



National Aeronautics and  
Space Administration

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

# Regulatory Tracking Summary

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*5 September 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	5
1.3	Significant News and Other Developments	6
1.3.1	<i>New Resource for Real Property Asset Management</i>	6
1.4	Clean Air Act Working Group Updates	7
1.4.1	<i>Clean Air Act Working Group Telecons for 2008</i>	7
<b>2.0</b>	<b>State Regulatory Reviews</b>	<b>8</b>
2.1	Alabama State Regulatory Review	8
2.2	California State Regulatory Review	9
2.2.1	<i>California Urban Forest Project Reporting Protocol</i>	11
2.3	Florida State Regulatory Review	11
2.4	Hawaii State Regulatory Review	14
2.5	Louisiana State Regulatory Review	14
2.6	Maryland State Regulatory Review	14
2.7	Mississippi State Regulatory Review	15
2.8	New Mexico State Regulatory Review	15
2.9	Ohio State Regulatory Review	16
2.10	Texas State Regulatory Reviews	17
2.11	Utah State Regulatory Review	17
2.12	Virginia State Regulatory Review	18

## Acronyms

AAM = <i>Alabama Administrative Monthly</i>	NO <sub>2</sub> = Nitrogen dioxide
ADEM = Alabama Department of Environmental Management	NO <sub>x</sub> = Nitrogen oxide
ANPRM = Advance Notice of Proposed Rulemaking	NPDES = National Pollutant Discharge Elimination System
AQI = Air Quality Index	NPRM = Notice of Proposed Rulemaking
AVAQMD = Antelope Valley Air Quality Management District	NSPS = New Source Performance Standards
CAA = Clean Air Act	OAC = Ohio Administrative Code
CAAWG = Clean Air Act Working Group	OAL = Office of Administrative Law
CALReUSE = California Recycle Underutilized Sites Program	OEHHA = Office of Environmental Health Hazard Assessment
CCR = <i>California Code of Regulations</i>	OEPA = Ohio Environmental Protection Agency
CFR = <i>Code of Federal Regulations</i>	OSHA = Occupational Safety and Health Administration
CRNR = <i>California Regulatory Notice Register</i>	PCMM = Policy Change Management Model
DFW = Dallas-Fort Worth	PFAC = Perfluoroalkyl carboxylate
DOT = Department of Transportation	PFAS = Perfluoroalkyl sulfonate
EIS = Environmental Impact Statement	PM = Particulate matter
EPA = U.S. Environmental Protection Agency	RCRA = Resource Conservation and Recovery Act
F.A.C. = Florida Administrative Code	RIN = Regulatory Identification Number
FAW = <i>Florida Administrative Weekly</i>	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
FDEP = Florida Department of Environmental Protection	SIP = State Implementation Plan
FR = <i>Federal Register</i>	SJRWMD = St. Johns River Water Management District
FY = Fiscal year	SME = Subject Matter Expert
GHG = Greenhouse gases	SNUR = Significant New Use Rule
GSE = Ground support equipment	SOP = Standard operating procedure
HCFC = Hydrochlorofluorocarbon	SO <sub>x</sub> = Sulfur oxide
HGB = Houston-Galveston-Brazoria	TAC = Texas Administrative Code
LaRC = Langley Research Center	TBD = To be determined
Md.R = <i>Maryland Register</i>	TexReg = <i>Texas Register</i>
MDE = Maryland Department of the Environment	UAC = Utah Administrative Code
NAAQS = National Ambient Air Quality Standards	U.S. = United States
NASA = National Aeronautics and Space Administration	Va.R. = <i>Virginia Register</i>
NEPA = National Environmental Policy Act	VAC = Virginia Administrative Code
NESHAP = National Emission Standards for Hazardous Air Pollutants	VDEQ = Virginia Department of Environmental Quality
NIC = Notice of Intent to Comply	VOC = Volatile organic compound
NMAC = New Mexico Administrative Code	WSTF = White Sands Test Facility

