



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

23 October 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	NESHAP = National Emissions Standards for Hazardous Air Pollutants
AQIP = Air Quality Improvement Program	NO ₂ = Nitrogen dioxide
CAA = Clean Air Act	NPDES = National Pollutant Discharge Elimination System
CAIR = Clean Air Interstate Rule	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations; also Colorado Code of Regulations</i>	ODS = Ozone depleting substance
CDPHE = Colorado Department of Public Health and Environment	OEHHA = Office of Environmental Health Hazard Assessment
CFC = Chlorofluorocarbon	OEPA = Ohio Environmental Protection Agency
CFR = <i>Code of Federal Regulations</i>	OSHA = Occupational Safety and Health Administration
ChemSec = Chemical Secretariat	PFOA = Perfluorooctanoic acid
CIC = Carcinogen Identification Committee	PHMSA = Pipeline and Hazardous Materials Safety Administration
CO = Carbon monoxide	PM ₁₀ = Particulate matter less than 10 micrometers
COMAR = Code of Maryland Regulations	REACH = Registration, Evaluation, Authorization, and Restriction of Chemicals
CRNR = California Regulatory Notice Register	RIN = Regulatory Identification Number
DAPC = Division of Air Pollution Control	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
DINP = Diisononyl phthalate	SIN = Substitute it Now
DWR = Department of Water Resources	SIP = State Implementation Plan
EPA = U.S. Environmental Protection Agency	SJVUAPCD = San Joaquin Valley Unified Air Pollution Control District
EU = European Union	SJRWMD = St. Johns River Water Management District
F.A.C. = Florida Administrative Code	SNAP = Significant New Alternatives Policy
FAA = Federal Aviation Administration	SO ₂ = Sulfur dioxide
FAW = <i>Florida Administrative Weekly</i>	SPM = Special purpose monitor
FDEP = Florida Department of Environmental Protection	SVHC = Substances of very high concern
FR = <i>Federal Register</i>	TAC = Texas Administrative Code
HFE = Hydrofluoroether	TMDL = Total maximum daily load
HFO = Hydrofluoroolefin	U.S. = United States
IRIS = Integrated Risk Information System	VAC = Virginia Administrative Code
ISOR = Initial Statement of Reasons	Va.R. = <i>Virginia Register</i>
kg = Kilogram	VOC = Volatile organic compound
KSC = Kennedy Space Center	WLA = Waste load allocation
LAC = Louisiana Administrative Code	
Md.R. = <i>Maryland Register</i>	
MDE = Maryland Department of the Environment	
MDEQ = Mississippi Department of Environmental Quality	
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	

