



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

14 August 2009

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 Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AAM = <i>Alabama Administrative Monthly</i>	NASA = National Aeronautics and Space Administration
ADEM = Alabama Department of Environmental Management	NESHAP = National Emission Standards for Hazardous Air Pollutants
AED = Automated external defibrillator	NMAC = New Mexico Administrative Code
ANSI = American National Standards Institute	NOx = Nitrogen oxides
AUST = Alabama Underground Storage Tank	NRCS = Natural Resources Conservation Service
CAA = Clean Air Act	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations; also Colorado Code of Regulations</i>	OEHA = Office of Health Hazard Assessment
CDPHE = Colorado Department of Public Health and Environment	OEPA = Ohio Environmental Protection Agency
CFR = <i>Code of Federal Regulations</i>	PM = Particulate matter
CRNR = California Regulatory Notice Register	RIN = Regulatory Identification Number
CTG = Control Techniques Guidelines	RoC = Report on Carcinogens
EPA = U.S. Environmental Protection Agency	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
ESL = Effects screening level	SIC = Standard Industrial Classification
F.A.C. = Florida Administrative Code	SIP = State Implementation Plan
FAW = Florida Administrative Weekly	SJRWMD = St. Johns River Water Management District
FDEP = Florida Department of Environmental Protection	SJVUAPCD = San Joaquin Valley Unified Air Pollution Control District
FR = <i>Federal Register</i>	SSAC = Site-specific alternative criteria
GBUAPCD = Great Basin Unified Air Pollution Control District	TCEQ = Texas Commission on Environmental Quality
GHG = Greenhouse gas	TEF = Toxicity Equivalent Factor
GSFC = Goddard Space Flight Center	TSCA = Toxic Substances Control Act
HAP = Hazardous air pollutant	UAC = Utah Administrative Code
ISEA = International Safety Equipment Association	UDAQ = Utah Division of Air Quality
KCAPCD = Kern County Air Pollution Control District	U.S. = United States
LAC = Louisiana Administrative Code	UST = Underground storage tank
MAF = Michoud Assembly Facility	Va.R. = <i>Virginia Register</i>
MDAQMD = Mohave Desert Air Quality Management District	VDACS = Virginia Department of Agriculture and Consumer Services
MDE = Maryland Department of the Environment	VDEQ = Virginia Department of Environmental Quality
Md.R. = <i>Maryland Register</i>	VOC = Volatile organic compound
MERA = Modeling and Effects Review Applicability	WFF = Wallops Flight Facility
MS4 = Municipal Separate Storm Sewer	WSTF = White Sands Test Facility
NAAQS = National Ambient Air Quality Standards	

