



National Aeronautics and  
Space Administration

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

# Regulatory Tracking Summary

---

*13 August 2010*

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](mailto:sharon.scroggins@nasa.gov)).

# Contents of This Issue

<b>Acronyms</b>	<b>3</b>
<b>1.0 U.S. Federal Regulatory Review</b>	<b>4</b>
1.1 Federal Register Summary	4
1.2 Other News and Developments	9
1.2.1 <i>EPA Issues Two Proposed Rules for the GHG Tailoring Rule</i>	9
1.3 Regulatory Communication Working Group Updates	10
<b>2.0 State Regulatory Reviews</b>	<b>11</b>
2.1 Alabama State Regulatory Review	11
2.2 California State Regulatory Review	11
2.2.1 <i>California Air Districts Regulatory Review</i>	13
2.2.1.1 <i>Antelope Valley Air Quality Management District</i>	13
2.2.1.2 <i>Bay Area Air Quality Management District</i>	13
2.2.1.3 <i>Eastern Kern Air Pollution Control District</i>	13
2.2.1.4 <i>Mojave Desert Air Quality Management District</i>	13
2.2.1.5 <i>South Coast Air Quality Management District</i>	14
2.2.1.6 <i>Ventura County Air Pollution Control District</i>	15
2.3 Colorado State Regulatory Review	15
2.4 Florida State Regulatory Review	16
2.5 Louisiana State Regulatory Review	17
2.6 Maryland State Regulatory Review	18
2.7 Mississippi State Regulatory Review	19
2.8 New Mexico State Regulatory Review	19
2.9 Ohio State Regulatory Review	19
2.10 Texas State Regulatory Review	20
2.10.1 <i>Draft Air Pollution Control Guidance Document</i>	20
2.10.2 <i>Proposed Ozone Designations Available for Comment</i>	20
2.11 Utah State Regulatory Review	21
2.12 Virginia State Regulatory Review	22

## Acronyms

AAC = Alabama Administrative Code	NAAQS = National Ambient Air Quality Standards
AAM = <i>Alabama Administrative Monthly</i>	NASA = National Aeronautics and Space Administration
AB32 = Assembly Bill 32	NFPA = National Fire Protection Association
AVAQMD = Antelope Valley Air Quality Management District	NMAC = New Mexico Administrative Code
BACT = Best available control technology	NMED = New Mexico Environment Department
BMAP = Basin Management Action Plan	NMF = National Marine Fisheries
CAA = Clean Air Act	NOx = Nitrogen oxide
CARB = California Air Resources Board	NPDES = National Pollutant Discharge Elimination System
CCR = <i>California Code of Regulations</i> ; also <i>Colorado Code of Regulations</i>	NRCS = Natural Resources Conservation Service
CDPHE = Colorado Department of Public Health and Environment	NSR = New Source Review
CEQA = California Environmental Quality Act	OEHHA = Office of Environmental Health Hazard Assessment
CFR = <i>Code of Federal Regulations</i>	PM = Particulate matter
chRD = Child-specific reference dose	PM2.5 = Particulate matter with an aerodynamic equivalent diameter of 2.5 microns or less
CRNR = <i>California Regulatory Notice Register</i>	ppmv = Parts per million by volume
DAR = Division of Administrative Rules	RACT = Reasonably available control technology
DARTIC = Developmental and Reproductive Toxicant Identification Committee	RCRA = Resource Conservation and Recovery Act
DTSC = Department of Toxic Substances Control	RIN = Regulatory Identification Number
EPA = U.S. Environmental Protection Agency	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
F.A.C. = Florida Administrative Code	SAR = Stock Assessment Reports
FAW = <i>Florida Administrative Weekly</i>	SCAQMD = South Coast Air Quality Management District
FDEP = Florida Department of Environmental Protection	SIP = State Implementation Plan
FR = <i>Federal Register</i>	SPCC = Spill Prevention, Control, and Countermeasures
GHG = Greenhouse gas	TAC = Texas Administrative Code
GHz = Gigahertz	TCEQ = Texas Commission on Environmental Quality
HW = Hazardous waste	TMDL = Total maximum daily load
IRIS = Integrated Risk Information System	TN = Total nitrogen
KSC = Kennedy Space Center	TSCA = Toxic Substances Control Act
LAC = Louisiana Administrative Code	TP = Total phosphorus
LDR = Land disposal restriction	UAC = Utah Administrative Code
MADL = Maximum allowable dose level	U.S. = United States
MAF = Michoud Assembly Facility	VAC = Virginia Administrative Code
MDAQMD = Mojave Desert Air Quality Management District	Va.R. = <i>Virginia Register</i>
MHz = Megahertz	VCAPCD = Ventura County Air Pollution Control District
MMbtu/hr = Million BTU per hour	VDEQ = Virginia Department of Environmental Quality
MSW = Municipal Solid Waste	VOC = Volatile organic compound
	WSTF = White Sands Test Facility

