



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

25 September 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.nasa.gov/offices/rrac/home/>. 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

AB = Assembly Bill	MIR = Maximum incremental reactivity
ADEM = Alabama Department of Environmental Management	NAAQS = National Ambient Air Quality Standards
APA = Administrative Procedure Act	NASA = National Aeronautics and Space Administration
ARB = Air Resources Board	NEPA = National Environmental Policy Act
BACT = Best available control technology	NMAC = New Mexico Administrative Code
CAA = Clean Air Act	NOx = Nitrogen oxide
CCL = Contaminant candidate list	NPDES = National Pollutant Discharge Elimination System
CCR = <i>California Code of Regulations</i> ;	NSR = New Source Review
CERS = California Environmental Reporting System	ODS = Ozone depleting substance
CFC = Chlorofluorocarbons	PCB = Polychlorinated biphenyls
CFR = <i>Code of Federal Regulations</i>	PM2.5 = Particulate matter less than 2.5 micrometers
CO ₂ = Carbon monoxide	PSD = Prevention of Significant Deterioration
CRNR = California Regulatory Notice Register	RIN = Regulatory Identification Number
CUPA = Certified Unified Program Agency	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EIS = Environmental Impact Statement	SEP = Supplemental environmental project
EPA = U.S. Environmental Protection Agency	SIP = State Implementation Plan
F.A.C. = Florida Administrative Code	SJRWMD = St. Johns River Water Management District
FAA = Federal Aviation Administration	SOx = Sulfur oxide
FAW = Florida Administrative Weekly	TMDL = Total maximum daily load
FDEP = Florida Department of Environmental Protection	TSCA = Toxic Substances Control Act
FR = <i>Federal Register</i>	U.S. = United States
FTA = Federal Transit Administration	UPA = Unified Program Agency
FY = Fiscal year	Va.R. = <i>Virginia Register</i>
GHG = Greenhouse gas	VAC = Virginia Administrative Code
HCFC = Hydrochlorofluorocarbon	VOC = Volatile organic compound
HFC = Hydrofluorocarbon	VDEQ = Virginia Department of Environmental Quality
IRIS = Integrated Risk Information System	VPDES = Virginia Pollution Discharge Elimination System
MAERT = Maximum allowable emission rate table	WSTF = White Sands Test Facility
Md.R. = <i>Maryland Register</i>	