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

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

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed090508-1	CAA NAAQS-NO <sub>2</sub>	09/02/2008	<a href="#">73 FR 51297</a>	Notice	Draft Risk and Exposure Assessment Report for Nitrogen Dioxide  Notice of availability of a draft document titled, <a href="#">Risk and Exposure Assessment to Support the Review of the NO<sub>2</sub> Primary NAAQS: Second Draft</a> . The purposes of the document are to convey the approaches taken to characterize exposures and risks associated with ambient NO <sub>2</sub> and to present the results. Comments due 09/26/2008.	
Fed090508-2	CAA NAAQS-NO <sub>x</sub> and SO <sub>x</sub>	08/29/2008	<a href="#">73 FR 50965</a>	Notice	Draft Risk and Exposure Assessment Report for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur  Notice of availability of a draft document titled, <a href="#">Risk and Exposure Assessment to Support the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: First Draft</a> . The purpose of the draft document is to present the results of an assessment of environmental exposures to ambient oxides of nitrogen and sulfur and characterization of associated public welfare risks. Comments due 10/15/2008.	
Fed090508-3	CAA NAAQS-PM <sub>2.5</sub>	09/02/2008	<a href="#">73 FR 51259</a>	Notice	EPA Responses to State and Tribal 2006 24-Hour PM <sub>2.5</sub> Designation Recommendations: Notice of Availability and Public Comment Period [40 CFR Part 81]  Notice that EPA has posted its responses to state and tribal designation recommendations for the 2006 24-hour PM <sub>2.5</sub> NAAQS. Recommendations from states, EPA's responses, and other information are available on <a href="#">EPA's website</a> . EPA plans to make the final designation determinations by 12/18/2008. Comments due 10/02/2008.	
Fed090508-4	CAA NESHAP-Asbestos-containing Materials	08/26/2008	<a href="#">73 FR 50323</a>	Notice	Notice of Expert Peer Review Meeting of the Draft Demonstration of Alternative Asbestos Control Method Demolition for Two Asbestos-containing Buildings  Announces an expert peer review meeting to review the two draft documents titled, <a href="#">Evaluation of the Alternative Asbestos Control Method at Site Two for Demolition of Asbestos-containing Buildings</a> , and <a href="#">Evaluation of the Alternative Asbestos Control Method at Site Three for Demolition of Asbestos-containing Buildings</a> . The draft reports provide documentation and scientific evaluation of the effectiveness of the draft protocol as a possible alternative technology in controlling multimedia asbestos emissions during the demolition of asbestos-containing buildings. The peer review meeting is to be held 09/11/2008 through 09/12/2008 in Cincinnati, Ohio. Further information is posted on the EPA <a href="#">website</a> .	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed090508-5	Climate Change	09/02/2008	<a href="#">73 FR 51277</a>	Notice	National Oceanic and Atmospheric Administration U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 4.2 "Thresholds of Change in Ecosystems" Announces a public comment period for the draft report titled, U.S. Climate Change Science Program Synthesis and Assessment Product 4.2, " <a href="#">Thresholds of Change in Ecosystems</a> ." Comments due 10/17/2008 [RIN 0648-XK07].	
Fed090508-6	NEPA Availability of Comments on EIS	08/29/2008	<a href="#">73 FR 50961</a>	Notice	Environmental Impact Statements and Regulations; Availability of EPA Comments Announces availability of EPA comments on draft EIS. Includes the following: ▪ Spaceport America Commercial Launch Site, Proposal To Develop and Operate, Issuance of License, Sierra County, NM. Summary: EPA does not object to the preferred action. Rating – Lack of Objections.	
Fed090508-7	Toxic Substances Bisphenol A	09/03/2008	<a href="#">73 FR 51483</a>	Notice	National Institute of Environmental Health Sciences, National Institutes of Health National Toxicology Program Center for the Evaluation of Risks to Human Reproduction: Announces the Availability of the Monograph on Bisphenol A Announces the availability of the National Toxicology Program Center for the Evaluation of Risks to Human Reproduction <a href="#">Monograph on Bisphenol A</a> . Provides conclusions regarding the potential for bisphenol A to adversely affect human reproductive health or children's development.	
Fed090508-8	Transportation Transportation Worker Identification Credential	08/28/2008	<a href="#">73 FR 50721</a>	Notice	U.S. Coast Guard Transportation Worker Identification Credential Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License [33 CFR Part 105] Informs owners and operators of facilities located within Captain of the Port Zones Baltimore, Delaware Bay, Mobile, Lower Mississippi River, Ohio Valley, Pittsburgh, and San Diego that they must implement access control procedures using the <a href="#">Transportation Worker Identification Credential</a> no later than 12/30/2008.	

## 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	<i>10/2008</i>	NESHAP:	Pre-rule	Possible impact to Ground Operations.
Final Action	<i>10/2009</i>	Defense Land Systems and Miscellaneous Equipment [2060-AM84]		Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.

	Significant Dates <i>italic = tentative</i>		Subject Action [RIN]	Type of Action	Comments
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	<a href="#">73 FR 44353</a>	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.
NPRM Comments Due Final Action	07/14/2008 08/13/2008 10/2008	<a href="#">73 FR 40230</a>	Control Techniques Guidelines for Coating Operations [2060-AP01]	Proposed Rule	Possible space vehicle materials or supply chain impacts. 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.
NPRM Final Action	<i>07/2008</i> <i>10/2008</i>		National VOC Rule for Industrial Adhesives and Sealants [2060-AP02]	Pre-Rule	Possible space vehicle materials or supply chain impacts. 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 Final Action	<i>05/2008</i> <i>01/2009</i>		Area Source NESHAP for Miscellaneous Chemical Manufacturing [2060-AM19]	Pre-Rule	Possible space vehicle materials or supply chain impacts. Will impose requirements on area sources that manufacture chemicals; could drive reformulations to avoid regulatory requirements.
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	03/07/2006 10/2008	<a href="#">71 FR 11483</a>	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts. 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 New Resource for Real Property Asset Management

The Office of Real Property Management, Regulations Management Division, has launched the PCMM [website](#) to provide real property asset management resources for Federal Real Property Policy Professionals across all government agencies. The website provides access to Federal Management Regulations, Laws and Executive Orders, and policy and guidance by subject

matter. The website also includes an SME Discussion Board and a document library for Best Practices.

