



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

8 August 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).

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Acronyms

AAM = Alabama Administrative Monthly	NPRM = Notice of Proposed Rulemaking
ADEM = Alabama Department of Environmental Management	NSPS = New Source Performance Standards
ANPRM = Advance Notice of Proposed Rulemaking	NSR = New source review
CAA = Clean Air Act	O ₃ = Ozone
CAAWG = Clean Air Act Working Group	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations</i>	OEHHA = Office of Environmental Health Hazard Assessment
CFR = <i>Code of Federal Regulations</i>	OEPA = Ohio Environmental Protection Agency
CO = Carbon monoxide	PAG = Protective Actions Guide
CRNR = <i>California Regulatory Notice Register</i>	PFAC = Perfluoroalkyl carboxylate
DPH = Department of Public Health	PFAS = Perfluoroalkyl sulfonate
EPA = U.S. Environmental Protection Agency	PHG = Public Health Goal
EPCRA = Emergency Planning and Community Right-to-Know Act	PM = Particulate matter
F.A.C. = Florida Administrative Code	PSD = Prevention of significant deterioration
FAW = <i>Florida Administrative Weekly</i>	RCRA = Resource Conservation and Recovery Act
FDEP = Florida Department of Environmental Protection	RIN = Regulatory Identification Number
FR = <i>Federal Register</i>	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
GHG = Greenhouse gases	SAIC = Science Applications International Corporation
GLC = Great Lakes Conference	SCAQMD = South Coast Air Quality Management District
GRC = Glenn Research Center	SDWA = Safe Drinking Water Act
GSE = Ground support equipment	SIP = State implementation plan
HCFE = Hydrochlorofluorocarbon	SJRWMD = St. Johns River Water Management District
HDOH = Hawaii Department of Health	SNUR = Significant New Use Rule
HEER = Hazard Evaluation and Emergency Response	TexReg = <i>Texas Register</i>
HTML = HyperText Markup Language	TGM = Technical Guidance Manual
IAEA = International Atomic Energy Agency	TRI = Toxic Release Inventory
IRIS = Integrated risk information system	U.S. = United States
LAC = Louisiana Administrative Code	UAC = Utah Administrative Code
LDEQ = Louisiana Department of Environmental Quality	USDA = U.S. Department of Agriculture
MCL = Maximum contaminant limit	Va.R. = <i>Virginia Register</i>
NAAQS = National Ambient Air Quality Standards	VAC = Virginia Administrative Code
NASA = National Aeronautics and Space Administration	VCAPCD = Ventura County Air Pollution Control District
NESHAP = National Emission Standards for Hazardous Air Pollutants	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
Fed081308-1	Audit Policy New Owners	08/01/2008	73 FR 44991	Notice	Interim Approach to Applying the Audit Policy to New Owners Announces interim approach to applying the Audit Policy to new owners. Offers a detailed description of how the Audit Policy will be applied to new owners of regulated facilities. EPA will offer certain incentives specifically tailored to new owners that want to make a "clean start" at newly acquired facilities by addressing environmental noncompliance that began before acquisition. The incentives tailored for new owners include penalty mitigation beyond what currently is provided in the Audit Policy, as well as the modification of certain Audit Policy conditions. Effective 08/01/2008. Comments due 10/30/2008. See discussion in Sec. 1.3.1 below.	
Fed081308-2	CAA Applicability Determination Index	07/31/2008	73 FR 44726	Notice	Recent Posting to the Applicability Determination Index Database System of Agency Applicability Determinations, Alternative Monitoring Decisions, and Regulatory Interpretations Pertaining to NSPS, NESHAP, and the Stratospheric Ozone Protection Program Announces applicability determinations, alternative monitoring decisions, and regulatory interpretations made under the NSPS, NESHAP, and the Stratospheric Ozone Protection Program. Includes a summary of 84 documents posted to the Applicability Determination Index on 07/11/2008.	
Fed081308-3	CAA Clean Air Excellence Awards Program	08/06/2008	73 FR 45768	Notice	Request for Nominations for 2008 Clean Air Excellence Awards Program Requests nominations for the 2008 Clean Air Excellence Awards Program , an annual awards program to recognize outstanding and innovative efforts that support progress in achieving clean air. Entries due 09/19/2008.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed081308-4	CAA Greenhouse Gases	07/30/2008	73 FR 44353	Notice	<p>Regulating Greenhouse Gas Emissions under the Clean Air Act [40 CFR Chapter I]</p> <p>Solicits public comment on how to respond to the U.S. Supreme Court's decision that the CAA authorizes regulation of GHGs. The notice includes the following:</p> <ul style="list-style-type: none"> ▪ Review of the various CAA provisions that may be applicable to regulate GHGs. ▪ Examination of the issues that regulating GHGs may raise. ▪ Information regarding potential regulatory approaches and technologies for reducing GHG emissions. ▪ Discussion of issues relevant to possible legislation and the potential for overlap between legislation and CAA regulation. <p>The notice also describes and solicits comments on petitions to regulate GHG emissions from ships, aircraft and nonroad vehicles such as farm and construction equipment. Discusses several other comments received regarding the regulation of GHG emissions from stationary sources. Comments due 11/28/2008 [RIN 2060-AP12].</p>	
Fed081308-5	CAA NESHAP- Miscellaneous Organic Chemical Manufacturing	08/06/2008	73 FR 45673	Proposed Rule	<p>National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater; and National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing [40 CFR Part 63]</p> <p>Proposes to amend the NESHAP for miscellaneous organic chemical manufacturing by adding an equivalent means of emission limitation for wastewater tanks. Also clarifies and corrects technical inconsistencies. Comments due 09/22/2008 [RIN 2060-AO07].</p>	
Fed081308-6	Climate Change Air Quality Impacts	08/05/2008	73 FR 45437	Notice	<p>Interim Report of the EPA Global Change Research Program Assessment of the Impacts of Global Change on Regional U.S. Air Quality: A Preliminary Synthesis of Climate Change Impacts on O₃</p> <p>Announces an external peer-review workshop to review the external review draft document titled, "Interim Report of the U.S. EPA Global Change Research Program Assessment of the Impacts of Global Change on Regional U.S. Air Quality: A Preliminary Synthesis of Climate Change Impacts on O₃." Workshop to be held 08/26/2008 in Durham, North Carolina.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed081308-7	Climate Change Planning	08/06/2008	73 FR 45693	Notice	<p>U.S. Department of Agriculture Office of the Chief Economist; Strategic Plan for USDA Climate Change Research, Education, and Extension</p> <p>Requests input from the public on the effort to prepare a Strategic Plan for Climate Change Research, Education, and Extension. Draft goals of the Plan include the following:</p> <ul style="list-style-type: none"> ▪ Understand the effects of climate change on natural and managed ecosystems. ▪ Develop knowledge and tools to enable adaptation to climate change and improve the resilience of natural and managed ecosystems. ▪ Develop knowledge and tools to reduce the contributions of agriculture, forestry, and other land management practices to the build up of greenhouse gases in the atmosphere. ▪ Deliver climate change science and technology to USDA agencies, stakeholders, and collaborators for improved decision making. <p>Comments due 09/19/2009.</p>	