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
FED09252009-1	Air NAAQS–Carbon Monoxide	09/23/2009	74 FR 48536	Notice	Draft Integrated Science Assessment for Carbon Monoxide Announces the availability of a document titled, " Integrated Science Assessment for Carbon Monoxide--Second External Review Draft ". Document prepared as part of the review of the NAAQS for carbon monoxide. Comments due 11/13/2009.	
FED09252009-2	Air NAAQS–NOx and SOx	09/23/2009	74 FR 48543	Notice	Final Risk and Exposure Assessment Report for Secondary NAAQS for Oxides of Nitrogen and Oxides of Sulfur Notice of availability of a final report, Risk and Exposure Assessment for Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: Final Report . Purpose of report is to convey the approach taken and results of a study to assess environmental exposures to ambient NOx and SOx and to characterize associated public welfare risks.	
FED09252009-3	Air PSD for PM2.5	09/22/2009	74 FR 48153	Final Rule	Implementation of the NSR Program for PM2.5; Final Rule To Stay the Grandfathering Provision for PM2.5 Issues a 9-month stay on the "grandfathering" provision for PM2.5 PSD requirements. The grandfathering provision was added to the federal PSD regulations as part of the final rule titled, "Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM2.5)" (74 FR 28321 , 05/16/2008). The grandfathering provision applies to permit applications submitted before 07/15/2008 and allows PM10 to be used as the basis for approving permits for PM2.5. Stay is effective from 09/22/2009 to 06/22/2010.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09252009-4	Air State and Local Air Pollution Agencies	09/23/2009	74 FR 48544	Notice	<p>Availability of FY 08 Grantee Performance Evaluation Reports for the Eight States of EPA Region 4 and 16 Local Agencies</p> <p>Notice of results of end-of-year evaluations of 8 state air pollution control programs and 16 local programs, including the following:</p> <ul style="list-style-type: none"> ▪ Alabama Department of Environmental Management ▪ Florida Department of Environmental Protection ▪ Mississippi Department of Environmental Quality ▪ City of Huntsville Division of Natural Resources, Alabama <p>The evaluations were conducted to assess the agencies' FY 08 performance under the grants awarded by EPA.</p>	
FED09252009-5	Commercial Space Transportation NEPA	09/19/2009	74 FR 47943	Notice Correction	<p>Environmental Impact Statements; Notice of Availability</p> <p>List of EISs filed 09/07/2009 through 09/11/2009. Includes the following under amended notices:</p> <ul style="list-style-type: none"> ▪ EIS No. 20090316, Final EIS, FAA, 00, PROGRAMMATIC--Streamlining the Processing of Experimental Permit Applications, Issuing Experimental Permits for the Launch and Reentry of Useable Suborbital Rockets, Wait Period Ends: 10/13/2009, Contact: Daniel Czelusniak 202-267-5924. Revision to FR Notice Published 09/11/2009: Correction to Federal Agency from FTA to FAA. 	
FED09252009-6	Energy Photovoltaic Manufacturing	09/23/2009	74 FR 48531	Notice	<p>Office of Energy Efficiency and Renewable Energy</p> <p>Request for Information--Photovoltaic Manufacturing Initiative</p> <p>Notice of a Request for Information on the Photovoltaic Manufacturing Initiative. The Initiative is intended to coordinate stakeholders and technology development efforts across the solar community to facilitate the development of a strong photovoltaic manufacturing industry in the US. The primary goals include the following:</p> <ul style="list-style-type: none"> ▪ Supporting the creation of a robust U.S.-based photovoltaic manufacturing technology including infrastructure and supply chain base. ▪ Developing a highly trained workforce with the critical skills required to meet the needs of a rapidly growing industry. ▪ Speeding the implementation of new cutting-edge technologies. <p>Responses due 09/30/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09252009-7	Nanotechnology	09/25/2009	74 FR 49041	Notice	<p>National Nanotechnology Coordination Office</p> <p>Nanoscale Science, Engineering and Technology Subcommittee, National Science and Technology Council, Committee on Technology; Nanomaterials and the Environment & Instrumentation, Metrology, and Analytical Methods Workshop: Public Meeting</p> <p>Announces a workshop to provide an open forum to discuss the state-of-the-art of the science related to environmental, health, and safety aspects of nanomaterials in two areas: Nanomaterials and the Environment & Instrumentation, Metrology, and Analytical Methods. These are two of the five environmental, health, and safety research categories identified in the Strategy for Nanotechnology-Related Environmental, Health, and Safety Research. Workshop to be held 10/06/2009 to 10/07/2009 in Arlington, Virginia.</p>	
FED09252009-8	Nanotechnology	09/25/2009	74 FR 49040	Notice	<p>National Nanotechnology Coordination Office</p> <p>Nanoscale Science, Engineering and Technology Subcommittee, National Science and Technology Council, Committee on Technology; Nanomaterials and the Environment & Instrumentation, Metrology, and Analytical Methods Workshop: Nanotechnology Primer Public Pre-Meeting</p> <p>Announces a Nanotechnology Primer public pre-meeting to be held before the public meeting on Nanomaterials and the Environment & Instrumentation, Metrology, and Analytical Methods Workshop (74 FR 49041, 09/25/2009). The purpose of this pre-meeting is to provide general background material about nanotechnology and federal nanotechnology research to participants. Pre-meeting to be held 10/05/2009 in Arlington, Virginia.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09252009-9	Ocean Policy Task Force	09/23/2009	74 FR 48521	Notice	<p>Council on Environmental Quality</p> <p>Interagency Ocean Policy Task Force-- Interim Report</p> <p>Notice of availability of the Interagency Ocean Policy Task Force's interim report. The report addresses recommendations for the following:</p> <ul style="list-style-type: none"> ▪ A national policy for the oceans, our coasts, and the Great Lakes ▪ A framework for policy coordination of efforts to improve stewardship of the oceans, our coasts, and the Great Lakes ▪ An implementation strategy that identifies and prioritizes a set of objectives <p>Comments due 10/17/2009.</p>	