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
FED10232009-1	Air Emissions Factors	10/14/2009	74 FR 52723	Notice	Emissions Factors Program Improvements [40 CFR Parts 60, 61, and 63] Solicits comments about issues and possible solutions related to the emissions factors program. Although initially developed for emissions inventory purposes only, use of emissions factors has been expanded to a variety of activities including permitting, enforcement, modeling, control strategy development, and risk analysis. EPA is considering modifications to develop a self-sustaining emissions factors program that produces high quality, timely emissions factors, better indicates the precision and accuracy of emissions factors, encourages the appropriate use of emissions factors, and ultimately improves emissions quantification. Comments due 11/13/2009. [RIN 2060-AP63]	
FED10232009-2	Air NAAQS-Ozone	10/19/2009	74 FR 53498	Notice	Review of the National Ambient Air Quality Standards for Ozone Notice of availability of a draft document titled Integrated Review Plan for the Ozone National Ambient Air Quality Standards Review--External Review Draft . Document contains the plans for the new periodic review of the air quality criteria for ozone-related effects on public health and welfare and the current ozone standards. Comments due 11/06/2009.	
FED10232009-3	Air ODS-SNAP	10/19/2009	74 FR 53445	Proposed Rule	Protection of Stratospheric Ozone: New Substitute in the Motor Vehicle Air Conditioning Sector Under the Significant New Alternatives Policy Program [40 CFR Part 82] Proposes to expand the list of acceptable substitutes for ozone-depleting substances by finding HFO 1234yf acceptable, subject to use conditions, as a substitute for CFC 12 in motor vehicle air conditioning. Comments due 12/18/2009 unless a public hearing is requested by 10/29/2009. [RIN 2060-AP11]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED10232009-4	Aircraft Fire Extinguishers	10/13/2009	74 FR 52526	Notice	Federal Aviation Administration Hand Fire Extinguishers for Use in Aircraft, Advisory Circular 20-42D Revision Announces the availability of the proposed revision of the current FAA Advisory Circular 20-42C, Hand Fire Extinguishers for use in Aircraft . The proposed revision provides updated guidance for the fire-fighting effectiveness, selection, location, mounting and safe-use of hand fire extinguishers in aircraft. It also identifies three FAA-approved replacement agents for Halon 1211. Comments due 11/27/2009.	
FED10232009-5	Emergency Preparedness Preparedness Programs	10/16/2009	74 FR 53286	Notice	Federal Emergency Management Agency Voluntary Private Sector Accreditation and Certification Preparedness Program Announces intent to select standards for adoption in the Voluntary Private Sector Accreditation and Certification Preparedness Program . Finalizes the criteria to be used in selecting standards for the Program and discusses the prospective adoption of three identified standards. Comments due 11/17/2009.	
FED10232009-6	Hazardous Materials Transportation	10/16/2009	74 FR 53182	Final Rule	Pipeline and Hazardous Materials Safety Administration (PHMSA) Hazardous Materials: Minor Editorial Corrections and Clarifications [49 CFR Parts 107, 171, 172, 173, 174, 180] Corrects editorial errors, makes minor regulatory changes and, in response to requests for clarification, improves the clarity of certain provisions in the Hazardous Materials Regulations. Effective 10/16/2009. [RIN 2137-AE50]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED10232009-7	Hazardous Materials Transportation	10/21/2009	74 FR 53982	Notice	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Harmonization With the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations, International Maritime Dangerous Goods Code, International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air, and Transport Canada's Transport of Dangerous Goods Regulations [49 CFR Parts 171, 172, 173, 174, 175, 176, 177, 178, 179, 180]</p> <p>Notice that PHMSA is considering amendments to the Hazardous Materials Regulations to incorporate various amendments to international standards and modal regulations, including changes to proper shipping names, hazard classes, packing groups, special provisions, and packaging authorizations. Comments due 01/19/2010. [RIN 2137-AE45]</p>	
FED10232009-8	Hazardous Materials Transportation Chemical Oxygen Generators	10/15/2009	74 FR 52896	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Chemical Oxygen Generators [49 CFR Part 172]</p> <p>Amends the Hazardous Materials Regulations to revise the quantity limitation from 25 kg "gross" to 25 kg "net" for packages of chemical oxygen generators transported aboard cargo aircraft only. Effective 11/16/2009. [RIN 2137-AE49]</p>	
FED10232009-9	Hazardous Materials Transportation Shipping Papers	10/19/2009	74 FR 53413	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers [49 CFR Parts 172 and 174]</p> <p>Amends the Hazardous Materials Regulations to clarify requirements governing emergency response information services provided by arrangement with hazardous materials offerors (shippers). Requires basic identifying information (offeror name or contract number) to be included on shipping papers. Effective 11/18/2009. Voluntary compliance authorized 11/18/2009. [RIN 2137-AE21]</p>	
FED10232009-10	Hazardous Materials Transportation Shipping Papers	10/22/2009	74 FR 54489	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers [49 CFR Parts 172 and 174]</p> <p>Corrects effective date in final rule at 74 FR 53413 (see above). Effective date, originally printed as "11/18/2009": should read "10/01/2010.". [RIN 2137-AE21]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED10232009-11	Safety Combustible Dust	10/21/2009	74 FR 54333	Notice	Occupational Safety and Health Administration (OSHA) Combustible Dust [29 CFR Part 1910] Requests comments regarding issues related to the hazards of combustible dust in the workplace. For the purposes of this notice, the term "combustible dust" includes all combustible particulate solids of any size, shape, or chemical composition that could present a fire or deflagration hazard when suspended in air or other oxidizing medium. OSHA plans to use the information received in developing a proposed standard for combustible dust. Comments due 01/19/2010.	
FED10232009-12	Ships Pollution Prevention Equipment	10/13/2009	74 FR 52413	Final Rule	U.S. Coast Guard Pollution Prevention Equipment [33 CFR Parts 155 and 157; 46 CFR Part 162] Finalizes rule implementing international standards for oil pollution prevention equipment designed for ships and oil tankers. These standards address the testing, certification, and approval for oil pollution prevention equipment, including discharge monitors. Certain paragraphs of the rule regarding compliance dates are effective 10/13/2009. All other paragraphs are effective 11/12/2009. [RIN 1625-AA90]	
FED10232009-13	Storm Water NPDES Construction General Permits	10/19/2009	74 FR 53494	Proposed Rule	Modification to 2008 NPDES General Permit for Storm Water Discharges From Construction Activities Notice that EPA Regions 1, 2, 3, 5, 6, 7, 8, 9, and 10 today are proposing a modification to the 2008 NPDES general permits for storm water discharges associated with construction activity. Would extend the expiration date of the permit from 06/30/2010 to 06/30/2011. The permit provides coverage for discharges from construction sites that occur in areas not covered by an approved state NPDES program. Comments due 11/18/2009.	
FED10232009-14	Toxic Substances Dioxin and Dioxin-like Compounds	10/16/2009	74 FR 53233	Notice	Notice of Peer-Review Teleconference for the External Peer Review Draft of Recommended Toxicity Equivalency Factors for Human Health Risk Assessments of Dioxin and Dioxin-Like Compounds Announces an external peer review meeting to be held by teleconference to review the draft document titled, " Recommended Toxicity Equivalency Factors (TEFs) for Human Health Risk Assessments of Dioxin and Dioxin-Like Compounds ." Teleconference to be held 10/22/2009.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED10232009-15	Toxic Substances IRIS Database	10/21/2009	74 FR 54040	Notice	Integrated Risk Information System Update Project; Announcement of 2009/2010 Agenda Announces establishment of the IRIS Update Project. Purpose of the Project is to revisit a portion of the dose-response assessment values with a posting date on the IRIS database that is more than 10 years old. Also announces the Project's agenda and requests information about health effects for the assessments listed in the agenda. Information due 12/21/2009.	