## 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 15 October and 19 November 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT.

The CAAWG also will have a face-to-face meeting at the NASA Biennial Environmental Conference, which will be held on 22 through 25 September 2008 at LaRC. Additional information is available at the conference [website](#).

Please send questions, comments, and suggestions for agenda topics to Sharon Scroggins (256-544-7932, [sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

## 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.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL090508-1	Air NESHAPs	08/29/2008	<a href="#">AAM Vol. XXVI, No. 11, p. 437</a>	Proposed Rule Hearing	335-ADEM 3-Air Division 11-National Emission Standards for Hazardous Air Pollutants  Proposes to incorporate by reference changes to the federal NSPS allowing EPA to delegate administrative enforcement of these regulations to ADEM. Amendments will incorporate regulations in 40 CFR Part 63, Subpart EEE, NESHAP for Hazardous Waste Combustors, which will clarify several compliance and monitoring provisions, and also correct several omissions and typographical errors. The following rules will be considered for revisions: <ul style="list-style-type: none"> <li>▪ <a href="#">335-3-11-.01 - General (Amend)</a></li> <li>▪ <a href="#">335-3-11-.06 - National Emission Standards for Hazardous Air Pollutants for Source Categories (Amend)</a></li> </ul> A list of specific changes can be found in the <a href="#">Summary of Reasons</a> document. A public hearing will be held 10/08/2008 at ADEM, Montgomery, Alabama.	
AL090508-2	Air NESHAPs	08/29/2008	<a href="#">AAM Vol. XXVI, No. 11, p. 439</a>	Proposed Rule Hearing	335-ADEM 3-Air Division Appendix C-EPA Regulations Reference Documents for NSPS and NESHAPs  Proposes to amend <a href="#">Appendix C-EPA Regulations Reference Documents for NSPS and NESHAPs</a> to reflect the amendments in Chapter 335-3-10. A public hearing will be held 10/08/2008 at ADEM, Montgomery, Alabama.	
AL090508-3	Air NSPS	08/29/2008	<a href="#">AAM Vol. XXVI, No. 11, p. 436</a>	Proposed Rule Hearing	335-ADEM 3-Air Division 10-Standards of Performance for New Stationary Sources  Proposes to incorporate by reference changes to the federal NSPS allowing EPA to delegate administrative enforcement of these regulations to ADEM. Amendments will correct errors and clarify provisions for five continuous instrumental test methods. The following rules will be considered for revisions: <ul style="list-style-type: none"> <li>▪ <a href="#">335-3-10-.01 - General (Amend)</a></li> <li>▪ <a href="#">335-3-10-.02 - Designated Standards of Performance (Amend)</a></li> <li>▪ <a href="#">335-3-10-.03 - Appendices to 40 CFR 60 (Amend)</a></li> </ul> A list of specific changes can be found in the <a href="#">Summary of Reasons</a> document. A public hearing will be held 10/08/2008 at ADEM, Montgomery, Alabama.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL090508-4	Air SIP	08/29/2008	<a href="#">AAM Vol. XXVI, No. 11, p. 438</a>	Proposed Rule Hearing	335-ADEM 3-Air Division 17-Conformity of Federal Actions to State Implementation Plans  Proposes to incorporate by reference changes to the federal NSPS allowing EPA to delegate administrative enforcement of these regulations to ADEM. Amendments to <a href="#">Rule 335-3-17-01 Transportation Conformity</a> include extended grace periods for state and local governments to meet conformity requirements and decreased timeframes of conformity determinations, and also allows DOT to make categorical hot-spot findings in carbon monoxide nonattainment and maintenance areas. A list of specific changes can be found in the <a href="#">Summary of Reasons</a> document. A public hearing will be held 10/08/2008 at ADEM, Montgomery, Alabama.	
AL090508-5	Remediation Environmental Covenants	08/29/2008	<a href="#">AAM Vol. XXVI, No. 11, p. 435</a>	Proposed Rule Hearing	335-ADEM 1-General Administration 6-Application Fees  Proposes to add a new Fee Schedule J, Environmental Covenant Fees, to <a href="#">335-1-6-.04</a> . A list of specific changes can be found in the <a href="#">Summary of Reasons</a> . A public hearing will be held 10/08/2008 at ADEM, Montgomery, Alabama.	
AL090508-6	Remediation Environmental Covenants	08/29/2008	<a href="#">AAM Vol. XXVI, No. 11, p. 435</a>	Proposed Rule Hearing	335-ADEM 5-Land Division-Uniform Environmental Covenant Program  Proposes to adopt <a href="#">Chapter 335-5-Uniform Environmental Covenant Program</a> , which is applicable to a property or facility undergoing a response action that does not return the property or facility to unrestricted use. Draft text can be found in the <a href="#">attached document</a> . A public hearing will be held 10/08/2008 at ADEM, Montgomery, 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
CA090508-1	Air SIP	09/02/2008	<a href="#">73 FR 51226</a>	Direct Final Rule	<a href="#">U.S. Environmental Protection Agency</a>  Revisions to the California SIP, Antelope Valley Air Quality Management District [40 CFR Part 52]  Final approval of revisions to the AVAQMD portion of the California SIP. Revisions include provisions for recordkeeping, permits, monitoring, and other air-related activities. Effective on 11/03/2008 unless adverse comment is received by 10/02/2008.	