FED09252009-10	ODS Significant New Alternatives Program	09/17/2009	74 FR 47774	Notice	<p>Protection of the Stratospheric Ozone: Alternatives for the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy Program [40 CFR 82]</p> <p>Notice of availability of a human health effects review of R-744 (CO₂) related to the proposed rule (71 FR 55140, 09/21/2006) to list R-744 as "acceptable with use conditions" as a substitute for CFC-12 in motor vehicle air conditioning. The proposed rule includes use conditions because of the potential risk of exposure to elevated concentrations of CO₂ within the passenger compartment if there was a leak of the air conditioning system. The health effects review is related to ceiling limits for CO₂ in the passenger compartment space of a motor vehicle, and reflects the latest information on short-term exposure to CO₂ in an enclosed space. Comments due 11/16/2009.</p>	
FED09252009-11	Risk Analysis Probabilistic Methods	09/17/2009	74 FR 47794	Notice Correction	<p>Notice of Availability of the External Peer Review Draft of Using Probabilistic Methods To Enhance the Role of Risk Analysis in Decision-Making With Case Study Examples: Correction</p> <p>Corrects docket number, date for peer review, and contact information for two external review draft documents: "Using Probabilistic Methods to Enhance the Role of Risk Analysis in Decision-Making With Case Study Examples," and the "Managers' Summary" of the same document (74 FR 41695, 08/18/2009). Also extends the public comment period and announces that the peer review meeting is being modified from a letter peer review by closed teleconference to a publicly held external peer review meeting. Comments now due 10/16/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09252009-12	Ships Ballast Water	09/14/2009	74 FR 46964	Notice	<p>U.S. Coast Guard</p> <p>Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters [33 CFR Part 151, 46 CFR Part 162]</p> <p>Announces a series of public meetings to receive comments on a notice of proposed rulemaking entitled "Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters" (74 FR 44673, 08/29/2009). Public meetings will be held in the following areas:</p> <ul style="list-style-type: none"> ▪ Seattle, WA (09/28/2009) ▪ New Orleans, LA (09/30/2009) ▪ Chicago, IL (10/02/2009) ▪ Washington, DC (10/08/2009) ▪ Oakland, CA (10/27/2009) ▪ New York, NY (10/29/2009) <p>[RIN 1625-AA32]</p>	
FED09252009-13	Ships Ballast Water	09/22/2009	74 FR 48190	Notice	<p>U.S. Coast Guard</p> <p>Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters [33 CFR Part 151, 46 CFR Part 162]</p> <p>Provides the times and locations of the first two of six public meetings regarding the proposed rulemaking entitled "Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters" (74 FR 44673, 08/28/2009). The first two public meetings will be held in Seattle, WA (09/28/2009) and New Orleans, LA (09/30/2009). Comments due 11/27/2009. [RIN 1625-AA32]</p>	
FED09252009-14	Ships Oil Spill Response Plans	09/25/2009	74 FR 48891	Notice	<p>U.S. Coast Guard</p> <p>Nontank Vessel Response Plans and Other Vessel Response Plan Requirements [33 CFR Parts 151, 155, and 160]</p> <p>Announces three public meetings to receive comments on a notice of proposed rulemaking (74 FR 44970, 08/31/2009) that would require owners or operators of nontank vessels to prepare and submit oil spill response plans. The public meetings will be held at the following locations:</p> <ul style="list-style-type: none"> ▪ Washington, DC (10/28/2009) ▪ Oakland, CA (11/03/2009) ▪ New Orleans, LA (11/19/2009) <p>[RIN 1625-AB27]</p>	
FED09252009-15	Toxic Substances 1,1,2,2-Tetrachloroethane	09/24/2009	74 FR 48731	Notice	<p>Draft Toxicological Review of 1,1,2,2-Tetrachloroethane: In Support of the Summary Information in the IRIS</p> <p>Announces a public comment period and a public listening session for the external review draft document titled, "Toxicological Review of 1,1,2,2-Tetrachloroethane: In Support of Summary Information on the Integrated Risk Information System (IRIS)." Listening session to be held 10/14/2009. Comments due 11/23/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09252009-16	Toxic Substances Cis- and Trans-1,2-Dichloroethylene	09/24/2009	74 FR 48733	Notice	Draft Toxicological Review of cis- and trans-1,2-Dichloroethylene: In Support of the Summary Information in the IRIS Announces a public comment period and a public listening session for the external review draft document titled, " Toxicological Review of cis- and trans-1,2-Dichloroethylene: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Listening session to be held 10/19/2009. Comments due 11/23/2009.	
FED09252009-17	Toxic Substances Ethyl Tertiary Butyl Ether	09/23/2009	74 FR 48538	Notice	Draft Toxicological Review of Ethyl Tertiary Butyl Ether: In Support of the Summary Information in the IRIS Announces a listening session to be held on the external review draft document entitled, " Toxicological Review of Ethyl Tertiary Butyl Ether: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Listening session to be held 10/07/2009. Comments due 10/19/2009.	
FED09252009-18	Toxic Substances Hydrogen Cyanide and Cyanide Salts	09/23/2009	74 FR 48539	Notice	Draft Toxicological Review of Hydrogen Cyanide and Cyanide Salts: In Support of the Summary Information in the IRIS Announces a public comment period and a public listening session for the external review draft document titled, " Toxicological Review of Hydrogen Cyanide and Cyanide Salts: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Listening session to be held 10/27/2009. Comments due 11/23/2009.	
FED09252009-19	Toxic Substances Trichloroacetic Acid	09/24/2009	74 FR 48735	Notice	Draft Toxicological Review of Trichloroacetic Acid: In Support of the Summary Information in the IRIS Announces a public comment period and a public listening session for the external review draft document titled, " Toxicological Review of Trichloroacetic Acid: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Listening session to be held 11/04/2009. Comments due 11/23/2009.	
FED09252009-20	TSCA Significant New Use Rules	09/18/2009	74 FR 48737	Direct Final Rule	Significant New Use Rules on Certain Chemical Substances [40 CFR Parts 9 and 721] Promulgates significant new use rules for 12 chemical substances. Requires persons who intend to manufacture, import, or process any of these 12 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. Effective 11/17/2009 unless adverse comment or notice of intent to submit adverse comment received by 10/19/2009. [RIN 2070-AB27]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED09252009-21	Water Drinking Water Standard- Perchlorate	09/23/2009	74 FR 48541	Notice	Drinking Water: Perchlorate Supplemental Request for Comments Reopens the comment period (74 FR 41883 , 08/19/2009) for approaches to analyzing data related to the preliminary regulatory determination for the national drinking water standard for perchlorate (73 FR 60262 , 10/08/2008). Comments due 10/08/2009. [RIN 2040-AF08]	

