control Basin (Code 638)</li> </ul> <p>The standards are used to develop state conservation practice standards. These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland. Comments due 08/13/2008.</p>	
Fed072508-12	CWA-NPDES Construction General Permit	07/14/2008	<a href="#">73 FR 40338</a>	Notice	<p>Final NPDES General Permit for Storm Water Discharges from Construction Activities</p> <p>Announces issuance of EPA Regions 1, 3, 6, 7, 8, 9, and 10 2008 NPDES general permits for storm water discharges from new dischargers engaged in large and small construction activities. "New dischargers" are those who did not file a notice of intent to be covered under the 2003 construction general permit before it expired. Existing dischargers who properly filed a notice of intent to be covered under the 2003 permit continue to be authorized to discharge under that permit according to its terms. The 2008 construction general permit contains the same limits and conditions as the 2003 permit, with the exception of a few minor modifications. EPA is issuing this permit for a period not to exceed 2 years. Electronic versions of the permit and fact sheet are available on <a href="#">EPA's Storm Water website</a>. Effective 06/30/2008.</p>	<a href="#">Facilities</a> located in these regions should be aware of this new permit.
Fed072508-13	Energy Conservation Standards	07/16/2008	<a href="#">73 FR 40770</a>	Notice	<p>Office of Energy Efficiency and Renewable Energy, Department of Energy</p> <p>Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards for Commercial Heating, Air-Conditioning, and Water-Heating Equipment [10 CFR Part 431]</p> <p>Announces the results and preliminary conclusions of analysis of potential energy savings associated with amended energy conservation standards for commercial heating, air-conditioning, and water-heating equipment. Comments due 08/15/2008 [RIN 1904-AB83].</p>	
Fed072508-14	Energy Light Bulb Labeling	07/17/2008	<a href="#">73 FR 40988</a>	Notice	<p>Federal Trade Commission</p> <p>Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule") [16 CFR Part 305]</p> <p>Seeks comments regarding the effectiveness of the current energy labeling requirements for light bulbs and possible alternatives to those requirements. Comments due 09/29/2008. Public roundtable meeting will be held on 09/15/2008 in Washington, D.C., and will be available via live <a href="#">webcast</a> [RIN 3084-AB03].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed072508-15	Hazardous Materials Transportation	07/16/2008	<a href="#">73 FR 40914</a>	Correction	Pipeline and Hazardous Materials Safety Administration Hazardous Materials; Miscellaneous Amendments [49 CFR Part 172] Corrects a typographical error in an amendment ( <a href="#">73 FR 4699</a> , 01/28/2008) to the Hazardous Materials Regulations [RIN 2137-AE10].	
Fed072508-16	Hazardous Materials Transportation Rail Transport of "Toxic by Inhalation" Materials	07/23/2008	<a href="#">73 FR 42765</a>	Notice	Pipeline and Hazardous Materials Safety Administration Petitions for Interim Standards for Rail Tank Cars Used to Transport Toxic-by-Inhalation Hazard Materials [49 CFR Parts 171, 172, and 173] Solicits comments on the merits of two petitions for rulemaking seeking promulgation of an interim standard for railroad tank cars used to transport "toxic by inhalation" hazard materials. Petitioners propose promulgation of an interim standard to provide for construction of tank cars that significantly reduce the probability of release of product using existing technology and grandfather those cars for 25 years following issuance of the final rule. Comments due 08/22/2008.	