CA090508-2	CALReUSE Program	09/05/2008	<a href="#">CRNR 2008, 36Z, p. 1595</a>	Final Rule	<a href="#">California Pollution Control Financing Authority</a>  CALReUSE Program [4 CCR 8102, 8102.1-15, 8090-8101]  Modifies the existing CALReUSE Site Assessment Program and creates the CALReUSE Remediation Program. The assessment program funds inspection of contaminated sites and the remediation program funds remediation of brownfields to be used for particular housing development. Effective 08/27/2008.  <a href="#">Further information on CALReUSE is available on the Program's website.</a>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA090508-3	Endangered Species Longfin Smelt	08/29/2008	<a href="#">CRNR 2008, 35z, p. 1554</a>	Final Rule	<a href="#">Fish and Game Commission</a> Incidental Take of Longfin Smelt [14 CCR 749.3] Maintains the restrictions and permissible take of longfin smelt while the species undergoes evaluation for listing as an endangered species. Effective 08/27/2008.	
CA090508-4	Energy Conservation Efficiency Standards	08/29/2008	<a href="#">CRNR 2008, 35z, p. 1525</a>	Proposed Action	<a href="#">California Energy Resources Conservation and Development Commission</a> Amendments to Appliance Efficiency Regulations [20 CCR 1601-8] Proposes to adopt efficiency standards for metal halide lighting fixtures, comprehensive voluntary test procedures for battery charger systems, and revisions to the overall Appliance Efficiency Regulations for consistency with federal laws. Public hearing scheduled 09/17/2008 at California Energy Commissions building in Sacramento, California. Comments due 10/13/2008.	
CA090508-5	Energy Conservation Efficiency Standards	08/29/2008	<a href="#">CRNR 2008, 35z, p. 1533</a>	Proposed Action	<a href="#">California Energy Resources Conservation and Development Commission</a> Amendments to Appliance Efficiency Regulations [20 CCR 1601-8] Proposes to adopt efficiency standards for general purpose lighting. Public hearing scheduled 09/17/2008 at California Energy Commissions building in Sacramento, California. Comments due 10/13/2008.	
CA090508-6	Proposition 65	09/05/2007	<a href="#">CRNR 2008, 36z, p. 1590</a>	Notice	<a href="#">Office of Environmental Health Hazard Assessment</a> Availability of Hazard Identification Materials for Hexavalent Chromium and Chlorpyrifos and Announcement of the Submission of Relevant Studies for Particulate Matter and Total Trihalomethanes and the November 20, 2008 Developmental and Reproductive Toxicant Identification Committee Meeting OEHHA will consult with the Carcinogen Identification Committee concerning whether to add <i>Hexavalent Chromium</i> and <i>Chlorpyrifos</i> to the Proposition 65 list. Hazard identification materials are available on both <a href="#">Hexavalent Chromium</a> and <a href="#">Chlorpyrifos</a> . Also announces availability of data regarding <a href="#">Particulate Matter and Total Trihalomethanes</a> . A meeting regarding these actions will be held on 11/20/2008 at the California Environmental Protection Agency, Sacramento, California. Comments due 11/04/2008. Hexavalent chromium is widely used in industry to prevent corrosion. OEHHA notes that trihalomethanes mainly are produced as byproducts of water disinfection with halogenated compounds. However, the class of trihalomethanes includes such industrially-significant chemicals as chloroform, HFC 23 (fluoroform), and HCFC 22 (chlorodifluoromethane). Further information is available on the OEHHA <a href="#">website</a> .	<a href="#">NASA Centers and Programs</a> should be aware that hexavalent chromium and trihalomethanes may be added to the Proposition 65 list.
CA090508-7	Safety High Visibility Apparel	08/29/2008	<a href="#">CRNR 2008, 35z, p. 1509</a>	Proposed Action	<a href="#">Occupational Safety and Health Standards Board</a> Use of High Visibility Apparel: (2) Machinery and Equipment (Definition of "Equipment") [8 CCR 1598-9, 3328] Proposes <a href="#">updates</a> to high-visibility apparel requirements for traffic control and flaggers. Proposes a regulatory definition of the term "equipment." A public hearing is scheduled for 10/16/2008 in Oakland, California. Further information is available on the rulemaking <a href="#">website</a> . Comments due 10/16/2008.	
CA090508-8	Safety Respiratory Protection	08/29/2008	<a href="#">CRNR 2008, 35z, p. 1553</a>	Notice	<a href="#">Department of Pesticide Regulation</a> Respiratory Protection [3 CCR 6738-9] Nonsubstantive corrections of cross references and grammatical errors.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA090508-9	Water Flood Management	08/29/2008	<a href="#">CRNR 2008, 35z, p. 1540</a>	Notice Disapproval Decision	<a href="#">Department of Water Resources</a> Decision of Disapproval of Emergency Regulatory Action [23 CCR 570-8] Notice OAL disapproved the emergency regulatory action regarding financial assistance for flood management projects.	