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
FED08142009-1	CAA Clean Air Excellence Awards Program	08/11/2009	74 FR 40186	Notice	<p>Clean Air Act Advisory Committee; Request for Nominations for 2009 Clean Air Excellence Awards Program</p> <p>Requests nominations for the 2009 Clean Air Excellence Awards Program, an annual awards program to recognize outstanding and innovative efforts that support progress in achieving clean air. There are five general award categories:</p> <ul style="list-style-type: none"> ▪ Clean Air Technology ▪ Community Action ▪ Education/Outreach ▪ Regulatory/Policy Innovations ▪ Transportation Efficiency Innovations <p>As well as two special award categories:</p> <ul style="list-style-type: none"> ▪ Thomas W. Zosel Outstanding Individual Achievement Award ▪ Gregg Cooke Visionary Program Award <p>Nominations due 09/25/2009.</p>	
FED08142009-2	CAA NAAQS—Ozone	08/11/2009	74 FR 40074	Final Rule	<p>Implementation of the 1997 8-Hour Ozone NAAQS: Addressing a Portion of the Phase 2 Ozone Implementation Rule Concerning Reasonable Further Progress Emissions Reductions Credits Outside Ozone Nonattainment Areas [40 CFR Parts 50 and 51]</p> <p>Revises a portion of the Phase 2 implementation rule for the 8-hour ozone NAAQS. Addresses an interpretation that allowed certain credits toward reasonable further progress for the 8-hour standard from emissions reductions outside the nonattainment area. Effective 10/13/2009. [RIN 2060-AP96]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08142009-3	CAA NESHAP- Chemical Preparations Area Sources	08/05/2009	74 FR 39013	Proposed Rule	<p>National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry [40 CFR Part 63]</p> <p>Proposes controls for HAP emissions from the manufacture and preparation of chemicals at area source facilities. Comments due 09/04/2009 unless a public hearing is requested by 08/17/2009, in which case comments will be due 09/21/2009. [RIN 2060-AN46]</p> <p>An area source of HAP is a source with the potential to emit less than 10 tons of a single HAP or 25 tons of a combination of HAPs annually.</p>	NASA Programs should be aware of the proposed requirements, which could affect supply chains.
FED08142009-4	Carcinogens Glass Wool Fibers	08/12/2009	74 FR 40598	Notice	<p>National Institute of Environmental Health Sciences, National Institutes of Health</p> <p>National Toxicology Program; Report on Carcinogens; Request for Public Comments on the RoC Expert Panel's Recommendations on Listing Status for Glass Wool Fibers and the Scientific Justification for the Recommendations</p> <p>Invites public comment on the recommendations from an expert panel regarding the listing status for glass wool fibers in the 12th Report on Carcinogens and the scientific justification for the recommendations. Glass wool refers to fine glass fibers forming a mass resembling wool and most commonly used for insulation and filtration. Two categories of glass wool based on commercial use are as follows:</p> <ul style="list-style-type: none"> ▪ Insulation glass wools, which are used for applications such as thermal, electrical, and acoustical insulation and in weatherproofing, ▪ Special-purpose glass fibers, which are used in specialized products that include aircraft and aerospace insulation, battery separators, and high efficiency filters. <p>Glass wool (respirable size) currently is listed in the 11th RoC as reasonably anticipated to be a human carcinogen. The expert panel recommended that glass wool fibers, with the exception of special fibers of concern, not be listed in the 12th RoC either as known to be a human carcinogen or as reasonably anticipated to be a human carcinogen, and that certain special-purpose glass fibers be listed as reasonably anticipated to be a human carcinogen. Comments due 09/28/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08142009-5	Nuclear Byproduct Material	08/03/2009	74 FR 38372	Proposed Rule	<p>Nuclear Regulatory Commission</p> <p>Limiting the Quantity of Byproduct Material in a Generally Licensed Device [10 CFR Part 31]</p> <p>Proposes to amend regulations to limit the quantity of byproduct material contained in a generally licensed device to below 1/10 of the International Atomic Energy Agency Category 3 thresholds. Would require individuals possessing devices with byproduct material meeting or exceeding these thresholds to apply for and obtain a specific license. Also proposes to clarify the requirements that apply when a device authorized to be used under the general license is instead held under a specific license. Would also modify the Compatibility Categories. Comments due 10/19/2009. [RIN 3150-A133]</p>	
FED08142009-6	Occupational Safety Acetylene Standard	08/11/2009	74 FR 40441	Direct Final Rule	<p>Occupational Safety and Health Administration</p> <p>Revising Standards Referenced in the Acetylene Standard [29 CFR Part 1910]</p> <p>Revises the Acetylene Standard for general industry by updating references to standards published by standards-developing organizations. The updated Acetylene Standard includes mandatory requirements for acetylene piping systems, has special requirements for high-pressure piping systems, and prohibits storage of acetylene cylinders in confined spaces. Effective 11/09/2009 unless significant adverse comment is received by 09/10/2009. [RIN 1218-AC08]</p>	
FED08142009-7	Occupational Safety AED Programs	8/14/2009	74 FR 41133	Notice	<p>Department of Health and Human Services and General Services Administration</p> <p>Guidelines for Public Access Defibrillation Programs in Federal Facilities</p> <p>Provides updated information for establishing public access AED programs in federal facilities.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08142009-8	Occupational Safety Hearing Protection	08/05/2009	74 FR 39149	Proposed Rule	Product Noise Labeling Hearing Protection Devices [40 CFR Part 211] Proposes to revise the Noise Labeling Standards for Hearing Protection Devices. Would provide manufacturers with newly developed testing methodologies that are the most appropriate to assess and label hearing protection devices. Should result in the availability of a new generation of significantly improved devices that are precluded from entering the marketplace as "hearing protectors" by the current regulation. Also proposes to allow "electronic labeling" as a means for certain manufacturers to comply with the labeling requirements of this proposed rule. Comments due 09/04/2009. Public hearing to be held 08/25/2009 if requested by 08/17/2009. [RIN 2060-A025].	
FED08142009-9	TSCA Priority Testing List	08/04/2008	74 FR 38877	Notice	Sixty-Fourth Report of the TSCA Interagency Testing Committee to the Administrator of the Environmental Protection Agency; Receipt of Report and Request for Comments Notice that the TSCA Interagency Testing Committee transmitted its 64 th report to the EPA Administrator on 06/25/2009. The report did not make any revisions to the TSCA Priority Testing List.	