1.2 Other News and Developments

1.2.1 EPA Finalizes Mandatory GHG Reporting Rule

On 22 September 2009, EPA [announced](#) the availability of a pre-publication version of the [preamble](#) and [final rule](#) text for mandatory reporting of GHG emissions from relatively large sources in the U.S. (suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions). The purpose of this GHG reporting rule is to collect accurate and comprehensive emissions data to inform future policy decisions. The rule does not require the control of GHGs; rather, it requires that sources above certain threshold levels monitor and report GHG emissions. The final rule includes reporting requirements for 31 of the 42 emission sources listed in the proposed rule. At this time, EPA is not finalizing the remaining source categories as it further considers comments and options.

The RRAC PC will be issuing a detailed regulatory update outlining the changes in the final rule compared to the proposed rule.

1.2.2 North America Proposes to Phase Down Use of HFCs

On 15 September 2009, the U.S. Department of State announced a North American proposal between the U.S., Canada, and Mexico to phase down the use of hydrofluorocarbons (HFCs) under the Montreal Protocol, in advance of efforts to be pursued at the United Nations Framework Convention on Climate Change in December 2009. Although not ozone depleting substances, HFCs are the next target for phase down because of their high global warming potential. Once adopted, the proposal would contribute to President Obama's goal to reduce U.S. GHG emissions 80 percent by 2050, and contribute to global emissions reductions of 50 percent by 2050.

1.2.3 Montreal Protocol Becomes the First Universally Ratified Environmental Treaty

On 16 September 2009, Timor-Leste ratified the Montreal Protocol, making it the first global environmental treaty ratified by 196 parties. The Montreal Protocol entered into force on 1 January 1989 and requires the phase out of chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs).

1.2.4 EPA Publishes Potential Priority Drinking Water Contaminants for Regulatory Consideration

On 23 September 2009, EPA released its third list of drinking water contaminants that may require regulation. The contaminant candidate list (CCL 3) includes contaminants that are known or anticipated to exist in public water systems. The draft CCL 3 was published for review on 21 February 2008 ([73 FR 9628](#)). Comments and data received on the draft CCL 3 were considered by EPA when preparing the final CCL 3. EPA will continue to evaluate and collect data about the contaminants, and begin issuing determinations in 2013 on whether or not to propose drinking water regulations for at least five contaminants, in accordance with the Safe Drinking Water Act.

The CCL 3 includes 104 chemical contaminants or groups and 12 microbes, based on their potential to affect public health. The CCL 3 includes pesticides, disinfection byproducts, pharmaceuticals, chemicals used in commerce, waterborne pathogens, and algal toxins.

Additional information regarding the CCL 3 is available on [EPA's website](#).

1.2.5 EPA Issues Guidance on PCBs in Caulk of Buildings Constructed or Renovated Between 1950 and 1978

On 25 September 2009, EPA issued guidance for reducing exposure to polychlorinated biphenyls (PCBs) that might be found in caulk used in buildings constructed or renovated between 1950 and 1978.