Fed081308-8	Emergency Response Preparedness	08/04/2008	73 FR 45231	Notice	<p>U.S. Coast Guard National Preparedness for Response Exercise Program</p> <p>Announces the National Preparedness for Response Exercise Program 5-year exercise cycle (2009 through 2013) and requests comments from the public. Also requests volunteers from industry to participate in the scheduled Area exercises. Comments due 10/03/2008.</p>	
Fed081308-9	Emergency Response Radiation	08/01/2008	73 FR 45029	Notice	<p>Federal Emergency Management Agency Planning Guidance for Protection and Recovery following Radiological Dispersal Device and Improvised Nuclear Device Incidents</p> <p>Provides final guidance entitled, "Planning Guidance for Protection and Recovery following Radiological Dispersal Device and Improvised Nuclear Device Incidents." Intended for federal agencies, state and local governments, emergency management officials, and the general public, who should find it useful in developing plans for responding to radiological dispersal device or improvised nuclear device incidents. Recommends "protective action guides" to support decisions about actions that should be taken to protect the public and emergency workers when responding to or recovering from catastrophic incidents involving high levels of radiation and/or radioactive contamination. This guidance will be incorporated into the revision of the 1992 EPA "Manual of Protective Actions Guides and Protective Actions for Nuclear Incidents" (the PAG Manual). This notice of final guidance will therefore sunset upon publication of the new EPA PAG Manual. Effective 08/01/2008 [Z-RIN 1660-ZA02].</p>	
Fed081308-10	Endangered and Threatened Species	08/05/2008	73 FR 45383	Proposed Rule	<p>Endangered and Threatened Wildlife and Plants; Amending the Formats of the Lists of Endangered and Threatened Wildlife and Plants [50 CFR Part 17]</p> <p>Proposes to amend the formats of the Lists of Endangered and Threatened Wildlife and Plants to include current practices and standards that will make the regulations and Lists easier for the public to understand. Comments due 09/04/2008 [RIN 1018-AU62].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed081308-11	Endangered and Threatened Species Recovery Crediting	07/31/2008	73 FR 44761	Notice of Availability	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Recovery Crediting Guidance Announces the availability of guidance to promote implementation of the Endangered Species Act. Describes a crediting framework for federal agencies in carrying out recovery measures for threatened and endangered species. Under the guidance, federal agencies may show how adverse effects of agency activities to a listed species are offset by beneficial effects of actions taken elsewhere for that species. The combined effects of the adverse and beneficial actions must provide a net benefit to the recovery of the species. Further information is provided in the press release .	
Fed081308-12	Endangered Species 5-Year Status Reviews	07/29/2008	73 FR 43947	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; 5-Year Status Review of 20 Southeastern Species Notice that 5-year status reviews have been initiated for 20 Southeastern species. The purpose of the reviews is to ensure that the classification of species as threatened or endangered on the List of Endangered and Threatened Wildlife and Plants is accurate. Comments due 09/29/2008.	
Fed081308-13	Federal Acquisition Regulations Contractors	08/06/2008	73 FR 45679	Proposed Rule	National Aeronautics and Space Administration Personal Identity Verification of Contractors [48 CFR Parts 1804 and 1852] Proposes to revise the NASA Federal Acquisition Regulation Supplement to update procedures for compliance with regulations related to personal identity verification of contractor personnel. Proposes to designate the Assistant Administrator, Office of Security and Program Protection, as the official with overall responsibility for verifying contractor employee personal identity. Comments due 10/06/2008 [RIN 2700-AD38].	
Fed081308-14	Federal Records Management	08/04/2008	73 FR 45273	Proposed Rule	National Archives and Records Administration Federal Records Management; Revision [36 CFR Subchapter B] Proposes to revise and reorganize the existing regulations on federal records management to update records management strategies and techniques and to make the regulations easier to read, understand, and use. Comments due 10/03/2008 [RIN 3095-AB16].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed081308-15	Hazardous Materials Transportation Batteries and Battery-powered Devices	07/31/2008	73 FR 44803	Notice	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Revision to Requirements for the Transportation of Batteries and Battery-powered Devices; and Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions [49 CFR Parts 171, 172, 173, 175, 176, and 178]</p> <p>Proposes to amend the Hazardous Materials Regulations to maintain alignment with international standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. Includes amendments and clarifications addressing the safe transportation of batteries and battery-powered devices. Comments due 09/29/2008 [RIN 2137-AE31].</p>	
Fed081308-16	IRIS Tetrachloroethylene (Perchloroethylene)	07/29/2008	73 FR 43932	Notice	<p>Draft Toxicological Review of Tetrachloroethylene (Perchloroethylene): In Support of Summary Information on the IRIS</p> <p>Announces a listening session to be held during the public comment period for the external review draft document entitled, "Draft Toxicological Review of Tetrachloroethylene (Perchloroethylene): In Support of Summary Information on the IRIS". The purpose of the listening session is to allow interested parties to present scientific and technical comments on draft IRIS health assessments during the public comment period and before the external peer review meeting. The listening session will be held 08/18/2008 in Arlington, Virginia, unless no speakers have registered by 08/11/2008. A teleconference line also will be available for registered attendees and speakers.</p>	
Fed081308-17	Nuclear Cesium Chloride	07/31/2008	73 FR 44780	Notice	<p>Nuclear Regulatory Commission</p> <p>Request for Comments on the Security and Continued Use of Cesium-137 Chloride Sources and Notice of Public Meeting</p> <p>Requests comments and announces a public meeting on major issues associated with the use of certain forms of cesium chloride. Cesium chloride sealed sources are used in many applications, most commonly in irradiators, calibrators, and devices for biological and medical research. Public meeting to be held 09/29 and 09/30/2008 in Bethesda, Maryland. Comments due 09/30/2008.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed081308-18	SDWA Contaminant Candidate List	07/30/2008	73 FR 44251	Notice	<p>Drinking Water: Regulatory Determinations Regarding Contaminants on the Second Drinking Water Contaminant Candidate List</p> <p>Announces final determinations on whether to issue national primary drinking water regulations for 11 contaminants listed on the second Contaminant Candidate List. The contaminants are as follows:</p> <ul style="list-style-type: none"> ▪ Boron ▪ Dacthal mono- and di-acid degradates ▪ 1,1-dichloro-2,2-bis(p-chlorophenyl)ethylene ▪ 1,3-dichloropropene ▪ 2,4-dinitrotoluene ▪ 2,6-dinitrotoluene ▪ S-ethyl dipropylthiocarbamate ▪ Fonofos ▪ Terbacil; ▪ 1,1,2,2-tetrachloroethane <p>The final determination is that no regulatory action is appropriate at this time for any of the 11 contaminants listed. Effective 07/30/2008 [RIN 2040-AE60].</p>	