1.2 Other News and Developments

1.2.1 EPA Seeks Comments on its Reevaluation of the Chemical Perchlorate

EPA [announced](#) that it is seeking public comment on its reevaluation of the scientific information regarding perchlorate in drinking water. Perchlorate is both a naturally occurring and synthetic chemical used in the manufacture of pyrotechnics and other materials.

Previously, EPA made a preliminary decision not to regulate perchlorate. As part of the reevaluation effort, the agency is putting special emphasis on evaluating the impact of perchlorate on infants and young children.

The analysis presented in the notice more directly evaluates children's exposure to perchlorate. This step takes into account the fact that infants and children consume more water per body weight than do adults do. EPA is now considering a broader range of alternatives for interpreting the available data on the level of health concern, the frequency of occurrence of perchlorate in drinking water, and the opportunity for health risk reduction through a national primary drinking water standard. These alternative interpretations may affect the agency's final regulatory determination for perchlorate.

In response to the 2008 preliminary determination not to regulate perchlorate, EPA received and reviewed comments from more than 32,000 individuals and organizations. EPA will consider those comments, as well as new comments received during the 30-day comment period on the current notice, before making a final decision about whether to regulate perchlorate under the Safe Drinking Water Act.

The current notice will be available for public comment 30 days after publication in the *Federal Register*. Further information about the proposal is posted on EPA's [website](#).

1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group Calls in 2009 will be held on the following Wednesdays at 12 p.m. CT:

- 19 August
- 2 September
- 16 September
- 7 October
- 21 October
- 4 November
- 18 November
- 2 December