The agency also is conducting new research to better understand the risks posed by caulk that contains PCBs. This research will guide EPA in making further recommendations for long-term measures to minimize exposure, as well as in taking steps to prioritize and carry out actions to remove the caulk to better protect public health.

Congress banned the manufacture and most uses of PCBs in 1976 and they were phased out in 1978. However, there is evidence that many buildings constructed or renovated from 1950 to 1978 may have PCBs at high levels in caulk commonly used around windows and doorframes and in masonry. PCBs may be released from the caulk into the air, surrounding surfaces, and soil and via direct contact.

EPA recommends the following steps for minimizing PCB exposure in buildings constructed or renovated between 1950 and 1978:

- Clean air ducts.
- Improve ventilation by opening windows and using or installing exhaust fans where possible.
- Clean frequently to reduce dust and residue inside buildings.
- Use a wet or damp cloth or mop to clean surfaces.

- Avoid using dry brooms and minimize the use of dusters in areas near potential PCB-containing caulk.
- Use vacuums with high-efficiency particulate air filters.
- Wash hands with soap and water often, particularly before eating and drinking
- Consider testing peeling, brittle, or cracking caulk directly for the presence of PCBs and possible abatement if PCBs are present at high levels.
- Consider air monitoring to evaluate whether PCB levels exceed EPA's suggested public health levels.

Additional information about PCBs in caulk is available on EPA's [website](#).

1.3 Regulatory Communication Working Group Updates

Tentative dates for the Regulatory Communication Working Group calls for the next 3 months are provided below. Call will be held at 12 p.m. CT:

- 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
AL09252009-1	Administration Organization and Fees	09/20/2009	Public Hearing 180	Notice Hearing	<p>335-ADEM 1-General Administration 1-Organization</p> <p>335-ADEM 1-General Administration 6-Application Fees</p> <p>Proposes the following amendments:</p> <ul style="list-style-type: none"> ▪ Delete 3 existing forms, add 8 new forms, and modify 31 existing forms from ADEM Chapter 335-1-1 to comply with state and federal law. ▪ Establish fees to implement Chapter 335-13-12, Landfill Operator Certification Requirements, in accordance with the Solid Wastes and Recyclable Materials Management Act, Ala. Code § 22-27-12 (2008 Rplc. Vol.). <p>A list of specific changes can be found in the Division 1 document. A public hearing will be held 11/04/2009 at ADEM, Montgomery, Alabama.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA09252009-1	Air	09/18/2009	CRNR 2009, 38z, p.1597	Notice Disapproval Decision	<p>Air Resources Board</p> <p>Small Containers of Automotive Refrigerant [17 CCR 95366, 95367]</p> <p>Disapproves a portion of the proposed sections for failure to comply with the consistency standard of Government Code. The disapproved provisions would have prescribed a procedure for the amendment of the regulation specifying the amount of the deposit on small containers of automotive refrigerant that does not comply with the requirements of the APA.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA09252009-2	Air	09/18/2009	CRNR 2009, 38z, p. 1581	Notice Public Hearing	Air Resources Board Tables of Maximum Incremental Reactivity (MIR) Values [17 CCR 94700, 94701] The Regulation for Reducing the Ozone Formed from Aerosol Coating Products (the "Aerosol Coating Products Regulation;" sections 94520–94528, title 17,CCR) contains limits that restrict the ozone-forming potential of volatile organic compounds found in aerosol coatings. These VOC limits rely on the reactivity values contained in the Tables of Maximum Incremental Reactivity (MIR) Values (sections 94700 and 94701, title 17, CCR). The ARB staff also use these Tables for several other purposes, such as modeling for the SIP and the fuels program. The public hearing will consider amendments to the Tables of MIR Values. Hearing is scheduled for 11/03/2009.	
CA09252009-3	Air	09/25/2009	CRNR 2009, 39z, p. 1638	Final Rule	Air Resources Board Outboard Marine Tanks and Components [13 CCR 2468, 2468.1, 2486.2, 2468.3, 2468.4, 2468.5, 2468.6, 2468.7, 2468.8, 2468.9, 2468.10] Establishes manufacturing standards for marine outboard motor remote gas tanks, gas caps, supply hoses, and priming bulbs to reduce gasoline vapor emissions from these devices. Effective 10/16/2009.	
CA09252009-4	Brownfields	09/25/2009	CRNR 2009, 39z, p. 1641	Final Rule	State Water Resources Control Board Orphan Site Cleanup Fund [23 CCR 2814.20-2814.37] Implements the Orphan Site Cleanup Fund that provides funds for cleaning up brownfields. Defines eligible sites, eligible applicants, and eligible costs and establish eligibility requirements, a priority system for paying eligible applicants, and funding limitations. The regulations also define the types of costs that qualify for funding. Effective 10/16/2009	
CA09252009-5	Energy	09/18/2009	CRNR 2009, 38z, p. 1584	Proposed Action	California Energy Commission Appliance Efficiency Regulations [20 CCR 1601-1607] Proposes to amend the Appliance Efficiency Regulations to adopt efficiency standards in televisions with a screen area fewer than 1,400 square inches in area. Hearing is scheduled for 10/13/2009. Second hearing/proposed adoption date is scheduled for 11/04/2009. Written comments due 11/02/2009.	
CA09252009-6	Species	09/25/2009	CRNR 2009, 39z, p. 1640	Final Rule	Fish and Game Commission Waterfowl, Migratory, American Coot and Common Moorhen [14 CCR 502] Establishes specific season lengths and daily bag limits. Several non-substantive changes are made to conform to federal framework regulations. Effective 09/15/2009.	
CA09252009-7	Water SEPs	09/25/2009	CRNR 2009, 39z, p. 1641	Final Rule	State Water Resources Control Board Policy on Supplemental Environmental Projects [23 CCR 2910.1] Adopts the Board's policy on SEPs that may be used as a means for a discharger that has been assessed civil liability for a violation of law the option to pay for a project that will provide a benefit to water quality as part of its penalty. Effective 09/15/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA09252009-8	Water	09/25/2009	CRNR 2009, 39z, p. 1640	Final Rule	Department of Water Resources Model Water Efficient Landscape Ordinance [23 CCR 490.1, 492.1, 492.2, 492.3, 492.4, 492.5, 492.6, 492.7, 492.8, 492.9, 492.10, 492.11, 492.12, 492.13, 492.14, 492.15, 492.16, 492.17, 493.1, 493.2 AMEND: 490, 491, 492, 493, 494 REPEAL: 495 Updates the Department's Model Water Efficient Landscape Ordinance. Effective 09/10/2009.	