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	<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.
ANPRM	07/30/2008 73 FR 44353	Regulation of Greenhouse Gases under the CAA [2060-AP12]	Pre-Rule	Potential for program impacts unknown at this time. Solicits input regarding the regulation of GHGs under the CAA.

		Significant Dates <i>italic = tentative</i>	Subject Action [RIN]	Type of Action	Comments
NPRM	07/14/2008	73 FR 40230	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"> ▪ Miscellaneous metal products coatings ▪ Plastic parts coatings ▪ Auto and light-duty truck assembly coatings ▪ Fiberglass boat manufacturing materials ▪ Miscellaneous industrial adhesives Could affect material formulations.
Final Action	10/2008				
NPRM	07/2008		National VOC Rule for Industrial Adhesives and Sealants [2060-AP02]	Pre-Rule	Possible space vehicle materials or supply chain impacts.
Final Action	10/2008				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	05/2008		Area Source NESHAP for Miscellaneous Chemical Manufacturing [2060-AM19]	Pre-Rule	Possible space vehicle materials or supply chain impacts.
Final Action	01/2009				Will impose requirements on area sources that manufacture chemicals; could drive reformulations to avoid regulatory requirements.
NPRM	01/03/2007	72 FR 69	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	05/2009				Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	03/07/2006	71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	10/2008				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.