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
AL08142009-1	Air SIP	08/02/2009	Public Hearing 350	Notice Hearing	335-ADEM 3-Air Pollution Control Program Announces a hearing to discuss proposed revisions to the Alabama SIP and proposes to submit to EPA confirmation that the SIP provides the basic program elements specified in Clean Air Act Section 110(a)(2) necessary to implement the 2006 (24-hour) PM2.5 NAAQS. The public hearing will be held 09/16/2009 at ADEM, Montgomery, Alabama.	
AL08142009-2	Solid Waste	08/09/2009	Public Hearing 422	Notice Hearing	335-ADEM 13-Solid Waste Program 13-Statewide Solid Waste Reduction Goal Announces a hearing to consider proposed ADEM Chapter 335-13-13, which would establish a statewide solid waste reduction and recycling goal. Hearing will be held 09/23/2009 at ADEM, Montgomery, Alabama.	
AL08142009-3	USTs	07/31/2009	AAM Vol. XXVII, No. 10, p. 348	Proposed Rule	335-ADEM 6-Water Quality Program 15-Technical Standards, Corrective Action Requirements, and Financial Responsibility for Owners and Operators of Underground Storage Tanks Proposes to revise the division 335-6 Code to provide updated regulations to meet the requirements of the Operator Training Provisions of the Federal Energy Policy Act of 2005, to revise certification requirements for cathodic protection testers, and other necessary updates. A list of specific changes can be found in the Division 6 document. Comments due 09/11/2009. The public hearing will be held 09/11/2009 at ADEM, Montgomery, Alabama.	
AL08142009-4	USTs	08/09/2009	Public Hearing 205	Notice Hearing	335-ADEM 6-Water Quality Program 16-Administrative Guidelines and Procedures for the Alabama Underground Storage Tanks (AUST) Trust Fund Proposes to revise the division 335-6 Code to establish the annual Trust Fund Charge and scope of Trust Fund coverage, effective 01/01/2010. A list of specific changes can be found in the Division 6 document. Comments due 10/05/2009. The public hearing will be held 09/23/2009 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
CA08142009-1	Air SIP-Boilers	08/14/2009	74 FR 41104	Final Rule	U.S. Environmental Protection Agency Revisions to the California SIP, SJVUAPCD [40 CFR 52] Proposes to approve revisions to the SJVAPCD portion of the SIP. These revisions concern NO _x and PM emissions from boilers of various capacities. Effective 09/14/2009.	
CA08142009-2	Air SIP-Fugitive Dust	08/13/2009	74 FR 40750	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, Great Basin Unified Air Pollution Control District, Kern County Air Pollution Control District, Mohave Desert Air Quality Management District [40 CFR Part 52] Finalizes the following actions: disapproval of revisions to the GBUAPCD portion of the California SIP; a limited approval and limited disapproval of revisions to the KCAPCD SIP; and, a limited approval and limited disapproval of revisions to the MDAQMD SIP. These revisions concern PM emissions from fugitive dust sources. Effective 09/14/2009.	
CA08142009-3	Air VOCs- Consumer Products	08/07/2009	CRNR 2009, 32z, p. 1247	Notice Public Hearing	Air Resources Board Consumer Products Test Method [17 CCR 94508-13, 94815 and Method 310] Announces hearing to discuss amendments to add and modify product category definitions and establish new or lower VOC limits for three categories: 1) Double Phase Aerosol Air Fresheners; 2) Multi-Purpose Solvents; and 3) Paint Thinners. Public hearing to be held 09/24/2009 in Diamond Bar, California. Comments due 09/23/2009. Further information is available on ARB's website .	
CA08142009-4	Dioxin	08/07/2009	CRNR 2009, 32z, p. 1253	Notice Public Comment Period	Office of Environmental Health Hazard Assessment Toxicity Equivalent Factor (TEF) Released a draft document, Use of the TEF_{WHO-97} and TEF_{WHO-05} Scheme for Estimating Toxicity of Mixtures of Dioxin-Like Chemicals . Comments due 09/07/2009.	
CA08142009-5	Occupational Safety High Visibility Apparel	08/07/2009	CRNR 2009, 32z, p. 1278	Final Rule	Occupational Safety and Health Standards Board Use of High Visibility Apparel [8 CCR 1598, 1599] In certain work situations, requires employees (on foot) and flaggers to wear warning garments manufactured in accordance with the requirements of the ANSI/ISEA 107-2004, High Visibility Safety Apparel and Headwear. Effective 08/22/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA08142009-6	Occupational Safety Mobile and Tower Cranes	08/07/2009	CRNR 2009, 32z, p. 1278	Final Rule	Occupational Safety and Health Standards Board Mobile and Tower Crane Operator Qualifications –Accreditation of Certifying Entities [8 CCR 5006.1] Sets forth requirements for crane operator qualifications, including the requirement of a valid certificate of competency issued by an “accredited certifying entity,” which is defined to include the ANSI personnel certification accreditation program as an “accredited certifying entity.” Effective 08/26/2009.	
CA08142009-7	Occupational Safety Vertical Tandem Lifts	08/07/2009	CRNR 2009, 32z, p. 1278	Final Rule	Occupational Safety and Health Standards Board Marine Terminal Operations–Vertical Tandem Lifts [8 CCR 3466] Adopts standards on Marine Terminal Operations, Vertical Tandem Lifts. Effective 07/24/2009.	
CA08142009-8	Proposition 65	08/07/2009	CRNR 2009, 32z, p. 1254	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State of California to Cause Cancer or Reproductive Toxicity Annual publication of the Proposition 65 List of chemicals known to the state to cause cancer or reproductive toxicity, as required by state law.	
CA08142009-9	Proposition 65	08/07/2009	CRNR 2009, 32z, p. 1271	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State of California to Cause Cancer or Reproductive Toxicity Announces the addition of multiple substances to the list of chemicals known to the state to cause cancer or reproductive toxicity. Further information is available on the OEHHA website . Effective 08/07/2009.	
CA08142009-10	Proposition 65 Safe Use Determinations	08/07/2009	CRNR 2009, 32z, p. 1278	Final Rule	Office of Environmental Health Hazard Assessment Proposition 65–Safe Use Determinations [27 CCR 25204] Amends procedural requirements, eligibility criteria, and fees for requesting a safe use determination from OEHHA. Effective 08/22/2009.	
CA08142009-11	USTs	08/14/2009	CRNR 2009, 33z, p. 1296	Proposed Rule	State Water Resources Control Board New UST Design, Construction and Monitoring Requirements [23 CCR 2631.2] Proposes to add a variance from specific independent testing and approval requirements for UST systems storing certain biodiesel blends. Comments due 09/28/2009. Further information is available on the Board website .	
CA08142009-12	Water Quality	08/14/2009	CRNR 2009, 33z, p. 1314	Final Rule	State Water Resources Control Board Basin Plan Amendment to Revise Standards for Surface Waters of the Antelope Hydrologic Unit [23 CCR 3959.2] Final approval of amendments to the Water Quality Control Plan for the Lahontan Region (Basin Plan). This Basin Plan Amendment: 1) established site–specific beneficial uses for Amargosa Creek, the Piute Ponds and wetlands, and Rosamond Dry Lake; 2) established site–specific water quality objectives for ammonia for Amargosa Creek and the Piute Ponds and wetlands; and 3) corrected a numerical error in the existing water quality objective for ammonia. Effective 09/04/2009.	