Fed072508-17	Procurement Services	07/18/2008	<a href="#">73 FR 41314</a>	Notice	Committee for Purchase from People Who Are Blind or Severely Disabled Procurement List; Additions Adds to the Procurement List services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities. Includes the following: <ul style="list-style-type: none"> <li>▪ Service Type/Location: Custodial Services, John F. Kennedy Space Center, NASA Kennedy Space Center, Kennedy Space Center, Florida</li> <li>▪ Nonprofit Agency: Brevard Achievement Center, Inc., Rockledge, Florida</li> <li>▪ Contracting Activity: Kennedy Space Center, Kennedy Space Center, Florida</li> </ul> Effective 08/17/2008.	
Fed072508-18	SDWA Underground Injection Control	07/25/2008	<a href="#">73 FR 43491</a>	Proposed Rule	Federal Requirements Under the Underground Injection Control (UIC) Program for Carbon Dioxide (CO <sub>2</sub> ) Geologic Sequestration (GS) Wells [40 CFR Parts 144 and 146] Propose federal requirements under the SDWA for underground injection of CO <sub>2</sub> for the purpose of GS. GS is one of a portfolio of options that could be deployed to reduce CO <sub>2</sub> emissions to the atmosphere and help to mitigate climate change. If finalized, these requirements would apply to owners or operators of wells that will be used to inject CO <sub>2</sub> into the subsurface for long-term storage. The requirements propose a new class of well and minimum technical criteria for the geologic site characterization, fluid movement, area of review and corrective action, well construction, operation, mechanical integrity testing, monitoring, well plugging, post-injection site care, and site closure for the purposes of protecting underground sources of drinking water. Comments due 11/24/2008 [RIN 2040-AE98].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed072508-19	Transport Aircraft	07/21/2008	<a href="#">73 FR 42443</a>	Final Rule	Federal Aviation Administration Reduction of Fuel Tank Flammability in Transport Category Airplanes [14 CFR Parts 25, 26, 121, 125, and 129] Amends regulations that require operators and manufacturers of transport category airplanes to take steps intended to reduce the chances of a catastrophic fuel tank explosion. Establishes a performance-based set of requirements that set acceptable flammability exposure values in tanks most prone to explosion or require the installation of an ignition mitigation means in an affected fuel tank. Effective 09/19/2008. Comments due 01/20/2009. [RIN 2120-AI23]	<a href="#">Programs or facilities</a> that operate transport aircraft should be aware of the new requirements.
Fed072508-20	TSCA High Production Volume Chemicals	07/24/2008	<a href="#">73 FR 43313</a>	Proposed Rule	Testing of Certain High Production Volume Chemicals; Second Group of Chemicals [40 CFR Part 799] Proposes a test rule to require manufacturers, importers, and processors of 19 HPV chemical substances to conduct testing to obtain screening level data for health and environmental effects and chemical fate. These data will be used to evaluate potential health and environmental risks and to take appropriate follow-up action. Comments due 10/22/2008 [RIN 2070-AD16].	