2.2.1 Construction Storm Water General NPDES Permit

On 2 September 2009, the State Water Resources Control Board (SWRCB) adopted a new Construction Storm Water General NPDES Permit, which imposes significant new requirements for storm water management at construction sites. The new permit takes effect on 1 July 2010. Anyone currently covered by the existing Construction General Permit will need to file a new Notice of Intent and prepare a revised Storm Water Pollution Prevention Plan (SWPPP) by that date. The new permit requires that those preparing and implementing the SWPPP hold specified certifications and attend a state-approved training class within 2 years of 1 July 2010.

A summary of new permit requirements from the SWRCB can be found in the published [fact sheet](#). Additional information can be found at the SWRCB Construction Storm Water [Website](#).

2.2.2 Mandatory Electronic Reporting of Information to CUPAs

[Assembly Bill \(AB\) 2286 \(Feuer, PDF\)](#) was signed by Governor Arnold Schwarzenegger, chaptered on 29 September 2008, and went into effect 01 October 2009. The law will require all regulated businesses and all regulated local government agencies, called Unified Program Agencies (UPAs), to use the Internet to file require Unified Program information now filed by paper forms. This includes facility data regarding hazardous material regulatory activities, chemical inventories, underground and aboveground storage tanks, and hazardous waste generation. It also includes UPA data such as inspections and enforcement actions. All regulated businesses and UPAs in the State of California must use the Internet to file by 1 October 2013.

The earliest electronic filers will start using the statewide system, called the California Environmental Reporting System (CERS) in September 2009. Depending on when a business' UPA is able to receive the data from the state system, the UPA will determine when electronic reporting is mandatory locally and paper filing is no longer an option. After CERS is available, businesses may voluntarily use it to enter and store their filing information, but will still have to print paper forms from CERS to file with their UPA until the UPA is fully electronic.

More information is available at: <http://www.calepa.ca.gov/CUPA/EReporting/default.htm>.