## 2.2.1 California Urban Forest Project Reporting Protocol

The [California Climate Action Registry](#) Board of Directors [approved](#) the adoption of the [Urban Forest Project Reporting Protocol](#) on 12 August 2008. The Protocol will allow tree-planting projects in urban areas to produce credible, verifiable, and high-quality offset credits while meeting reduction and regional greening goals.

## 2.3 Florida State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL090508-1	Air General Provisions	08/29/2008	<a href="#">FAW Notice #5933216</a>	Proposed Rule	Chapter 62–FDEP 204–Air Pollution Control–General Provisions Proposes rule amendments for FDEP's adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 50, 52, 58, 60, and 63, through 06/30/2008, as described below: <ul style="list-style-type: none"> <li>▪ 40 CFR 50, National Primary and Secondary Ambient Air Quality Standards: Establishes primary and secondary ambient air quality standards for ozone and procedures to determine if the standards are met at ozone air quality monitoring site.</li> <li>▪ 40 CFR 52, Approval and Promulgation of Implementation Plans, Subpart K, Florida: Deleted specific requirements for interstate pollutant transport provisions.</li> <li>▪ 40 CFR 58, Ambient Air Quality Surveillance, Appendix G, Uniform AQI and Daily Reporting: Establishes a new 8-hour ozone AQI breakpoint.</li> <li>▪ 40 CFR 60, Standards of Performance for New Stationary Sources, Subpart KKKK, Standards for Stationary Combustion Turbines: Incorporated a table for nitrogen oxide emission limits for new stationary combustion turbines.</li> <li>▪ 40 CFR 60, Standards of Performance for New Stationary Sources: Minor changes have been made to text of the following appendixes: <ul style="list-style-type: none"> <li>▪ Appendix A-2, Test Methods 2G through 3C</li> <li>▪ Appendix A-4, Test Methods 6 through 10B</li> <li>▪ Appendix A-7, Test Methods 19 through 25E</li> </ul> </li> <li>▪ 40 CFR 63, NESHAPs, Subpart EEE, NESHAP for Hazardous Waste Combustors: Establishes compliance dates for hazardous waste combustors, updates performance testing requirements, and updates NIC requirements.</li> </ul> Comments due 09/19/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions												
FL090508-2	Air Greenhouse Gases	08/29/2008	<a href="#">FAW Notice #6051944</a>	Proposed Rule Hearing	Chapter 62–FDEP 285–Greenhouse Gas Emissions Reduction 400–Adoption of California Motor Vehicle Emissions Standards  Proposes that new motor vehicles delivered to Florida for sale, lease, or rent meet emission standards, including a fleet-wide average emission standard for GHGs. A hearing will be held 09/25/2008 at FDEP, Tallahassee, Florida. Comments due 09/19/2008.													
FL090508-3	Air Vehicle Idling	08/19/2008	<a href="#">FAW Notice #6079977</a>	Final Rule	Chapter 62–FDEP 285–Greenhouse Gas Emissions Reduction 420–Heavy-duty Vehicle Idling Reduction  Finalizes amendments to reduce emissions from unnecessary, long-duration diesel engine idling and apply to any heavy-duty, diesel engine-powered motor vehicle, which are defined as vehicles: <ul style="list-style-type: none"> <li>With a gross vehicle weight rating equal to or greater than 8,500 pounds</li> <li>Used on roads for the transportation of passengers or freight</li> <li>Serving a commercial, governmental, or public purpose</li> </ul> Amendments will provide an exemption for operation of cargo refrigeration units and for idling during normal waste collection operations. Effective 12/15/2008.	<b>KSC</b> should be aware of these requirements.												
FL090508-4	Energy and Climate Change	09/05/2008	<a href="#">FAW Notice #6090744</a>	Notice Meetings	Chapter 62–Governor’s Action Team on Energy and Climate Change  Announces the following teleconference meetings of the technical workgroups associated with the Governor’s Action Team on Energy and Climate Change: <table border="1"> <tr> <td>09/23/2008, 1:30 p.m.</td> <td>Energy Supply and Demand Technical Workgroup</td> </tr> <tr> <td>09/23/2008, 2:00 p.m.</td> <td>Cap and Trade Technical Workgroup</td> </tr> <tr> <td>09/24/2008, 9:00 a.m.</td> <td>Government Policy Coordination Technical Workgroup</td> </tr> <tr> <td>09/24/2008, 10:00 a.m.</td> <td>Agriculture, Forestry, and Waste Technical Workgroup</td> </tr> <tr> <td>09/24/2008, 1:00 p.m.</td> <td>Transportation and Land Use Technical Workgroup</td> </tr> <tr> <td>09/25/2008, 10:00 a.m.</td> <td>Adaptation Technical Workgroup</td> </tr> </table> Teleconference call in numbers and codes are available in the <a href="#">FAW Notice</a> .	09/23/2008, 1:30 p.m.	Energy Supply and Demand Technical Workgroup	09/23/2008, 2:00 p.m.	Cap and Trade Technical Workgroup	09/24/2008, 9:00 a.m.	Government Policy Coordination Technical Workgroup	09/24/2008, 10:00 a.m.	Agriculture, Forestry, and Waste Technical Workgroup	09/24/2008, 1:00 p.m.	Transportation and Land Use Technical Workgroup	09/25/2008, 10:00 a.m.	Adaptation Technical Workgroup	
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09/25/2008, 10:00 a.m.	Adaptation Technical Workgroup																	
FL090508-5	Energy and Climate Change	09/05/2008	<a href="#">FAW Notice #6090453</a>	Notice Meetings	Chapter 62–Governor’s Action Team on Energy and Climate Change  Announces meetings of the Governor’s Action Team on Energy and Climate Change to be held at The Capital, Tallahassee, Florida, on 10/01/2008 and 10/08/2008													
FL090508-6	Energy and Climate Change	09/05/2008	<a href="#">FAW Notice #6130902</a>	Notice Meeting	Chapter 62–Governor’s Action Team on Energy and Climate Change  Cancels the 09/26/2008 meeting of the Governor’s Action Team on Energy and Climate Change.													