## 1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins.

	Significant Dates <i>italic = tentative</i>	Subject Action [RIN]	Type of Action	Comments
NPRM Final Action	<i>10/2008</i> <i>10/2009</i>	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.
NPRM Final Action	<i>07/2008</i> <i>01/2009</i>	NESHAP: Risk and Technology Review, Phase II Group 2A [2060-AO91]	Pre-rule	Possible space vehicle materials or supply chain impacts. Evaluation of residual risk remaining after implementation of NESHAP regulations. Could impose further restrictions on several types of sources. Includes the manufacture of various types of elastomers, such as Hypalon.
NPRM Final Action	<i>06/2008</i> <i>01/2009</i>	NESHAP: Risk and Technology Review, Phase II Group 2B [2060-AO92]	Pre-rule	Possible space vehicle materials or operations impacts. Evaluation of residual risk remaining after implementation of NESHAP regulations. Could impose further restrictions on operations subject to the Aerospace NESHAP, including coating, stripping, and cleaning of space flight hardware.
NPRM Final Action	01/03/2007 <i>05/2009</i>	<a href="#">72 FR 69</a> NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities. Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM Final Action	<i>11/2008</i> <i>TBD</i>	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials. Would require containers of materials containing HCFCs to bear warning statements.

		Significant Dates <i>italic = tentative</i>	Subject Action [RIN]	Type of Action	Comments
NPRM	04/03/2008	<a href="#">73 FR 18333</a>	Area Sources: Metal Fabrication and Finishing [2060-AO27]	Final Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>07/23/2008</i>	<a href="#">73 FR 42977</a>			Establishes air emission standards, including management practices and equipment standards, for area sources of metal fabrication or finishing metal HAPs defined to be compounds of cadmium, chromium, lead, manganese, and nickel; or a source of volatile organic HAPs from spray painting operations; which performs metal fabrication or finishing operations in one of the following nine source categories: <ul style="list-style-type: none"> <li>▪ Electrical and Electronic Equipment Finishing Operations</li> <li>▪ Fabricated Metal Products</li> <li>▪ Fabricated Plate Work (Boiler Shops)</li> <li>▪ Fabricated Structural Metal Manufacturing</li> <li>▪ Heating Equipment, except Electric</li> <li>▪ Industrial Machinery and Equipment: Finishing Operations</li> <li>▪ Iron and Steel Forging</li> <li>▪ Primary Metal Products Manufacturing</li> <li>▪ Valves and Pipe Fittings</li> </ul> Targeted operations include dry abrasive blasting, machining, dry grinding and dry polishing with machines, spray painting and other spray coating, and welding operations. Does not apply to NASA facilities, but could affect such operations at contractor or supplier sites.
NPRM	03/14/2008	<a href="#">73 FR 14125</a>	Area Sources: Plating and Polishing [2060-AM37]	Final Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>07/01/2008</i>	<a href="#">73 FR 37727</a>			Establishes air emissions reduction requirements for area sources of HAPs in the plating and polishing industry. Does not cover chromium electroplating or chromium anodizing; does cover chromium conversion coating operations at area sources.
NPRM	03/07/2006	<a href="#">71 FR 11483</a>	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	<i>10/2008</i>				Rule could limit new U.S. production 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.
ANPRM	<i>06/2008</i>		Regulation of Greenhouse Gases under the CAA [2060-AP12]	Pre-Rule	Potential for program impacts unknown at this time.
<i>Note: This notice is available on EPA's website, and will be published soon in the Federal Register.</i>					Solicits input regarding the regulation of GHGs.
NPRM	07/14/2008	<a href="#">73 FR 40230</a>	Control Techniques Guidelines for Coating Operations [2060-AP01]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Comments Due	08/13/2008				Proposes to set guidelines for states to use in establishing VOC limits in ozone non-attainment areas for the following five product categories: <ul style="list-style-type: none"> <li>▪ Miscellaneous metal products coatings</li> <li>▪ Plastic parts coatings</li> <li>▪ Auto and light-duty truck assembly coatings</li> <li>▪ Fiberglass boat manufacturing materials</li> <li>▪ Miscellaneous industrial adhesives</li> </ul> Could affect material formulations.
Final Action	<i>10/2008</i>				
NPRM	<i>07/2008</i>		National VOC Rule for Industrial Adhesives and Sealants [2060-AP02]	Pre-Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>10/2008</i>				Will establish VOC limits for certain types of adhesives and sealants; could affect material formulations.  Note: this rule may have been merged with the Control Techniques Guidelines activity above.
NPRM	<i>05/2008</i>		Area Source NESHAP for Miscellaneous Chemical Manufacturing [2060-AM19]	Pre-Rule	Possible space vehicle materials or supply chain impacts.
Final Action	<i>01/2009</i>				Will impose requirements on area sources that manufacture chemicals; could drive reformulations to avoid regulatory requirements.

## 1.3 Significant News and Other Developments

### 1.3.1 EPA Releases Report on Climate Change and Health

EPA released a report prepared by its Global Change Research Program of the Office of Research and Development titled, "[Analyses of the Effects of Global Change on Human Health and Welfare and Human Systems](#)," which identifies strategies to help manage the challenges of climate change. The report addresses the potential effects of climate change, including unusual or unexpected weather, and how some individuals and communities may be affected disproportionately by climate change, including the elderly, the poor, children, and people with chronic medical conditions.

### 1.3.2 EPA Reissues Final Rule for the Organic Liquids Distribution NESHAP

EPA partially withdrew the OLD NESHAP on 17 July 2008 to issue a new final rule that incorporates additional comments received on rule provisions. The new final rule ([73 FR 40977](#)) repeals two provisions in the 23 April 2008 direct final rule setting compliance dates for storage tanks and monitoring requirements for pressure relief devices that were scheduled to become effective 22 July 2008.

EPA received comments raising concerns about the wording of the storage tank compliance date and pressure relief devices requirements. The new final rule clarifies that only storage tanks with floating roofs have until 2014, at the latest, to comply with the new requirements. Also in the new final rule, compliance requirements for floating-roof storage tanks and fixed-roof tanks are separated into two paragraphs to minimize confusion. EPA also revised the rule to clarify that the monitoring requirements for storage tank vapor balance systems apply only to storage tanks and do not apply to the loading of a transport vehicle or filling of a container. The amendments in the final rule became effective on 17 July 2008.