2.3 Colorado State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO08142009-1	Hazardous Waste	08/12/2009	74 FR 40518	Final Rule	U.S. Environmental Protection Agency Final Authorization of State Hazardous Waste Management Program Revisions [40 CFR Part 271] Announces final authorization of the State Hazardous Waste Management Program. Effective 10/13/2009 unless adverse comments are received by 09/11/2009.	
CO08142009-2	Water Quality	08/10/2009	CO Register Vol. 32, No. 8	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1002 Water Quality Control Commission Proposes revisions to 5 CCR 1002-31 Regulation Number 31, The Basic Standards and Methodologies for Surface Water. A hearing is scheduled for 10/13/2009 at CDPHE in Denver, Colorado. Comments due 09/01/2009.	
CO08142009-3	Water Quality	08/10/2009	CO Register Vol. 32, No. 8	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1002 Water Quality Control Commission Proposes revisions to 5 CCR 1002-41 Regulation Number 41, The Basic Standards for Ground Water. A hearing is scheduled for 10/13/2009 at CDPHE in Denver, Colorado. Comments due 09/01/2009.	
CO08142009-4	Water Quality	08/10/2009	CO Register Vol. 32, No. 8	Proposed Rule	Colorado Department of Public Health and Environment 5 CCR 1003 Water Quality Control Commission Proposes revisions to 5 CCR 1003-2 Regulation Number 100, Water and Wastewater Facility Operations Certification Requirements. A hearing is scheduled for 09/29/2009 at CDPHE in Denver, Colorado. Comments due 09/16/2009.	

2.4 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
FL08142009-1	Water SJRWMD	08/14/2009	FAW Notice #7481627	Notice Meeting	Chapter 40C--SJRWMD Announces a meeting to discuss pending applications for individual consumptive use permits and environmental resource permits, scheduled for 08/25/2009 in Palatka, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL08142009-2	Water Surface Water, Wastewater	08/07/2009	FAW Notice #7470569	Notice Meeting	Chapter 62–Environmental Regulation Commission Announces a meeting to discuss proposed revisions to Chapters 62-302, 62-303 and 62-640, F.A.C. The primary intent of the proposed revisions is to address the following: <ul style="list-style-type: none"> ▪ Biosolids land application site management and accountability issues ▪ Growing nutrient concerns ▪ Public confidence in the beneficial use of biosolids ▪ Numeric nutrient water quality criteria for lakes and streams in the state ▪ New "Type III" SSAC process specific to nutrients that fully protects the designated use based on site-specific considerations ▪ Changes associated with the numeric nutrient criteria and biological health assessments The meeting will be held 08/20/2009 in Tallahassee, Florida.	