1.3 Significant News and Other Developments

1.3.1 EPA Begins Pilot Project Web-based System to Self-Disclose Environmental Violations

EPA has begun a pilot project to allow regulated facilities nationwide to self-disclose environmental violations on EPA's secure website [eDisclosure](#), under the EPA's audit policy. EPA's audit policy provides potential incentives for the voluntary disclosure of violations and prompt corrective and preventive actions. EPA may reduce or waive penalties for violations if the facility satisfies the conditions under the policy.

Regulated facilities nationwide will be able to use [eDisclosure](#) to disclose violations of the EPCRA, including failure to submit TRI forms. Regulated facilities located in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas will be able to disclose violations of all environmental laws. On the basis of the results of the pilot, EPA will consider expanding [eDisclosure](#) for other states in the future for multimedia violation reporting.

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

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

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL081308-1	Air NESHAPs, NSPS	07/31/2008	AAM Vol. XXVI, No. 10, p. 420	Final Rule	<p>335–Alabama Department of Environmental Management 3–Air Division</p> <p>Final changes to ADEM's Administrative Code to amend the following:</p> <ul style="list-style-type: none"> ▪ 335-3-10-.01 General ▪ 335-3-10-.02 Designated Sources of Performance ▪ 335-3-11-.01 General ▪ 335-3-11-.06 National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories ▪ 335-3-11A-.01 General ▪ 335-3-11A-.02 Designated Emission Standards ▪ 335-3 Appendix C EPA Regulations Reference Documents for New Source Performance Standards and NESHAPs <p>Amendments are intended to incorporate by reference changes to the EPA's NSPS and NESHAPs from 07/03/2007 to 02/15/2008. A list of specific changes can be found in the Summary of Reasons document. Effective 07/01/2008.</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.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA081308-1	Air	08/08/2008	CRNR 2008, 32z, p. 1384	Notice Public hearing	<p>Air Resources Board</p> <p>Public Hearing to Consider the Adoption of Proposed AB 118 Air Quality Guidelines for the Air Quality Improvement Program and the Alternative and Renewable Fuel and Vehicle and Technology Program [13 CCR 2340-2345]</p> <p>Announces a 2-day meeting to consider adoption of a regulation that delineates air quality guidelines to ensure that the newly established air quality improvement program and the alternative and renewable fuel and vehicle technology program complement California's existing air quality programs. Hearing is scheduled for 09/25/2008 in Diamond Bar, California.</p>	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA081308-2	Air	08/08/2008	CRNR 2008, 32z, p.1389	Notice Public Hearing	Air Resources Board Notice of Public Hearing to Consider Regulations for Portable Outboard Marine Tanks and Components [13 CCR 2468, 2468.1-10] Conducts a 2-day meeting to consider the adoption of regulations and test procedures for portable outboard marine tanks and components. Hearing date: 09/25/2008.	
CA081308-3	Air Quality SIP-NOx	07/30/2008	73 FR 44155	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [40 CFR Part 52] Finalizes approval of revisions to the VCAPCD portion of the California SIP. These revisions concern NOx emissions from stationary internal combustion engines. Effective 08/29/2008.	
CA081308-4	Air Quality SIP-NOx	07/30/2008	73 FR 44204	Proposed Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan [40 CFR Part 52] Proposes revisions to the SCAQMD portion of the California SIP. These revisions concern NOx emissions from gaseous- and liquid-fueled internal combustion engines. Comments due 08/29/2008.	
CA081308-5	Occupational Safety Cranes	08/01/2008	CRNR 2008, 31z, p.1362	Final Rule	Occupational Safety and Health Standards Board Mobile Crane Load Safety Devices [8 CCR 4885, 4924, 5004] Amends the General Industry Safety Orders requirements for crane load indicating devices, boom angle indicators, and anti two-block safety features. It also provides new definitions related to these requirements. Effective 08/16/2008.	
CA081308-6	Occupational Safety Insulating Protective Equipment, Powered Industrial Trucks	08/01/2008	CRNR 2008, 31z, p.1326	Proposed Rule Hearing	Occupational Safety and Health Standards Board Notice of Public Meeting/Public Hearing/Business Meeting of the Occupational Safety and Health Standards Board and Notice of Proposed Changes to Title 8 of the California Code of Regulations [8 CCR 2940, Article 36 Appendix C, 3336, 3650, 3653] Proposes revisions to California's High Voltage Electrical Safety Orders related to Insulating Protective Equipment . Also proposes changes to the General Industry Safety Orders related to Powered Industrial Trucks . A public hearing is scheduled for 09/18/2008 in San Diego, CA. Comments due 09/18/2008.	
CA081308-7	Pesticides Phosphine Gas and Magnesium Phosphide	08/01/2008	CRNR 2008, 31z, p.1324	Proposed Rule	Department of Pesticide Regulations Restricted Materials-Phosphine Gas and Magnesium Phosphide [3 CCR 6400] Proposes to designate phosphine gas and magnesium phosphide as restricted materials. Further information, including the Initial Statement of Reasons , is available on the Department's rulemaking website . Comments due 09/15/2008.	NASA Programs should note the potential restriction of these substances.
CA081308-8	Proposition 65	08/01/2008	CRNR 2008, 31z, p.1335	Notice	Office of Environmental Health Hazard Assessment Chemicals Listed Effective August 1, 2008, as Known to the State to Cause Cancer or Reproductive Toxicity Announces addition of gallium arsenide to the list of chemicals known to the state to cause cancer; also announces addition of hexafluoroacetone, nitrous oxide, and vinyl cyclohexene dioxide to the list of chemicals known to the state to cause reproductive toxicity. Further information is available on the rulemaking website . Effective 08/01/2008.	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA081308-9	Proposition 65	08/01/2008	CRNR 2008, 31Z, p.1336	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity Provides an updated list of chemicals known to the State of California to cause cancer or reproductive toxicity. Effective 08/01/2008.	
CA081308-10	Proposition 65	08/08/2008	CRNR 2008, 32Z, p.1409	Notice	Office of Environmental Health Hazard Assessment Availability of Hazard Identification Materials for N,N-Dimethylformamide and Announcement of November 5, 2008, Carcinogen Identification Committee Meeting Announces the availability of the document entitled: "Evidence on the Carcinogenicity of N,N-Dimethylformamide" . Comments due 10/07/2008. Also announces a meeting of the Carcinogen Identification Committee to be held 11/05/2008 in Sacramento, California.	