2.3 Colorado State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO09252009-1	Air Colorado SIP	09/18/2009	74 FR 47888	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of State Implementation Plans; State of Colorado; Revisions to the Denver Emergency Episode Plan; [40 CFR Part 52]</p> <p>Announces approval of the SIP revisions to the Denver Emergency Episode Plan submitted on 09/16/1997. Final rule effective 11/17/2009 unless adverse comments are received by 10/19/2009.</p> <p>The SIP submittal is consistent with the Clean Air Act.</p>	

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
FL09252009-1	Recycling	09/18/2009	FAW Notice #7635372	Notice of Change	<p>Chapter 62–FDEP 704–Certification of Resource Recovery Equipment</p> <p>Changes have been made to the proposed rule published in FAW Notice #7420517 that will include the following:</p> <ul style="list-style-type: none"> ▪ Require that equipment be owned and operated by or exclusively on behalf of a local government. ▪ Clarify that equipment must be installed and operational to qualify for the sales tax exemption. ▪ Add equipment to the list of recycling equipment. <p>Several minor changes also are being made to update cross-references and correct grammar. Changes are listed in the FAW Notice.</p>	
FL09252009-2	Solid Waste Grants	09/18/2009	FAW Notice #7645266	Notice Rule Development	<p>Chapter 62–FDEP 716- Solid Waste Grants Program</p> <p>Proposed amendments include deletion of obsolete references to grants that no longer exist under the Solid Waste Grant Funds Program.</p>	
FL09252009-3	Solid Waste Management Facilities	09/18/2009	FAW Notice #7595893	Proposed Rule Hearing	<p>Chapter 62–FDEP 701–Solid Waste Management Facilities</p> <p>Proposes to amend 62-701, F.A.C., which contains regulations for a wide variety of solid waste facilities including landfills, construction and demolition (C&D) debris disposal facilities, and waste processing facilities. Proposed text is provided in the FAW Notice. Comments due 10/09/2009. A hearing will be held 10/15/2009 at FDEP, Tallahassee, Florida.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL09252009-4	Water Drinking Water Standards	09/18/2009	FAW Notice #7349125	Notice Rule Development	Chapter 62–FDEP 550–Drinking Water Standards Proposed rule strengthens the implementation of the Lead and Copper Rule for monitoring, treatment processes, public education, customer awareness, and lead service line replacement in public drinking water supply. EPA promulgated these rule amendments to the lead and copper regulations that must be adopted by primacy agencies.	
FL09252009-5	Water Florida Oceans and Coastal Council	09/18/2009	FAW Notice #7627224	Notice Meeting	Chapter 62–Florida Oceans and Coastal Council The Florida Oceans and Coastal Council will hold a public meeting to further its duties under the Oceans and Coastal Resources Act on 10/09/2009.	
FL09252009-6	Water SJRWMD	09/18/2009	FAW Notice #7645460	Notice Meeting	Chapter 40C–SJRWMD Announces a meeting to discuss pending applications for individual consumptive use permits and environmental resource permits. Scheduled for 09/29/2009 in Palatka, Florida.	
FL09252009-7	Water SJRWMD	09/18/2009	FAW Notice #7645169	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss regulatory and non-regulatory matters. Scheduled for 10/13/2009 in Palatka, Florida.	
FL09252009-8	Water SJRWMD	09/25/2009	FAW Notice #7678925	Notice Workshop	Chapter 40C–SJRWMD Announces a workshop update on Preparation of 2010 District Water Supply Plan. Scheduled for 10/13/2009 in Palatka, Florida.	
FL09252009-9	Water Water Quality Credit Trading	09/25/2009	FAW Notice #7660204	Notice Workshop	Chapter 62–FDEP 306–Water Quality Credit Trading Announces a workshop on a new Chapter 62-306, F.A.C., regarding water quality credit trading. The public workshop will address a pilot water quality trading program for the Lower St. Johns River Basin. Proposed rule development involves establishing procedures for water quality credit trading, including the following: <ul style="list-style-type: none"> ▪ The process to determine how credits are generated, quantified, and validated ▪ The process for tracking credits, trades, and prices paid ▪ Limitations on the use of credits, including eligible pollutants, minimum water quality requirements, and any adjustments for uncertainty or location ▪ The timing, duration, and transfer of credits ▪ The mechanisms for determining compliance with trade provisions A workshop will be held 10/13/2009 at FDEP, Jacksonville, Florida.	

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
MD09252009-1	Occupational Safety	09/11/2009	36:20 Md.R. 1570	Public Meeting	Department of the Environment Occupational Safety Division of Labor and Industry/Maryland Occupational Safety And Health Advisory Board will be hosting a public meeting to discuss issues relating to occupational safety and health. Meeting date 10/07/2009.	