### 1.3.3 EPA Determines Regulation Not Needed for 11 Potential Drinking Water Contaminants

EPA issued a final determination not to regulate 11 contaminants on the drinking water CCL 2. From a review of data and public comments, EPA determined that the contaminants either do not occur nationally in public water systems, or occur at levels too low to present a public health concern. EPA is updating health advisories for 7 of the 11 contaminants to provide current health information to local officials for conditions under which the contaminants may be present.

Under the SDWA, every 5 years, EPA develops a CCL and then makes a regulatory determination for at least 5 contaminants on the list. In 2005, EPA published the CCL 2, which listed 51 contaminants. In May 2007, EPA requested public comment on its preliminary regulatory determinations not to regulate 11 of these 51 CCL 2 contaminants. Information about the regulatory determination is available on EPA's [website](#).

## 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:

- 20 August
- 15 October
- 19 November

## 2.0 State Regulatory Reviews

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

### 2.1 Alabama State Regulatory Review

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

### 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and 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 Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA072508-1	Air Quality SIP - Pesticides	07/18/2008	<a href="#">73 FR 41277</a>	Notice Final Rule	<a href="#">U.S. Environmental Protection Agency</a> Revisions to the California State Implementation Plan; Pesticide Element; Ventura County [40 CFR Part 52]  A revision of the California SIP that temporarily relaxes a commitment to reduce emissions of VOCs in Ventura County caused by the application of pesticides. Effective 08/18/2008.	
CA072508-2	Air Quality SIP - NOx, SOx	07/24/2008	<a href="#">73 FR 38122</a>	Notice	<a href="#">U.S. Environmental Protection Agency</a> Revisions to the California State Implementation Plan, South Coast Air Quality Management District  Approves revisions to the SCAQMD portion of the California SIP. These revisions concern NOx and SOx emissions from facilities emitting 4 tons or more per year of NOx or SOx from 1990 or any subsequent year under the SCAQMD's RECLAIM program. Effective 09/02/2008.	
CA072508-3	Proposition 65 Public Health Goals	07/25/2008	<a href="#">CRNR 2008, 30z, p. 1303</a>	Notice	<a href="#">Office of Environmental Health Hazard Assessment</a>  Draft Technical Support Documents on Proposed Public Health Goals for Bromate, Lead, Pentachlorophenol, and Trichloroethylene in Drinking Water  Announces availability of draft technical support documents for proposed PHGs for <a href="#">bromate</a> , <a href="#">lead</a> , <a href="#">pentachlorophenol</a> , and <a href="#">trichloroethylene</a> in drinking water. A workshop is scheduled on 09/11/2008 in Oakland, CA. Further information is available on the <a href="#">OEHHA website</a> . Comments due 09/11/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA072508-4	Waste	07/18/2008	<a href="#">CRNR 2008, 29z, p.1244</a>	Notice	<p><a href="#">Department of Toxic Substances Control</a></p> <p>PBR for Treatment of Aqueous Wastes Containing Cyanides [22 CCR 67450.11 and 27 CCR Div. 3, subd. 1, Chapter 4C. and Chapter 6]</p> <p>Authorizes treatment of wastewaters containing cyanide through a Permit-by-Rule, which requires a facility to notify the local Certified Unified Program Agency of the treatment activity, and applies only to treatment of hazardous waste carried out on the site where the hazardous waste was generated. Effective 08/06/2008.</p>	