2.2.1 Initiation of Risk Assessments for Chemicals in Drinking Water

The California [Office of Environmental Health Hazard Assessment](#) is initiating risk assessments for diethylhexylphthalate and perchlorate. Brief [descriptions](#) of these chemicals are provided on the [OEHHA website](#). OEHHA is soliciting the submission of pertinent information about these substances that could assist in preparing or updating the risk assessments and deriving appropriate Public Health Goals. Information is due 1 September 2008. The final risk assessments may be used by the California Department of Public Health for determining whether to revise the Maximum Contaminant Levels for those chemicals in drinking water. Further information on the MCL revision process is available on the DPH [website](#).

2.3 Florida State Regulatory Review

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

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL081308-1	Energy and Climate Change	08/01/2008	FAW Notice #5930209	Notice Meeting	Chapter 62–Governor’s Action Team on Energy and Climate Change Announces a meeting of the Governor’s Action Team on Energy and Climate Change to be held 08/22/2008 at Sunken Gardens, St. Petersburg, Florida.	
FL081308-2	Energy and Climate Change	08/08/2008	FAW Notice #5964062	Notice Meeting Cancellation	Chapter 62–Governor’s Action Team on Energy and Climate Change Cancels the 08/21/2008 meeting of the Governor’s Action Team on Energy and Climate Change.	
FL081308-3	Energy and Climate Change	08/08/2008	FAW Notice #5964256	Notice Meetings	Chapter 62–Governor’s Action Team on Energy and Climate Change Announces a meeting of the Governor’s Action Team on Energy and Climate Change to be held on 09/08/2008 via teleconference.	
FL081308-4	Energy and Climate Change	08/08/2008	FAW Notice #5964353	Notice Meeting	Chapter 62–Governor’s Action Team on Energy and Climate Change Announces a meeting of the Transportation and Land Use Technical Working Group to be held on 09/02/2008 via teleconference.	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL081308-5	Hazardous Waste	08/01/2008	FAW Notice #5857847	Proposed Rule Hearing	Chapter 62–FDEP 730–Hazardous Waste Proposes to establish criteria to determine whether certain types of changes related to a transfer facility or a hazardous waste treatment, storage, and disposal facility that receives waste generated offsite, including federal facilities, could increase the potential offsite impact, or risk of impact, from a release at that facility. The proposed text can be found in the Notice File . A hearing will be held 08/28/2008 at FDEP Headquarters, Tallahassee, Florida. Comments due 08/21/2008.	
FL081308-6	Water Consumptive Use	08/08/2008	FAW Notice #5960473	Notice Meeting	Chapter 62–FDEP Announces a meeting to discuss impediments, incentives, policy clarifications, and concerns regarding reclaimed water issues as they relate to consumptive use permitting. Topics to be discussed include authority to regulate reclaimed water, consumptive use offsets, mandatory reuse zones, supplementation of reclaimed water with other sources, irrigation practices, and other pertinent issues. The meeting will be held 08/18/2008 at Orlando Utility Commission, Orlando, Florida.	
FL081308-7	Water General Permits	08/01/2008	FAW Notice #5928269	Notice Meeting	Chapter 62–FDEP 341–Noticed General Permits Announces a meeting to receive public comments on the revision of an existing environmental resource noticed general permit in Rule 62-341.417, F.A.C., regarding boat ramps. A second Notice of Development of Rulemaking for this rule was published in FAW Notice #5808668 . The meeting will be held 08/25/2008 at FDEP, Tallahassee, Florida.	
FL081308-8	Water Monitoring	08/08/2008	FAW Notice #5944565	Notice Meeting	Chapter 62–Florida Water Resources Monitoring Council Announces meetings to review the draft metadata standard for the Groundwater, Biological Measurement and Field Sampling scientific disciplines. Meetings will be held 08/26 through 08/28/2008 at FDEP, Tallahassee, Florida.	
FL081308-9	Water SJRWMD– Organization	07/23/2008	FAW Notice #5955138 and #5955235	Final Rules	Chapter 40C–SJRWMD 1–Organization and Procedure Final rules amend the sections of Chapter 40C-1, F.A.C., that address operation of the Governing Board. Effective 08/12/2008.	
FL081308-10	Water Storm Water Permitting	08/01/2008	FAW Notice #5941558	Notice Meeting Change	Chapter 62–FDEP 34–Storm Water Permitting Announces a 2-day meeting where FDEP and Water Management Districts will consider the development of a new Chapter 62-347, F.A.C., to update storm water quality treatment design and performance standards for storm water treatment systems, with particular emphasis on reducing nutrient discharges. This meeting was noticed in FAW Notice #5577420 to be a 1-day meeting. The meeting will be held on 08/20 and 08/21/2008 at SAIC, Orlando, Florida.	