1.2 Other News and Developments

1.2.1 Chemical Secretariat Updates SIN List

The International Chemical Secretariat (ChemSec), an international non-profit organization, announced on 13 October 2009 that it updated its "Substitute it Now" (SIN) list with 89 new substances, bringing the total number to 356 substances. The SIN list is composed of those substances that ChemSec believes meet the criteria for Substances of Very High Concern (SVHCs) in the European Union's (EU) Registration, Evaluation, Authorization, and Restriction of Chemicals (REACH) regulations. Under REACH, use of SVHCs is discouraged and manufacturers may be required to obtain prior authorization to sell SVHCs or materials containing SVHCs in Europe. Limitations on materials in Europe can affect suppliers and materials availability globally.

It should be noted that the SIN List is not a regulation and is not produced by a government body. ChemSec publishes the SIN list in hopes of speeding up the implementation of REACH by encouraging manufacturers to find replacements early for materials that may eventually be restricted through the regulatory process. The update to the SIN list was prompted by the EU's classification of additional substances as carcinogenic, mutagenic, and toxic to reproduction. It includes dibutyl tin, mercury, phenolphthalein, numerous nickel compounds, and other substances. Additional information regarding the SIN list is available on the ChemSec [website](#).

1.3 Regulatory Communication Working Group Updates

Tentative dates for upcoming Regulatory Communication Working Group telecons are provided below. Calls will be held at 12 p.m. CT:

- 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

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

2.2 California State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA10232009-1	Air AQIP	10/23/2009	CRNR 2009.43z, p.1860	Final Rule	Air Resources Board AB 118 Air Quality Improvement Program Guidelines 2009 [13 CCR 2350-9] Establishes the overall administrative procedures for the AQIP Funding Plan. Effective 10/13/2009.	
CA10232009-2	Air Refrigerants	10/23/2009	CRNR 2009.43z, p.1840	Proposed Rule Public Hearing	Air Resources Board High Global Warming Potential Refrigerants [17 CCR 95380-97] Proposed regulation for the management of high global warming potential refrigerants for stationary sources. The ISOR and subsequent regulatory documents are available online . Public hearing 12/09 and 12/10/2009. Comments due 12/08/2009.	
CA10232009-3	Air SIP-VOCs, SJVUAPCD	10/15/2009	74 FR 52894	Final Rule	U.S. Environmental Protection Agency Revisions to the California SIP, San Joaquin Valley Air Pollution Control District [40 CFR 52] Approves local rules regulating VOC emissions from graphic arts printing operations, digital printing operations, adhesives, cleaning solvents, transfer of organic liquids, and facilities engaged in coating of wood products, flat paneling, paper, film, foil, and fabric. Effective 11/16/2009.	
CA10232009-4	Occupational Safety Generators	10/16/2009	CRNR 2009.42z, p.1828	Final Rule	Occupational Safety and Health Standards Board Portable and Vehicle-mounted Generators [8 CCR 2395.6] Amends the regulation to conform the electrical grounding provisions for portable and vehicle-mounted generators to National Electrical Code standards and to counterpart federal standards. Effective 11/06/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions										
CA10232009-5	Proposition 65	10/16/2009	CRNR 2009, 42z, p.1822	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Announcement of Chemicals Selected by OEHHHA for Consideration for Listing by the Carcinogen Identification Committee and Request for Relevant Information on the Carcinogenic Hazards of These Chemicals</p> <p>Solicits information regarding substances. Nine chemicals have been given high priority consideration for the preparation of hazard identification materials. The following five have been selected for review for possible listing as carcinogens:</p> <ul style="list-style-type: none"> ▪ 3-Monochloropropane-1,2-diol ▪ 1,3-Dichloro-2-propanol ▪ Fluoride and its salts ▪ Diisononyl phthalate (DINP) ▪ Perfluorooctanoic acid (PFOA) and its salts and transformation and degradation precursors <p>Data call-in period ends 12/15/2009. Further information is posted on the OEHHHA website.</p> <p>Some of the primary uses of these five substances include the following:</p> <table border="0"> <tr> <td>3-Monochloro-propane-1,2-diol</td> <td>byproduct found in food</td> </tr> <tr> <td>1,3-Dichloro-2-propanol</td> <td>solvent; production of photographic lacquers and other coatings; others.</td> </tr> <tr> <td>Fluoride & salts</td> <td>organic synthesis; enzyme inhibitor; non-stick surfaces; biomedical applications</td> </tr> <tr> <td>Diisononyl phthalate</td> <td>plasticizer</td> </tr> <tr> <td>Perfluorooctanoic acid</td> <td>Surfactants; emulsifiers; water and oil repellants; insulation; fire fighting foam</td> </tr> </table>	3-Monochloro-propane-1,2-diol	byproduct found in food	1,3-Dichloro-2-propanol	solvent; production of photographic lacquers and other coatings; others.	Fluoride & salts	organic synthesis; enzyme inhibitor; non-stick surfaces; biomedical applications	Diisononyl phthalate	plasticizer	Perfluorooctanoic acid	Surfactants; emulsifiers; water and oil repellants; insulation; fire fighting foam	
3-Monochloro-propane-1,2-diol	byproduct found in food															
1,3-Dichloro-2-propanol	solvent; production of photographic lacquers and other coatings; others.															
Fluoride & salts	organic synthesis; enzyme inhibitor; non-stick surfaces; biomedical applications															
Diisononyl phthalate	plasticizer															
Perfluorooctanoic acid	Surfactants; emulsifiers; water and oil repellants; insulation; fire fighting foam															
CA10232009-6	Proposition 65	10/16/2009	CRNR 2009, 42z, p.1824	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Request for Relevant Information on Chemicals Being Considered for Listing by the Authoritative Bodies Mechanism: Bromochloroacetic Acid and Cumene</p> <p>Request for comments on whether to list bromochloroacetic acid and cumene as carcinogens. Comments due 12/15/2009. Further information is available on OEHHHA's website.</p> <p>Some of the primary uses of these five substances include the following:</p> <table border="0"> <tr> <td>Bromochloroacetic acid</td> <td>water disinfection byproduct</td> </tr> <tr> <td>Cumene</td> <td>chemical production; thinner; solvent, and in some fuels</td> </tr> </table>	Bromochloroacetic acid	water disinfection byproduct	Cumene	chemical production; thinner; solvent, and in some fuels							
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Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA10232009-7	Species American Peregrine Falcon	10/16/2009	CRNR 2009, 42z, p.1828	Final Rule	Office of Environmental Health Hazard Assessment Request for Relevant Information on Chemicals Being Considered for Listing by the Authoritative Bodies Mechanism: Bromochloroacetic Acid and Cumene Delists the American peregrine falcon from the California Endangered Species Act list of endangered species. Effective 11/04/2009	
CA10232009-8	Species American Pika	10/23/2009	CRNR 2009, 43z, p.1853	Notice	Fish and Game Commission Notice of Findings—American Pika The Commission reconsidered and rejected the petition to list the American Pika as a threatened species.	
CA10232009-9	Species Arroyo Toad	10/13/2009	74 FR 52611	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for the Arroyo Toad (<i>Anaxyrus californicus</i>) [50 CFR 17] Proposes to designate habitat in approximately 109,110 acres of lands located in counties including Los Angeles, San Bernadino, and Ventura. Comments due 12/14/2009.	
CA10232009-10	Species Buena Vista Lake shrew	10/21/2009	74 FR 53999	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Buena Vista Lake shrew [50 CFR 17] Proposes to designate habitat in approximately 4,649 acres of lands located in Kern County. Comments due 12/21/2009.	
CA10232009-11	Water	10/16/2009	CRNR 2009, 42z, p.1829	Final Rule	State Water Resources Control Board Calleguas Creek Nitrogen Compounds and Related Effects TMDL Revision [23 CCR 3939.2] Revises the mass based daily WLAs for ammonia calculation with respect to the upcoming NPDES permits. Effective 10/30/2009.	