2.5 Louisiana State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA08142009-1	Air Organic Solvents and Degreasers	08/20/2009	0908Pot1	Notice	Louisiana Department of Environmental Quality Advance Notice of Rulemaking and Solicitation of Comments on Organic Solvents and Solvent Degreasers, Log #AQ307 [LAC 33:III.111 and 2123] Requests comments on draft regulations regarding organic solvents and solvent degreasers. Revisions include changes to surface coating industries (LAC 33:III.2123.C) using organic solvents for the surface coating of miscellaneous metal parts and products; miscellaneous plastic parts and products; automotive/transportation plastic parts; business machine plastic parts; pleasure crafts; motor vehicle materials; marine vessels and oilfield tubulars and ancillary oilfield equipment; assembly line automobiles and light-duty trucks; and fiberglass boat manufacturing materials. A public hearing will be held on 09/24/2009 in Baton Rouge, Louisiana. Comments due 09/24/2009.	MAF and NASA Programs with operations or vendors in Louisiana should be aware of these draft regulations.
LA08142009-2	Air SIP–CTGs	08/20/2009	0908Pot4	Notice	Louisiana Department of Environmental Quality Control Techniques Guidelines (CTG) SIP [LAC 33:XI.101 and 303] Gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the SIP to demonstrate specific emission reduction control strategies to bring Louisiana into compliance with the ozone NAAQS. A public hearing will be held on 09/24/2009 in Baton Rouge, Louisiana.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA08142009-3	Storage Tanks USTs– Interstitial Monitoring	08/20/2009	UT016	Final Rule	Louisiana Department of Environmental Quality Interstitial Monitoring Requirement for Emergency Power Generator UST Systems (LAC 33:XI.101 and 303) Requires UST owners and operators that install emergency power generator UST systems to conduct interstitial monitoring on all USTs and associated pressurized piping installed after the effective date of this regulation. Effective 08/20/2009.	
LA08142009-4	Water Annual Fee	08/20/2009	WQ070	Final Rule	Louisiana Department of Environmental Quality Louisiana Water Pollution Control Fee System Regulation (LAC 33:IX.1309, 1311, 1313, 1315, 1317, and 1319) Changes the name of the annual fee rating worksheets for the water program fees, and updates the complexity designation tables to conform with recent updates to the SIC codes. Effective 08/20/2009.	

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
MD08142009-1	Air GHGs	08/14/2009	MDE Webpage	Public Meeting	Maryland Department of the Environment Greenhouse Gas Reductions Act of 2009 Stakeholder Meeting; Voluntary Early Reductions Announces a stakeholder meeting to discuss the Greenhouse Gas Reductions Act of 2009, specifically the provisions for voluntary early reductions. Meeting scheduled for 09/09/2009 in Baltimore, Maryland.	GSFC should be aware of this meeting.
MD08142009-2	Hazardous Substances	08/14/2009	36:17 Md.R. 1368	Public Meeting	Department of the Environment Hazardous Substances Announces that the Controlled Hazardous Substances Council will hold a public meeting on 09/10/2009 in Baltimore, Maryland.	
MD08142009-3	Occupational Safety Boilers	08/14/2009	36:17 Md.R. 1368	Public Meeting	Division of Labor and Industry Boiler Rules The Board of Boiler Rules will hold a public meeting to discuss issues relating to boiler and pressure vessel safety and may consider requests for variance from regulations. Meeting scheduled 08/25/2009 in Laurel, Maryland.	

2.7 Mississippi State Regulatory Review

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

2.8 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM08142009-1	Air Quality	08/14/2009	NM Register Vol. XX, p. 1023	Final Rule	<p>Environmental Improvement Board</p> <p>20.2 NMAC Radiation Air Quality</p> <p>Adopts the following revisions to the New Mexico Air Quality regulations:</p> <ul style="list-style-type: none"> ▪ 20.2.2 NMAC–Definitions ▪ 20.2.74 NMAC–Permits: Prevention of Significant Deterioration ▪ 20.2.79 NMAC–Permits: Nonattainment Areas Effective 08/31/2009. 	WSTF should be aware of these amendments.

2.9 Ohio State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH08142009-1	Air SIP–VOCs, Consumer Products	08/13/2009	74 FR 40745	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Consumer Products Rule [40 CFR Part 52]</p> <p>Approves a SIP revision to provide for attainment of the 8-hour ground level ozone standard by controlling VOCs in consumer products. The SIP revisions include OAC Chapters 3745-112-01 to OAC 3745-112-08. Effective 10/13/2009.</p>	
OH08142009-2	Water Water Quality Standards	08/06/2009	Public Notice	Draft Rules	<p>Division of Surface Water, OEPA</p> <p>Draft Amendments to OAC 3745-1-05 and OAC 3745-1-07</p> <p>Solicits comments on draft revisions to rules addressing water quality standards for surface waters of the state. Includes a subset of changes that previously were available for review in other draft rule packages, specifically the 03/03/2009 water quality standards rulemaking. Further details regarding the draft revisions, including the public notice, letter to interested parties, fact sheet, and response to comments, are available on the OEPA website. Comments due 09/10/2009.</p>	