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL090508-7	Recycling	09/05/2008	<a href="#">FAW Notice #5984820</a>	Notice Meeting	Chapter 62–2008 Energy Bill The 2008 Energy Bill (HB 7135) includes language that establishes a new statewide recycling goal of 75 percent to be achieved by the year 2020. FDEP is directed to develop a plan by 2010 designed to achieve this goal and submit it to the Legislature for approval by 01/01/2010. The purpose of this meeting is to identify interested parties and seek input on preliminary steps to be taken to develop this plan. The meeting will be held 09/22/2008 at Council Chambers, Orlando, Florida.	
FL090508-8	Water Monitoring	08/29/2008	<a href="#">FAW Notice #6038558</a>	Notice Meeting	Chapter 62–Florida Water Resources Monitoring Council Announces a meeting to pursue charges to coordinate and standardize monitoring in Florida inland and coastal waters. The meeting will be held 09/24 and 09/25/2008 at Florida Fish and Wildlife Research Institute, St. Petersburg, Florida.	
FL090508-9	Water Permits	09/05/2008	<a href="#">FAW Notice #6045057</a>	Notice Rule Development	Chapter 62–FDEP 621–Generic Permits Announces development of a proposed rule to address the electronic submittal of NPDES storm water forms and provide minor cleanup of existing language.	
FL090508-10	Water Quality Assurance	09/05/2008	<a href="#">FAW Notice #6078231</a>	Notice of Change	Chapter 62–FDEP 160–Quality Assurance Proposes to update the FDEP's SOPs for Field Activities (DEP-SOP-001/01) and Laboratory Activities (DEP-SOP-002/01) first announced in <a href="#">FAW Notice #5801199</a> . Updates are intended to clarify or correct procedures in the original documents, and should have a minimal effect on a majority of laboratory or field operations. Would also clarify the process by which data usability is assessed in a new document. Draft text is available in the <a href="#">FAW Notice</a> .	
FL090508-11	Water SJRWMD	09/05/2008	<a href="#">FAW Notice #6017509</a>	Notice Meeting	Chapter 40C–SJRWMD Announces a meeting involving the exchange of technical information involving the SJRWMD study of the cumulative impact of potential future water withdrawals from the St. Johns and Ocklawaha rivers to be held 09/17/2008 in Gainesville, Florida.	
FL090508-12	Water SJRWMD	09/05/2008	<a href="#">FAW Notice #6021389</a>	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss regulatory and non-regulatory matters, scheduled for 09/23/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL090508-13	Water SJRWMD	09/05/2008	<a href="#">FAW Notice #6025851</a>	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss the development of a comprehensive set of sustainable water use and supply actions steps at the 2008 Water Congress to be considered by the Century Commission. The meeting will be held 09/25/2008 in Orlando, Florida.	
FL090508-14	Water SJRWMD - Millage Rate and Budget	09/05/2008	<a href="#">FAW Notice #6020613</a>	Notice Meeting	Chapter 40C–SJRWMD Announces a meeting to present the FY 2008-2009 final millage rate and final budget and to receive public comment, scheduled for 09/23/2008 at SJRWMD Headquarters, Palatka, Florida.	
FL090508-15	Water Storm Water Permitting	08/29/2008	<a href="#">FAW Notice #6057570</a>	Notice Meeting	Chapter 62–FDEP 347–Storm Water Permitting During this 2-day meeting, the Technical Advisory Committee will consider design and performance standards for stormwater treatment systems, with particular emphasis on reducing nutrient discharges, as part of a new statewide storm water quality rule, Chapter 62-347, F.A.C. The meeting will be held on 09/15 and 09/16/2008 in Orlando, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL090508-16	Water Water Quality Credits	08/29/2008	<a href="#">FAW Notice #6051265</a>	Notice Rule Development Workshop	Chapter 62–FDEP 306–Water Quality Credit Trading Proposed rule development involves establishing procedures for water quality credit trading, including the following: <ul style="list-style-type: none"> <li>▪ The process to determine how credits are generated, quantified, and validated</li> <li>▪ The process for tracking credits, trades, and prices paid</li> <li>▪ Limitations on the use of credits, including eligible pollutants, minimum water quality requirements, and any adjustments for uncertainty or location</li> <li>▪ The timing, duration, and transfer of credits</li> <li>▪ The mechanisms for determining compliance with trade provisions</li> </ul> A workshop will be held 11/21/2008 at FDEP Headquarters, Tallahassee, Florida.	