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
CO10232009-1	Air Quality	10/10/2009	CO Register Vol. 32, No. 10	Proposed Rule	Colorado Department of Public Health and Environment (CDPHE) 5 CCR 1001 Air Quality Control Commission Proposes revisions to CCR 1001-2 Common Provisions Regulations, Section I.G. to be consistent with federal regulations. A hearing will be held on 12/17/2009 at CDPHE in Denver, Colorado.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO10232009-2	Hazardous Waste	10/10/2009	CO Register Vol. 32, No. 10	Proposed Rule	<p>Colorado Department of Public Health and Environment</p> <p>6 CCR 1007 Hazardous Materials and Waste Management Division</p> <p>Proposes revisions to the Colorado Hazardous Waste regulations as follows:</p> <ul style="list-style-type: none"> ▪ 6 CCR 1007-3 Part 260–Hazardous Waste Management System: General ▪ 6 CCR 1007-3 Parts 261 and 273– Identification and Listing of Hazardous Waste and Standards for Universal Waste Management ▪ 6 CCR 1007-3 Part 261–Identification and Listing of Hazardous Waste–Legitimate Recycling Amendments <p>A hearing will be held on 11/17/2009 at CDPHE in Denver, Colorado.</p>	
CO10232009-3	Water Quality	10/10/2009	CO Register Vol. 32, No. 10	Proposed Rule	<p>Colorado Department of Public Health and Environment</p> <p>5 CCR 1003 Water Quality Control Commission</p> <p>Proposes revisions to 5 CCR 1003-2 Regulation No. 100, Water and Wastewater Facility Operations Certification Requirements. A hearing will be held on 11/24/2009 at CDPHE in Denver, Colorado.</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
FL10232009-1	Air General Provisions	10/16/2009	FAW Notice #7762927	Notice of Withdrawal	<p>Chapter 62–FDEP 204–Air Pollution Control–General Provisions</p> <p>The proposed rule published in FAW Notice #7570770 to adopt-by-reference recent federal air pollution regulations at 40 CFR Parts 50, 51, 52, 53, 58 60, 63, and 65 has been withdrawn.</p>	
FL10232009-2	Air General Provisions	10/16/2009	FAW Notice #7764382	Proposed Rule	<p>Chapter 62–FDEP 204–Air Pollution Control–General Provisions</p> <p>Proposes rule amendments to adopt-by-reference recent federal air pollution regulations at 40 CFR Parts 50, 51, 52, 53, 58, 60, 63, and 65, as described below:</p> <ul style="list-style-type: none"> ▪ 40 CFR 50, National Primary and Secondary Ambient Air Quality Standards: <ul style="list-style-type: none"> ▪ Lead air quality measurements will be reported based on actual ambient air volume measured at the actual ambient temperature and pressure at the monitoring site during the measurement period. ▪ Lead NAAQS will apply until EPA approves an implementation plan providing for attainment and/or maintenance of the lead NAAQS. ▪ Update treatment of air quality monitoring data influenced by exceptional events. ▪ Update lead NAAQS and lead arithmetic mean concentration measurement requirements over a 3-month period. 	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL10232009-2 (continued)					<ul style="list-style-type: none"> ▪ 40 CFR 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart F, Procedural Requirements: <ul style="list-style-type: none"> ▪ Compounds used in aerosol coating products are to be counted toward a product's reactivity limit. ▪ Add HFE 7300 to list of organic compounds that have negligible photochemical reactivity. ▪ 40 CFR 52, Approval and Promulgation of Implementation Plans, Subpart K, Florida: Correct typographical errors. ▪ 40 CFR 53, Ambient Air Monitoring Reference and Equivalent Methods: Update test procedures for methods for lead. ▪ 40 CFR 58, Ambient Air Quality Surveillance: <ul style="list-style-type: none"> ▪ Plans establishing lead monitoring sites must be submitted to EPA no later than 07/01/2009 as part of the annual network plan. ▪ Designations of nonattainment areas for the CO, SO₂, NO₂, or 24-hour PM₁₀ NAAQS will no longer be solely based on data from the SPM. ▪ Updated quality assurance requirements, network design criteria, and uniform air quality index and daily reporting requirements for air quality monitoring. ▪ 40 CFR 60, Standards of Performance for New Stationary Sources: <ul style="list-style-type: none"> ▪ Update rule applicability requirements and definitions for electric utility steam generators constructed after 09/19/1978. ▪ Update opacity and continuous emissions monitoring, compliance, reporting, and record-keeping standards for generators. ▪ Add equipment leak monitoring work practice and detection leak sensitivity levels. ▪ Update list of standard test methods and amended procedures for determining emissions concentrations from stationary sources, performance specifications, and quality assurance. ▪ 40 CFR 63, National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Corrected typographical errors, Subpart A, General Provisions and Subpart H, National Emissions Standards for Organic Hazardous Air Pollutants for Equipment Leaks: Update control device and work practice requirements for equipment leaks. ▪ 40 CFR 65, Consolidated Federal Air Rule, Subpart A, General Provisions: Update monitoring, record-keeping, and reporting waivers and alternatives, and alternative work practices for equipment leaks. <p>Comments due 11/06/2009.</p>	