2.4 Hawaii State Regulatory Review

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

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
HI081308-1	Endangered Species	08/06/2008	73 FR 45680	Proposed Rule Withdrawal	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Reclassification of the Hawaiian Hawk or Io (<i>Buteo solitarius</i>) from Endangered to Threatened; Proposed Rule To Remove the Hawaiian Hawk from the Federal List of Endangered and Threatened Wildlife [50 CFR Part 17] Withdraws the 1993 proposed reclassification of the Hawaiian Hawk from endangered to threatened; proposes to remove the Hawaiian Hawk from the Federal List of Endangered and Threatened Wildlife. Comments due 10/06/2008.	
HI081308-2	Hazard Evaluation and Emergency Response State Contingency Plan	08/01/2008	Letter of Invitation	Notice of Availability	HDOH Office of Hazard Evaluation and Emergency Response (HEER) Office Technical Guidance Manual for the Implementation of the Hawaii State Contingency Plan The HEER office is in the process of updating and revising the existing Hawaii HEER TGM , which was last published in 1997. The revisions are intended to provide updated technical and procedural information and will be made available to the public through internet-based and hard copy formats. Interested parties that wish to participate in this review process are encouraged to contribute comments using the web-based comment tool . The initial log-in is "dohtgm;" the password is "Guest" (case sensitive). Further information regarding the overall HEER TGM revision project is available on the website after the initial log-in to the tool. Comments on Sections 1 through 4 due 08/30/2008.	NASA operations in Hawaii should be aware of these revisions.
HI081308-3	Water Wastewater System Permitting	08/07/2008	News Release	Notice	Hawaii State Department of Health (HDOH), Wastewater Branch Announces electronic permitting is now available for Individual Wastewater Systems (IWS). The electronic permitting system allows professional engineers to apply and pay online for individual wastewater permits. Currently, the system is only available for residential permits, but will be expanded in the future to accommodate all such permits to expedite the permit approval process. Further information on registering to use the system and application system log-in is available on the IWS Online Application site . To find out more about the HDOH Wastewater Branch services and missions, visit the department website .	

2.5 Louisiana State Regulatory Review

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

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA081308-1	Administrative Electronic Signature	08/20/2008	OS079	Final Rule	Louisiana Department of Environmental Quality Electronic Submittals and Electronic Signatures [LAC 33:I.2101, 2103, 2105, and 2107] Establishes procedures for the use of electronic documents and electronic signatures associated with documents that are required for compliance with the environmental regulations and are submitted to and processed by LDEQ.	
LA081308-2	Air Air Permitting	08/20/2008	AQ286	Proposed Rule	Louisiana Department of Environmental Quality General Conditions for Air Permits [LAC 33:III.535 and 537] Part 70 (Title V) permits for major sources include both 40 CFR Part 70 and Louisiana General Conditions, whereas minor source and PSD permits contain only Louisiana General Conditions. This rule would codify the General Conditions into LAC 33:III.Chapter 5. Because the most current version of the General Conditions is incorporated into permits as they are finalized, the universe of effective permits includes differing versions of these conditions. Once codified, all permittees will be subject to the same General Conditions. Comments due 10/02/2008.	
LA081308-3	Hazardous Substances Mercury	08/20/2008	OS077	Proposed Rule	Louisiana Department of Environmental Quality Mercury Risk Reduction [LAC 33:I.2701, 2703, 2705, 2707, 2709, 2711, 2713, 2715, 2717, 2719, and 2721] Proposes to create a comprehensive system for control of mercury-containing products. Would require notification to LDEQ by manufacturers of mercury-containing products; phase out mercury-containing products with increasingly stringent restrictions on sales; require manufacturers to provide collection plans for discarded mercury-containing products; provide for labeling of mercury-containing products and public outreach on the dangers of mercury; ban certain methods of disposal of mercury-containing products; ban certain uses of mercury-containing products; and provide for exemptions to the requirements. Comments due 10/02/2008.	NASA Programs with operations in Louisiana should note that use of certain mercury-containing products may be banned in the state.
LA081308-4	Radiation Safety Officer Training	08/20/2008	RP050ft	Proposed Rule	Louisiana Department of Environmental Quality Training and Education Requirements for Authorized Users of Radioactive Materials [LAC 33:XV.763] Would update the state regulations to be compatible with the changes in the federal regulations (10 CFR Part 35) relating to the training and education requirements of a physician who is a radiation safety officer overseeing uptake, dilution, or excretion studies, and/or imaging and localization studies. Comments due 09/25/2008.	
LA081308-5	Radiation Transportation Safety	08/20/2008	RP048ft	Proposed Rule	Louisiana Department of Environmental Quality IAEA Transportation Safety Standards [LAC 33:XV.455, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, and 1599] Would update the state regulations to be compatible with the changes in the federal regulations (10 CFR Part 71). Comments due 09/25/2008.	