## 2.4 Hawaii State Regulatory Review

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

## 2.5 Louisiana State Regulatory Review

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

## 2.6 Maryland State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD090508-1	Administrative Permit Turnaround Times	08/29/2008	<a href="#">35:18 Md.R 1688</a>	Notice	Maryland Department of the Environment Standard Permit Application Turnaround Times Announces MDE's annual publication of standard permit application turnaround times for all types of permits. Among the permit types included are General Permit to Construct, Air Permit to Construct, Title V Permit, Radiation Machine Permits, Oil Operations Permit, Wastewater Discharge Permits, Voluntary Cleanup Program, and General Permit for Construction Activity. Additional types of permits are listed in the notice.	

## 2.7 Mississippi State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS090508-1	Water 303(D) List of Impaired Water Bodies	08/27/2008	Mississippi Administrative Bulletin #15555, <a href="#">Notice</a> and <a href="#">Full Text</a>	Final	Mississippi Department of Environmental Quality This list identifies those waters within the state for which effluent limitations are not sufficient to implement one or more applicable Water Quality Standards and for which Total Maximum Daily Loads are not yet completed.	

## 2.8 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM090508-1	Hazardous Waste Management	08/29/2008	<a href="#">NM Register</a> Vol. XIX, p. <a href="#">747</a>	Notice	<p>New Mexico Environmental Improvement Board <a href="#">20.4 NMAC Hazardous Waste Management</a></p> <p>Announces a public hearing to discuss revisions to the New Mexico <a href="#">Hazardous Waste</a> regulations as follow:</p> <ul style="list-style-type: none"> <li>▪ Proposal to revise: <ul style="list-style-type: none"> <li>▪ <a href="#">20.4.1.100 NMAC</a> – Adoption of 40 CFR Part 260.</li> <li>▪ <a href="#">20.4.1.101 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.200 NMAC</a> – Adoption of 40 CFR Part 261.</li> <li>▪ <a href="#">20.4.1.300 NMAC</a> – Adoption of 40 CFR Part 262.</li> <li>▪ <a href="#">20.4.1.400 NMAC</a> – Adoption of 40 CFR Part 263.</li> <li>▪ <a href="#">20.4.1.500 NMAC</a> – Adoption of 40 CFR Part 264.</li> <li>▪ <a href="#">20.4.1.501 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.600 NMAC</a> – Adoption of 40 CFR Part 265.</li> <li>▪ <a href="#">20.4.1.601 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.700 NMAC</a> – Adoption of 40 CFR Part 266.</li> <li>▪ <a href="#">20.4.1.800 NMAC</a> – Adoption of 40 CFR Part 268.</li> <li>▪ <a href="#">20.4.1.801 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.900 NMAC</a> – Adoption of 40 CFR Part 270.</li> <li>▪ <a href="#">20.4.1.901 NMAC</a> – Permitting Procedures.</li> <li>▪ <a href="#">20.4.1.1000 NMAC</a> – Adoption of 40 CFR Part 273.</li> <li>▪ <a href="#">20.4.1.1001 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.1002 NMAC</a> – Adoption of 40 CFR Part 279.</li> <li>▪ <a href="#">20.4.1.1107 NMAC</a> – Availability of Materials Incorporated By Reference.</li> </ul> </li> <li>▪ Proposal to add: <ul style="list-style-type: none"> <li>▪ <a href="#">20.4.1.301 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.701 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.702 NMAC</a> – Omission of 40 CFR Part 267.</li> <li>▪ <a href="#">20.4.1.902 NMAC</a> – Modifications, Exceptions and Omissions.</li> <li>▪ <a href="#">20.4.1.1003 NMAC</a> – Modifications, Exceptions and Omissions.</li> </ul> </li> </ul> <p>The hearing will be held on 10/06/2008 at the State Capital in Santa Fe, New Mexico. The proposed amendments are intended to update the Hazardous Waste Management Regulations to bring them into conformity with federal regulations through 07/01/2008.</p>	<a href="#">WSTF</a> should be aware of the proposed revisions.