FL10232009-3	Wastewater Treatment	10/16/2009	FAW Notice #7713942	Proposed Rule	<p>Chapter 62–FDEP 602–Water or Domestic Wastewater Treatment Plant Operators and Distribution System Operators 720–Inactive Status of License.</p> <p>Proposes to make minor changes to procedures for individuals with null and void licenses to reapply to the department to reacquire their licenses.</p> <p>Comments due 11/06/2009.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL10232009-4	Water SJRWMD– Environmental Resource Permits	10/09/2009	FAW Notice #7806480 and #7806577	Final Rule	Chapter 40C–Environmental Resource Permits: Surface Water Management Systems Final amendments address the change in classification of the bald eagle in the Federal Wildlife Conservation’s imperiled species regulations; amend the Applicant’s Handbook: Management and Storage of Surface Waters, and Rule 40C-4.091, F.A.C., which incorporates these sections by reference; and update the definitions of listed species, endangered species, and threatened species by amending subsection 40C-4.021(20), F.A.C. Effective 10/29/2009.	
FL10232009-5	Water SJRWMD	10/16/2009	FAW Notice #7752160	Notice Meeting	Chapter 40C–SJRWMD Announces a meeting to receive public comments on pending applications for individual consumptive use permits and environmental resource permits. Scheduled for 10/27/2009 in Palatka, Florida.	
FL10232009-6	Water SJRWMD	10/16/2009	FAW Notice #7827238	Notice Workshop	Chapter 40C–SJRWMD Announces a workshop on Water Conservation Rule Concepts # 1 to be held 11/09/2009 in Palatka, Florida.	
FL10232009-7	Water SJRWMD	10/16/2009	FAW Notice #7827044	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting to discuss regulatory and non-regulatory matters. Scheduled for 11/10/2009 in Palatka, Florida.	
FL10232009-8	Water SJRWMD	10/23/2009	FAW Notice #7827432	Notice Meeting	Chapter 40C–SJRWMD Announces a meeting of the Projects and Land Committee to discuss agenda items. Scheduled for 11/09/2009 in Palatka, Florida.	
FL10232009-9	Water SJRWMD– Conservation Easements	10/23/2009	FAW Notice #7826947	Notice Hearing	Chapter 40C–SJRWMD 1.1101–Amendments to and Releases of Regulatory Conservation Easements Announces a hearing to discuss adoption of amendments to Chapter 40C-1, F.A.C., regarding the release and amendment of conservation easements received solely for mitigation or in compliance with other regulatory requirements. Scheduled for 11/10/2009 in Palatka, 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
LA10232009-1	Administrative Fees–Methods of Payment	10/20/2009	35 LR 10 p. 2178	Final Rule	Louisiana Department of Environmental Quality Methods of Payment [LAC 33:1.1203, 1411, 1911, 2305, 2307; III.215; V.5111, 5119, 5127; VI.709, 917; VII.1505; IX.1309, 1507; XI.307; XV.2509] Provides language that authorizes the department to accept credit card payments and other electronic methods of payment for obligations owed to the state. Also repeals hazardous waste fees no longer collected and clarifies the calculation of hazardous waste application and maintenance fees.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA10232009-2	Air SIP	10/20/2009	35 LR 10 p. 2262	Notice	Louisiana Department of Environmental Quality 2008 State Implementation Plan General Revisions [LAC 33:III.Chapters 1, 5, 6, 7, 21, 22, and 23] Proposes to revise the SIP to incorporate amendments to various air quality regulations, which previously were promulgated in 2008, and which were not previously included in other revisions to the SIP. A public hearing will be held 11/24/2009 in Baton Rouge, Louisiana. Comments due 12/01/2009.	
LA10232009-3	Solid Waste	10/20/2009	35 LR 10 p. 2261	Notice	Louisiana Department of Environmental Quality Declaratory Ruling No. DR-09-004 [LAC 33:VII.115] Provides clarification regarding interpretation of the definition of the term "facility," as it is used in Louisiana's solid waste regulations.	