## 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
FL072508-1	Air Vehicle Idling	07/25/2008	<a href="#">FAW Notice #5893640</a>	Proposed Rule Notice of Changes	<p>Chapter 62–FDEP 285–Greenhouse Gas Emissions Reduction 420–Heavy-duty Vehicle Idling Reduction</p> <p>The following changes have been made to the proposed rule published in <a href="#">FAW Notice #5574995</a>. FDEP is making changes to the rulemaking due to written comments. The changes include revisions to provide an exemption for operation of cargo refrigeration units and for idling during normal waste collection operations. The effective date of the rule is deferred to 12/15/2008 to allow time for education of the industry and development of enforcement guidance by the department.</p>	<a href="#">KSC</a> should be aware of the proposed changes.
FL072508-2	Coastal and Aquatic Managed Areas	07/18/2008	<a href="#">FAW Notice #5883261</a>	Notice Meeting	<p>Chapter 62–Florida Oceans and Coastal Council</p> <p>Announces a teleconference meeting to further its duties under the Oceans and Coastal Resources Act. Teleconference call in numbers and codes are available in the <a href="#">FAW Notice</a>.</p>	
FL072508-3	Energy and Climate Change	07/18/2008	<a href="#">FAW Notice #5870651</a>	Notice Meeting	<p>Chapter 62–Governor’s Action Team on Energy and Climate Change</p> <p>Announces a meeting of the technical workgroups related to the Governor’s Action Team on Energy and Climate Change and the development of a comprehensive Energy and Climate Change Action Plan to address statewide GHG reductions specified in Executive Order 07-127. The meeting will be held 08/08/2008 at FDEP Headquarters, Orlando, Florida. Teleconference information is included in the <a href="#">FAW Notice</a>.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL072508-4	Energy and Climate Change	07/25/2008	<a href="#">FAW Notice #5892185</a>	Notice Meeting	Chapter 62–Governor’s Action Team on Energy and Climate Change Announces meetings of the Governor’s Action Team on Energy and Climate Change and the development of a comprehensive Energy and Climate Change Action Plan to address statewide GHG reductions specified in Executive Order 07-127. The meetings will be held at Orlando County Convention Center, Orlando, Florida, on 08/06 through 08/ 07/2008.	
FL072508-5	Water General Permits	07/25/2008	<a href="#">FAW Notice #5808668</a>	Notice Development of Rulemaking	Chapter 62–FDEP 341–Noticed General Permits Notice of a rulemaking under development to amend an existing noticed general environmental resource permit under Part IV of Chapter 373, F.S., for boat ramps and accessory docks. The amendments will conform the general permit with the requirements of Section 373.118(5), F.S. (as amended by Chapter 2005-158, Laws of Florida).	
FL072508-6	Water Monitoring	07/18/2008	<a href="#">FAW Notice #5830978</a>	Notice Meetings	Chapter 62–Florida Water Resources Monitoring Council Announces meetings to develop a draft metadata standard for the Field Sampling scientific discipline. Meetings will be held 08/12 through 08/14/2008 at FDEP, Tallahassee, Florida.	
FL072508-7	Water SJRWMD	07/18/2008	<a href="#">FAW Notice #5865413</a>	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting scheduled for 08/12/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL072508-8	Water SJRWMD	07/18/2008	<a href="#">FAW Notice #5865704</a>	Notice Meeting	Chapter 40C–SJRWMD Announces a business meeting of the Projects and Land Committee on 08/11/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL072508-9	Water SJRWMD	07/18/2008	<a href="#">FAW Notice #5871621</a>	Proposed Rule	Chapter 40C–SJRWMD 4–Environmental Resource Permits: Surface Water Management Systems Proposed rule would amend the drainage basin and regional watershed figures (Figure 12.2.8-1 and figure in Appendix M) in the "Applicant's Handbook: Management and Storage of Surface Waters." Comments due 08/08/2008.	
FL072508-10	Water SJRWMD– Conservation Easements	07/18/2008	<a href="#">FAW Notice #5870554</a>	Notice Development of Rulemaking Workshop	Chapter 40C–SJRWMD 1.1101– Amendments to and Releases of Regulatory Conservation Easements Proposes to develop rules that would create criteria in Chapter 40C-1, F.A.C., that the District will use to decide whether to agree to amend or release a conservation easement conveyed to it for mitigation or in compliance with other regulatory requirements. Preliminary text of the proposed rule can be found in the <a href="#">FAW Notice</a> . Workshops will be held on the following dates: <ul style="list-style-type: none"> <li>▪ 08/14/2008 at SJRWMD’s Jacksonville Service Center, Jacksonville, Florida</li> <li>▪ 08/21/2008 at SJRWMD’s Altamonte Springs Service Center, Altamonte Springs, Florida</li> </ul>	