2.10 Texas State Regulatory Review

2.10.1 TCEQ Accepting Nominations for Texas Environmental Excellence Awards

TCEQ is now accepting nominations for the 2010 [Texas Environmental Excellence Awards](#). The annual awards recognize achievements that significantly reduce waste, conserve natural resources, and prevent pollution. Award categories include Agriculture, Civic/Nonprofit, Education, Government, Individual, Innovative Technology, Large Business/Nontechnical, Large Business/Technical, Small Business, and Water Conservation. Deadline for applications is 16 October 2009.

2.10.2 Update to Modeling and Effects Review Applicability Guidance Document

The TCEQ has [announced](#) an update to the [MERA Applicability Guidance Document](#). The MERA document (commonly referred to as “the flowchart”) is used by TCEQ Air Permits Division personnel for guidance when evaluating constituents that do not have a state or federal air quality standard. In these instances, the ESL is used for modeling and effects review. The ESL for a given constituent is its concentration in ambient air that the TCEQ Toxicology Division has determined would not be expected to cause adverse effects related to health, odor nuisance, or vegetation. Changes to the document include the following:

- Clarified the language relating to special permit conditions and removed emissions cap language.
- Clarified that unevaluated emissions should be planned maintenance, startup, shutdown, or production.
- Clarified emission rates for multiple emission points.
- Added Toxicology Effects Evaluation Procedure as Appendix D.

2.10.3 Additional Monitoring for Gulf Coast Clean Air Study

Beginning the second week of August, TCEQ will be conducting additional airborne monitoring in the Corpus Christi, Beaumont-Port Arthur, and Houston-Galveston-Brazoria areas to identify VOC sources that might potentially be unreported or under-reported. The study involves conducting helicopter flights over or near pipelines, oil and gas production facilities, and other industrial facilities. The specially equipped helicopter uses an infrared camera called the HAWK that can image VOCs and other hydrocarbon emissions. When the camera detects possible VOC emissions, the technician on the helicopter will note the time, location, and other information about the emissions source. The helicopter may hover or circle a particular location for an extended time to gather images and data regarding potential emission sources. Further information regarding this project is found in the [notice](#) and also posted on the TCEQ Remote Sensing [website](#).

2.10.4 Water Quality and Storm Water Seminar

TCEQ will be conducting a [seminar on water quality and storm water](#) in Austin on 17 and 18 September 2009. Topics for discussion include Phase II MS4 Storm Water Permits, Storm Water Construction Permits, Wastewater Permitting, and Compliance Improvement Strategies.

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA-related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT08142009-1	Air General Requirements	08/01/2009	UT Bull. Vol. 2009-15; DAR File No. 32783	Notice of Continuation	Department of Environmental Quality, UDAQ General Requirements [UAC R307-101] Notice that the rule is being reviewed as part of the 5-year review process. Indicates it is necessary to continue the rule because it defines many of the terms used throughout State of Utah air quality regulations.	

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
VA08142009-1	Air Permitting	08/04/2009	VDEQ Website	Notice of Availability	Virginia Air Pollution Control Board Announces that the draft state operating permit for WFF is available for review. Comments due 09/04/2009.	WFF should be aware of this notice.
VA08142009-2	Natural Resources	08/10/2009	74 FR 39916	Notice of Availability	U.S. Natural Resources Conservation Service Notice of Proposed Change to Section IV of the Virginia State Technical Guide Changes made to the NRCS State Technical Guide, specifically to practice standards for dikes, ponds, dams, draining water management, structural water control, and subsurface draining, are available for public comment. Further information is available on the NRCS website . Comments due 09/10/2009.	
VA08142009-3	Quarantine Fire Ants	08/04/2009	VDACS Press Release	Final Rule	Virginia Department of Agriculture and Consumer Services Makes permanent the imported fire ant quarantine, which is intended to prevent the spread of the imported fire ant to uninfested areas by regulating movement of materials that significantly threaten the transport of the imported fire ant. York County and the City of Hampton are included in the quarantine. Further information is available on the VDACS website . Effective 08/04/2009.	