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
MD10232009-1	Hazardous Substances	10/23/2009	36:22 Md.R. 1803	Notice	Department of the Environment Controlled Hazardous Substances Council Announces a public meeting to discuss issues relating to hazardous substances on 11/12/2009. Further information is available on the Council's website .	
MD10232009-2	Hazardous Substances Releases	10/23/2009	36:22 Md.R. 1782	Proposed Action	Department of the Environment Investigating Evaluating, and Responding to Hazardous Substance Releases Proposes to adopt new regulations under COMAR 26.14.02 to require immediate notification to MDE of a release of a hazardous substance into the environment that is unrelated to any known release or discharge and is at or above established thresholds. Regulations would establish threshold reporting standards, allow for identification of potential hazardous substance sites in the state, and ensure that appropriate safeguards are in place and adequate cleanup is conducted when contamination is discovered. Comments due 11/23/2009.	
MD10232009-3	Natural Resources Fees	10/23/2009	36:22 Md.R. 1663	Notice	U.S. District Court District Court Natural Resources Fine Schedule Announces a Natural Resources Fine Schedule to be applied in cases of violation of Natural Resources laws. Applicable resources include archeological historic resources, wildlife, fishing and marine resources, hunting, off-road vehicles, boating, and open air burning. Effective 10/01/2009.	
MD10232009-4	Occupational Safety Crane Safety	10/23/2009	36:22 Md.R. 1731	Proposed Action	Department of Labor and Industry Crane Safety Proposes to amend regulations under COMAR 09.12.26 by providing clarification and updating requirements for crane safety. Comments due 11/23/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD10232009-5	Water Well Construction	10/23/2009	36.22 Md.R. 1765	Proposed Action	Department of the Environment Well Construction Proposes to replace regulations under COMAR 26.04.04 . New regulations include provisions that were not addressed in previous regulations, including allowing treatment for naturally occurring radionuclides and for fecal coliform bacteria in carbonate rock areas; regulation of the hydrofracturing of wells and the construction of geothermal wells; elimination of telescoped casing in new wells for domestic water supplies; notification before certain construction activities occur; and language to clarify requirements. Public hearing 11/16/2009. Comments due 11/23/2009.	