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

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

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS081308-1	Waste Hazardous Waste	08/04/2008	73 FR 45170	Immediate Final Rule	U.S. Environmental Protection Agency Mississippi: Final Authorization of State Hazardous Waste Management Program Revision [40 CFR Part 271] Grants final authorization of changes to the state hazardous waste program under RCRA. Effective 10/03/2008 unless adverse comments received by 09/03/2008.	

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.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM081308-1	Air Quality	07/31/2008	NM Register Vol. XIX, p. 573	Rule Amendment	New Mexico Environmental Improvement Board 20.2 NMAC Air Quality Announces a public hearing to discuss revisions to the New Mexico Air Quality regulations as follow: <ul style="list-style-type: none"> ▪ New: <ul style="list-style-type: none"> ▪ 20.2.20 NMAC–Field Citations The hearing will be held on 10/06/2008 at the State Capital in Santa Fe, New Mexico.	WSTF should be aware of this change to the New Mexico Air Quality regulations.

2.9 Ohio State Regulatory Review

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

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH081308-1	Air Particulate Matter	08/04/2008	Memo	Notice Guidance	Division of Air Pollution Control, OEPA PM2.5 NSR Rule Implementation Issues Provides key information to permitting staff about Ohio's implementation of the federal PM2.5 NSR rules. These rules became partly effective starting 07/15/2008.	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH081308-2	Air SIP- Particulate Matter	08/08/2008	Public Notice, pg. 9	Notice	Division of Air Pollution Control, OEPA Fine Particulate (PM2.5) Attainment Demonstration State Implementation Plan Submits to EPA the Fine Particulate (PM2.5) SIP for Ohio's nonattainment areas. The PM2.5 nonattainment areas in Ohio consist of 9 areas comprising 27 counties, including Cuyahoga County. This submittal includes an attainment demonstration and identifies the rules deemed necessary to attain the air quality standard by the year 2010. Comments due 09/18/2008.	
OH081308-3	Remediation NASA GLC	08/05/2008	Public Notice, p. 13	Final Decision	OEPA Finalizes Decision Document for NASA Glenn Research Center-Lewis Field-Central West Area, Cleveland, Ohio Finalizes a Decision Document identifying the selected alternative to remediate contamination at the NASA Glenn Research Center-Lewis Field-Central West Area (NASA Central West) located at 21000 Brookpark Road in Cleveland, Ohio (Cuyahoga County). The selected alternative includes the excavation and removal of all contaminated soils above the industrial and commercial cleanup goals, along with offsite disposal. Additionally, to ensure that future use of the property is restricted to industrial and commercial uses, requires implementation of institutional controls on the NASA Glenn Research Facility at Lewis Field-Central West Area through an environmental covenant. Effective: 08/05/2008.	NASA GRC should be aware of the Decision Document.
OH081308-4	Waste Hazardous Waste	08/06/2008	Public Notice, p. 2	Proposed Rule	Division of Hazardous Waste Management, OEPA Public Notice of Proposed Rule-Making Governing Hazardous Waste Management [OAC 3745] Proposes " Set I-b:A ," a portion of the rules known as "Set I-b." A list of the proposed rules, a list of the RCRA subjects addressed by the rule amendments, and other information are provided in the Public Notice. The primary purpose of this proposed rule-making is to adopt rules consistent with and equivalent to federal RCRA regulations. A public hearing is scheduled for 09/11/2008 in Columbus, Ohio. Comments due 09/11/2008.	NASA Facilities should be aware of these proposed rule amendments.
OH081308-5	Water Backflow Prevention	07/29/2008	Notice	Final Rule	Division of Drinking and Ground Waters, OEPA Notice of Final Rule-making [OAC 3745-95-07] Adopts revisions to OAC Rule 3745-95-07, which establishes backflow prevention and cross-connection control requirements for public water systems. Requires booster pumps used for fire suppression to install a minimum pressure-sustaining valve in lieu of the low-pressure cut-off device currently required. Effective 08/08/2008.	
OH081308-6	Water License to Operate	07/25/2008	Public Notice	Draft Rule	Division of Drinking and Ground Waters, OEPA Request for Comment on Draft Rules [OAC 3745-84] Proposes revisions to the requirements for public water system licenses. These draft rules would establish conditions and procedures for conditioning, suspending, revoking, or denying a license to operate; also would establish requirements to notify the public of the water system's license status. Comments due 09/12/2008.	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH081308-7	Water Non-point Source Discharge	08/05/2008	Notice	Notice Workshop	Division of Surface Water, OEPA Non-point Source Monitoring Workshop "Getting the Point About Non-point" Information about the 16th National Non-point Source Monitoring Workshop. "Getting the Point About Nonpoint" is posted on the Nonpoint Source Program page. The workshop will be held 09/14/2008 through 09/18/2008.	
OH081308-8	Water Permit to Install	07/29/2008	Notice Letter	Draft Rule	Division of Surface Water, OEPA Permits to Install and Plan Approvals for Water Pollution Control [OAC Chapter 3745-42] Draft rules address administrative and technical requirements for obtaining a wastewater Permit to Install. Rule package consists of five rescinded rules and four new rules. The changes being considered include formatting changes to make the rules easier to understand, adding isolation distance requirements to ensure that adequate setbacks are maintained from waters of the state, removing requirements on the use of filter sand, and adding restrictions on the approvals for sewage holding tanks. See the fact sheet for more information. Comments due 09/02/2008.	