## 2.9 Ohio State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH090508-1	Air Particulate Matter	09/02/2008	<a href="#">Public Notice</a>	Public Hearing	<p>Division of Air Pollution Control, OEPA</p> <p>OEPA Accepting Comments on Air Quality Plan for Ohio; Public Hearings to be Held on September 16 and 17 [OAC 3745]</p> <p>Hearings on OEPA's proposed plan to bring 27 counties, including Cuyahoga County, into compliance with the federal air quality standard for particulate matter will be held on 09/16/2008 and 09/17/2008. Ohio is submitting its plan based on air quality modeling results. The plan contains national, state, and local controls to improve air quality, including lower emissions from coal-burning power plants, additional controls on diesel-powered vehicles, and enforcement efforts. Comments due 09/18/2008.</p>	
OH090508-2	Waste Hazardous Waste	09/05/2008	<a href="#">Public Notice, p. 1</a>	Proposed Rules	<p>Division of Hazardous Waste Management, OEPA</p> <p>Public Notice of Proposed Rule Making Governing Hazardous Waste Management [OAC 3745]</p> <p>Proposes "Set I-b:B", a portion of the rules known as "Set I-b.". A list of the proposed rules, a list of the FR subjects in RCRA that are addressed by the rule amendments, and information about the public hearing and public comment procedures are addressed 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 10/09/2008 in Columbus, Ohio. Comments due 10/09/2008.</p>	<a href="#">NASA Facilities</a> should be aware of these proposed amendments.
OH090508-3	Water Water Quality	08/26/2008	<a href="#">Public Notice</a>	Draft Rule	<p>Division of Surface Water, OEPA</p> <p>OEPA Drafts Major Revisions to Water Quality Regulations; First of Four Rules Packages Available for Review [OAC <a href="#">3745-1</a>]</p> <p>Ohio's rules that protect lakes, rivers, streams, and other surface water bodies from pollution are undergoing their most extensive revision in 30 years. The first of four rule packages regulating <a href="#">water quality standards</a> is now available for public review and comments. Draft rule changes to water quality standards would include new beneficial use designations for aquatic life, recreation, agricultural drainage and navigation; new human health criteria for about 135 chemicals; revised criteria for bacteria; and new and revised aquatic life criteria for seven chemicals. Comments due 09/30/2008.</p>	<a href="#">NASA Facilities</a> should be aware of the new rules.

## 2.10 Texas State Regulatory Reviews

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX090508-1	Air Texas SIP	09/05/2008	<a href="#">33 TexReg 7743</a>	Proposed Rules	Control of Air Pollution from Nitrogen Compounds [30 TAC 117]  Proposes amendments to both the major and minor source rules for the HGB ozone nonattainment area. Proposed amendments would provide output-based monitoring as a monitoring alternative for stationary reciprocating internal combustion engines and stationary gas turbines at major and minor sources of NOx in the HGB ozone nonattainment area. Also proposes record-keeping requirements for sources using the output-based monitoring option. Proposed changes would be consistent with the output-based monitoring option currently allowed for stationary engines and gas turbines at major sources in the DFW 8-hour ozone nonattainment area. Public hearing scheduled for 09/30/2008 in Houston. Comments due 10/06/2008.	

## 2.11 Utah State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT090508-1	Air Clean Fuels and Vehicles	09/01/2008	<a href="#">UT Bull. Vol. 2008-17 DAR File No. 31391</a>	Proposed Rule Revisions	Utah Division of Administration, Department of Environmental Quality  UAC R305-4–Clean Fuels/Vehicle Technology Funds Grant and Loan Program  Provides clarifications and citation corrections in the proposed rule based on feedback from public comments. Effective no earlier than 10/01/2008.	
UT090508-2	Air Clean Fuels and Vehicles	09/01/2008	<a href="#">UT Bull. Vol. 2008-17: DAR File No. 31390</a>	Proposed Rule Revisions	Utah Division of Air Quality, Department of Natural Resources  UAC R307-123–General Requirements–Clean Fuels/Vehicle Technology Funds Grant and Loan Program  Rectifies discrepancy between R307-123-4 and R307-121-4 identified during the public comment period. Effective no earlier than 10/01/2008.	
UT090508-3	Air SIP	09/02/2008	<a href="#">73 FR 51222</a>	Direct Final Rule	U.S. Environmental Protection Agency  Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revised Transportation Conformity Consultation Process, and Approval of Related Revisions [40 CFR Part 52]  Direct final approval of revisions to the following sections of the Utah SIP: <ul style="list-style-type: none"> <li>▪ UAC R307-110-20 - Transportation Consultation Conformity</li> <li>▪ UAC R307-115-1 - Definitions</li> <li>▪ UAC R307-170-7 - Determining Conformity</li> <li>▪ UAC R307-310-2 - Performance Specification Audits</li> </ul> Effective 11/03/2008 unless adverse comments are received by 10/02/2008	

## 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 Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA090508-1	Air Monitoring	08/28/2008	<a href="#">VDEQ Website</a>	Report	Virginia Department of Environmental Quality The Virginia Ambient Air Monitoring <a href="#">2007 Data Report</a> is now available on the VDEQ website.	
VA090508-2	Water Wastewater	09/01/2008	<a href="#">24:26 Va.R 3747</a>	Final Rule	State Water Control Board 9 VAC 25-740 Establishes requirements for the reclamation and reuse of wastewater, including treatment standards, permitting, and design and construction of reclamation systems. Effective 10/01/2008.	