2.7 Mississippi State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS10232009-1	Air Lead-based Paint	10/16/2009	Mississippi Administrative Bulletin #16540	Proposed Rule	Mississippi Department of Environmental Quality APC-S9 : Regulations for Lead-based Paint Proposes to amend the regulation for lead-based paint activities to incorporate new federal regulations for renovations and repair, and for painting activities as they pertain to lead-based paint activities in target housing and child occupied facilities. The MDEQ also intends to seek program delegation by EPA to incorporate the new renovation, repair, and painting requirements into Mississippi's Lead-based Paint Program. A public hearing is scheduled on 11/28/2009 in Jackson, Mississippi. Comments due 11/28/2009.	

2.8 New Mexico State Regulatory Review

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

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
OH10232009-1	Air Accidental Releases	10/22/2009	OEPA DAPC News	Proposed Rule	Division of Air Pollution Control, OEPA Draft Amendments to OAC Chapter 3745-104 Proposes amendments related to the Accidental Release Prevention Program, or Risk Management Program. The amendments are a result of the 5- year review as required by Ohio rules. Further details regarding the draft revisions, including the synopsis and public hearing notice , are available on the OEPA website . Public hearing is scheduled for 12/01/2009 at OEPA, Columbus, Ohio. Comments due 12/01/2009.	
OH10232009-2	Air Fees– Emissions	10/19/2009	OEPA DAPC News	Notice	Division of Air Pollution Control, OEPA Title V Emissions Fee for 2009 Reporting Year Announces the Title V emissions fee for reporting year 2009 will be \$43.83 per ton. The fee was calculated based on a 0.18% increase in the All Urban Consumers subset of the Consumer Price Index for the 12-month time period from 09/01/2008 through 08/31/2009, as reported by the U.S. Bureau of Labor Statistics.	NASA should be aware of the fee increase.

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
TX10232009-1	Waste Management	10/23/2009	34 TexReg 7315	Adopted Rules	Texas Commission on Environmental Quality Industrial Solid Waste and Municipal Hazardous Waste 8[30 TAC 335] Adopts changes to the Texas hazardous waste program that implement revisions to the federal hazardous waste program, which were made by EPA between 07/01/2005 and 06/30/2008. Also adopts administrative changes that include updating references to Texas State Agencies, updating cross-references, and correcting typographical, spelling, and grammatical errors. Effective 10/29/2009.	

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
VA10232009-1	Air Public Participation	10/12/2009	26:3 Va.R. 299	Final Rule	State Air Pollution Control Board 9 Virginia Administrative Code (VAC) 5-80-25, 9VAC5-80-35. Updates public participation requirements for permit applications to be consistent with the Virginia Freedom of Information Act. Effective 11/12/2009.	
VA10232009-2	Occupational Safety Employee Records	10/12/2009	26:3 Va.R. 311	Final Rule	Safety and Health Codes Board 16VAC25-90. Updates the Virginia regulation regarding access to employee exposure and medical records to conform to the federal OSHA regulation under 29 CFR 1910.1020. Effective 08/20/2009.	
VA10232009-3	Water Water Quality	10/12/2009	26:3 Va.R. 331	Public Notice	State Water Control Board Seeks public comment about the development of two fecal coliform TMDLs for the restricted shellfish harvesting/growing areas in the Lower Pocomoke River Basin and Pocomoke Sound Basin in Accomack County. Comments due 11/10/2009.	