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](#).

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX081308-1	CAA NAAQS- Carbon Monoxide, El Paso Area	08/04/2008	73 FR 45162	Direct Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas: El Paso County Carbon Monoxide Redesignation to Attainment, and Approval of Maintenance Plan [40 CFR Parts 52 and 81] Announces approval of the request to redesignate the El Paso carbon monoxide nonattainment area to attainment for the carbon monoxide NAAQS. The CO maintenance plan for the El Paso area and associated Motor Vehicle Emission Budgets also have been approved. Effective 10/08/2008 unless EPA receives adverse comment by 09/03/2008.	

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX081308-2	Water Water Quality Management Plan	08/08/2008	33 TexReg 6435	Notice	<p>Notice of Availability of the Draft July 2008 Update to the Water Quality Management Plan for the State of Texas</p> <p>Announces the availability of the draft July 2007 Update to the Water Quality Management Plan for the State of Texas. The draft update includes projected effluent limits of indicated domestic dischargers useful for water quality management planning in future permit actions. The update also may contain service area populations for listed wastewater treatment facilities and designated management agency information. EPA's approval of a corresponding update is a necessary precondition to permit issuance for some Texas Pollutant Discharge Elimination System permits. Comments due 09/09/2008.</p>	

2.11 Utah State Regulatory Review

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

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT081308-1	Water Drinking Water-Groundwater Wells	08/01/2008	UT Bull. Vol. 2008-15. DAR File No. 31709	Proposed Rule	<p>Utah Division of Drinking Water, Department of Environmental Quality</p> <p>Facility Design and Operation: Source Development; Groundwater-Wells [UAC R309-515-6(12)]</p> <p>Proposes to amend certain design requirements for groundwater drinking wells. Comments due 09/02/2008.</p>	
UT081308-2	Water Drinking Water-Groundwater Wells	08/01/2008	UT Bull. Vol. 2008-15. DAR File No. 31710	Proposed Rule	<p>Utah Division of Drinking Water, Department of Environmental Quality</p> <p>Facility Design and Operation: Source Development; Groundwater-Wells [UAC R309-515-6]</p> <p>Proposes to amend R309-515-6 to remove redundant language and to increase consistency with the State Engineer's well drilling rules. Comments due 09/02/2008.</p>	
UT081308-3	Water Water Rights	08/01/2008	UT Bull. Vol. 2008-15. DAR File No. 31692	Proposed Rule	<p>Utah Division of Water Rights, Department of Natural Resources</p> <p>Administrative Procedures for Defining Beneficial Uses for Supplemental Water Rights [UAC R655-16]</p> <p>Proposes to define procedures for resolving supplemental water right beneficial use quantification issues between water right holders. Comments due 09/02/2008.</p>	

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.

RRAC PC Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA081308-1	Waste Hazardous Waste	07/30/2008	73 FR 44168	Final Rule	U.S. Environmental Protection Agency Virginia: Final Authorization of State Hazardous Waste Management Program Revision [40 CFR Part 271] Finalizes changes made by the Commonwealth of Virginia to its hazardous waste program under RCRA. Effective 07/30/2008.	
VA081308-2	Water Wastewater	08/04/2008	24:24 Va.R. 3329	Proposed Rule	Virginia Department of Health 12 VAC 5-650 Schedule of Civil Penalties Proposes to establish a uniform schedule of civil penalties for violations of onsite sewage and alternative discharging sewage treatment violations. Comments due 09/03/2008.	