## 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
MD072508-1	Air Quality NAAQS - Ozone	07/25/2008	<a href="#">73 FR 43360</a>	Final Rule	U.S. Environmental Protection Agency Determination of Attainment for the Ozone National Ambient Air Quality Standards for Nonattainment Areas in Delaware, District of Columbia, Maryland, Pennsylvania, and Virginia [40 CFR Part 52]  Finalizes determination that the Metropolitan Washington, DC-MD-VA area (including Prince George's County), designated as a severe 1-hour ozone nonattainment area, has attained the 1-hour ozone NAAQS by the applicable attainment date of 11/15/2005. This determination of attainment is not a redesignation to attainment for the severe areas for which air quality monitoring data indicate attainment of the standard. Effective 08/25/2008.	
MD072508-2	Air Quality SIP	07/17/2008	<a href="#">73 FR 40970</a>	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of Volatile Organic Compound Emissions from Portable Fuel Containers [40 CFR Part 52]  Finalizes approval of a SIP revision submitted by the State of Maryland that establishes and requires the control of VOC emissions from portable fuel containers. Amendments address kerosene containers; modification of the existing spout regulations; and elimination of fuel flow rate, fill level, and automatic shutoff performance standards. Effective 08/18/2008.	

## 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

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

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM072508-1	Air Quality	07/16/2008	<a href="#">NM Register</a> Vol. XIX, p. <a href="#">549-552</a>	Rule Amendments	New Mexico Environmental Improvement Board <a href="#">20.2 NMAC Air Quality</a> Announces revisions to the New Mexico <a href="#">Air Quality</a> regulations as follows: <ul style="list-style-type: none"> <li>▪ Repealed: <ul style="list-style-type: none"> <li>▪ <a href="#">20.2.7 NMAC</a>–Excess Emissions During Malfunction, Startup, Shutdown, or Scheduled Maintenance</li> </ul> </li> <li>▪ New: <ul style="list-style-type: none"> <li>▪ <a href="#">20.2.7 NMAC</a>–Excess Emissions</li> </ul> </li> <li>▪ Amended: <ul style="list-style-type: none"> <li>▪ <a href="#">20.2.70 NMAC</a>–Operating Permits Effective 08/01/2008.</li> </ul> </li> </ul>	<b>WSTF</b> should be aware of these changes to the New Mexico Air Quality regulations.

## 2.9 Ohio State Regulatory Review

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

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

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX072508-1	Landscape Irrigation	07/18/2008	<a href="#">33 TexReg 5713</a>	Adopted Rule	Landscape Irrigation [30 TAC 344] Establishes the duties and responsibilities of irrigators, irrigation technicians, and irrigation inspectors; provides clarification for better enforcement; reflects the change in the agency name; updates statutory references; and corrects grammar and cross-references. Effective 01/01/2009.	

## 2.11 Utah State Regulatory Review

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

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT072508-1	Water Water Quality Standards	07/15/2008	<a href="#">UT Bull. Vol. 2008-14. DAR File No. 31650</a>	Proposed Rule	Utah Division of Water Quality, Department of Environmental Quality Standards of Quality for Waters of the State (UAC R317-2) The Utah Division of Water Quality has conducted its triennial review of water quality standards as required by Section 303(c) of the CWA. The review resulted in numerous proposed revisions to existing water quality standards. Public hearing is scheduled for 08/19/2008, DEQ Building, Salt Lake City, Utah. Comments due 08/20/2008.	

## 2.12 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
VA072508-1	Radiation	07/21/2008	<a href="#">24:23 Va.R 3161</a>	Proposed Rule	State Board of Health 12 Virginia Administrative Code (VAC) 5-490 Proposes to amend the fees for the X-ray machine inspection and registration programs. Comments due 09/19/2008.	
VA072508-2	Wetlands	07/10/2008	<a href="#">Virginia Department of Environmental Quality Preliminary Certification Notice</a>	Notice of Intent	State Water Control Board (SWCB) The SWCB is giving notice of intent to provide unconditional Section 401 Water Quality Certification for several activities conducted by the Norfolk District of the USACE. Comments due 08/11/2008.	