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
NM09252009-1	Air New Mexico SIP	09/14/2009	74 FR 46910	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; New Mexico; Excess Emission [40 CFR Part 52] Announces approval of the New Mexico SIP submitted on 10/07/2008. Final rule effective 11/13/2009 unless relevant adverse comments are received by 10/14/2009. The SIP submittal is consistent with the Clean Air Act.	WSTF should be aware of this final rule.
NM09252009-2	Water Wastewater and Water Facilities	09/25/2009	NM Register Vol. XX, p. 1065	Notice	Environmental Improvement Board 20.7.3 NMAC Liquid Waste Disposal and Treatment Announces a correction to public hearing notice to discuss revisions to the New Mexico Wastewater and Water Supply Facilities regulations. A correction notice has been issued for the following Liquid Waste Disposal and Treatment regulations: 20.7.3.7 NMAC , 20.7.3.401 NMAC , 20.7.3.402 NMAC , 20.7.3.904 NMAC . A hearing will be held on 11/02/2009 at the State Capitol in Santa Fe, New Mexico.	WSTF should be aware of these proposed corrections.

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
OH09252009-1	Air Ohio SIP	09/15/2009	74 FR 47413	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Cleveland-Akron-Lorain Area to Attainment for Ozone; Final Rule.</p> <p>Finalizes several related actions affecting the Cleveland- Akron-Lorain, Ohio 1997 8-hour ozone nonattainment area, including the following:</p> <ul style="list-style-type: none"> ▪ Making a determination that the Cleveland- Akron- Lorain area (including Cuyahoga County) has attained the 1997 8-hour ozone NAAQS. ▪ Approving the state's plan for maintaining the 8-hour ozone NAAQS through 2020 in the area. ▪ Approving redesignation of the area to attainment of the 8-hour ozone NAAQS. ▪ Approving the 2002 base year emissions inventory. ▪ Approving Ohio's 15% Rate of Progress plan as meeting the requirements of the CAA. ▪ Approving a waiver from the NOx Reasonably Available Control Technology requirements. ▪ Approving Ohio's 2012 and 2020 VOC and NOx Motor Vehicle Emission Budgets for the Cleveland-Akron-Lorain area. <p>Effective 09/15/2009.</p>	

2.10 Texas State Regulatory Review

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*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX09252009-1	Air Texas SIP	09/23/2009	74 FR 48480	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Texas: Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Flexible Permits [40 CFR Part 52]</p> <p>Proposes disapproval of the Texas Flexible Permits State Program because it does not meet NSR SIP requirements. Comments due 11/23/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX09252009-2	Air Texas SIP	09/23/2009	74 FR 48450	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review State Implementation Plan; Modification of Existing Qualified Facilities Program and General Definitions [40 CFR Part 52] Proposes disapproval of revisions to the Texas SIP that relate to the Modification of Existing Qualified Facilities because it does not meet the NSR SIP requirements. Also proposes to do the following: <ul style="list-style-type: none"> ▪ Approve three definitions--grandfathered facility, MAERT, and new facility ▪ Disapprove the definition for BACT and two subparagraphs under the definition for modification of existing facility ▪ Make administrative corrections to the SIP-approved definition of a facility Comments due 11/23/2009.	
TX09252009-3	Air Texas SIP	09/23/2009	74 FR 48467	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review State Implementation Plan; Prevention of Significant Deterioration, Nonattainment NSR for the 1997 8-Hour Ozone Standard, NSR Reform, and a Standard Permit Proposes to disapprove revisions to the Texas SIP regarding Major PSD permitting and the Standard Permit for Pollution Control Projects. Comments due 09/23/2009.	

2.11 Utah State Regulatory Review

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

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
VA09252009-1	Water Storm Water	09/14/2009	26:1 Va.R. 4	Proposed Rule	State Water Control Board 9 Virginia Administrative Code (VAC) 25-820 Proposed rule will amend and re-issue the VPDES general permit for facilities with individual permits that discharge to the Chesapeake Bay. Comments due 10/14/2009.	
VA09252009-2	Water TMDLs	09/16/2009	74 FR 47792	Notice	U.S. Environmental Protection Agency EPA is requesting input on the proposed establishment of TMDLs for impaired segments in the tidal portion of the Chesapeake Bay watershed. Comments due 12/18/2009.	
VA09252009-3	Water TMDLs	09/14/2009	26:1 Va.R. 117	Notice	Virginia Department of Environmental Quality VDEQ will hold a public meeting 10/02/2009 to provide information regarding the proposed establishment of TMDLs for impaired segments in the tidal portion of the Chesapeake Bay watershed.	