# 1.0 U.S. Federal Regulatory Review

## 1.1 Federal Register Summary

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

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08132010-1	Air GHGs–Biogenic Sources	08/02/2010	<a href="#">75 FR 45112</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>Call for Information: Information on Greenhouse Gas Emissions Associated With Bioenergy and Other Biogenic Sources</p> <p>Announces a revised Call for Information to solicit information and comments regarding approaches to accounting for GHG emissions from bioenergy and other biogenic sources. The original version <a href="#">[75 FR 41173, 07/15/2010]</a> contained an error in an item related to BACT on which EPA seeks comment. The revised document corrects both that text and a typographical error.</p>	
FED08132010-2	Air GHGs–Endangerment Finding	08/13/2010	<a href="#">75 FR 49555</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>EPA's Denial of the Petitions To Reconsider the Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act [40 CFR Chapter 1]</p> <p>Denies petitions to reconsider the endangerment and cause or contribute findings for GHGs (<a href="#">74 FR 66496, 12/15/2009</a>). Effective 07/29/2010.</p>	
FED08132010-3	Air GHGs–Reporting	08/11/2010	<a href="#">75 FR 48743</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Mandatory Reporting of Greenhouse Gases [40 CFR Part 98]</p> <p>Proposes to amend specific provisions in the GHG reporting rule; revises the following:</p> <ul style="list-style-type: none"> <li>▪ Record-keeping requirements for missing data events</li> <li>▪ Requirements for correction and resubmission of annual reports</li> <li>▪ Calibration accuracy requirements for measurement devices</li> <li>▪ Reporting requirements for 11 categories of facilities</li> </ul> <p>Comments due 09/27/2010. [RIN 2060-AQ33]</p> <p><a href="#">Further information about the GHG Mandatory Reporting Rule is posted on EPA's website.</a></p>	<p><a href="#">NASA facilities</a> should be aware of the proposed changes.</p>

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08132010-4	Air NAAQS-PM	08/06/2010	<a href="#">75 FR 47595</a>	Notice	<p>U.S. Environmental Protection Agency Science Advisory Board Staff Office: Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee Particulate Matter Review Panel</p> <p>Announces a <a href="#">public teleconference</a> of the <a href="#">Clean Air Scientific Advisory Committee</a> Particulate Matter Review Panel to discuss its draft letter on the Policy Assessment for the Review of Particulate Matter National Ambient Air Quality Standards—Second External Review Draft. Teleconference to be held 08/25/2010.</p>	
FED08132010-5	Commercial Space Transportation	08/02/2010	<a href="#">75 FR 45196</a>	Notice	<p>Federal Aviation Administration, Office of Commercial Space Transportation</p> <p>Notice of Availability of the Final Supplemental Environmental Assessment and Finding of No Significant Impact to the September 2008 Environmental Assessment for Space Florida Launch Site Operator License, Brevard County, Florida</p> <p>Announces availability of the Final Supplemental Environmental Assessment and Finding of No Significant Impact to the September 2008 Environmental Assessment for Space Florida Launch Site Operator License. Under the Proposed Action, Space Florida would be issued a Launch Site Operator License to operate a commercial space launch site at Launch Complex 36 and Launch Complex 46 at Cape Canaveral Air Force Station. License would allow Space Florida to support vertical launches of both solid and liquid propellant launch vehicles from the launch complexes. The Final Supplemental Environmental Assessment and Finding of No Significant Impact are available on the Office of Commercial Space Transportation <a href="#">website</a>.</p>	
FED08132010-6	Communications	08/02/2010	<a href="#">75 FR 45058</a>	Final Rule	<p>Federal Communications Commission</p> <p>Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band</p> <p>Amends rules to enable the deployment of mobile broadband services in the Wireless Communications Services while limiting the potential for harmful interference to satellite radio users, aeronautical mobile telemetry operations, and the Deep Space Network research facility in Goldstone, California. Effective 09/01/2010.</p>	
FED08132010-7	Nanomaterials	08/13/2010	<a href="#">75 FR 49487</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>Nanomaterial Case Study: Nanoscale Silver in Disinfectant Spray</p> <p>Announces public comment period for the draft document, <a href="#">Nanomaterial Case Study: Nanoscale Silver in Disinfectant Spray</a>. Comments due 09/27/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08132010-8	Natural Resources Conservation Practices	08/04/2010	<a href="#">75 FR 46903</a>	Notice	<p>Natural Resources Conservation Service</p> <p>Notice of Proposed Changes to the National Handbook of Conservation Practices for the Natural Resources Conservation Service</p> <hr/> <p>Notice of intent to issue a series of revised conservation practice standards in the <a href="#">National Handbook of Conservation Practices</a>. These standards include the following:</p> <ul style="list-style-type: none"> <li>▪ Channel Bed Stabilization (Code 584)</li> <li>▪ Dust Control From Animal Activity on Open Lot Surfaces (Code 375)</li> <li>▪ Karst Sinkhole Treatment (Code 527)</li> <li>▪ Lined Waterway or Outlet (Code 468)</li> <li>▪ Monitoring Well (Code 353)</li> <li>▪ On-Farm Equipment Efficiency Improvement (Code 374)</li> <li>▪ Pond Sealing or Lining-Bentonite Treatment (Code 521C)</li> <li>▪ Pond Sealing or Lining-Compacted Clay Treatment (Code 521D)</li> <li>▪ Pond Sealing or Lining-Soil Dispersant Treatment (Code 521B)</li> <li>▪ Salinity and Sodic Soil Management (Code 610)</li> <li>▪ Stream Habitat Improvement and Management (Code 395)</li> <li>▪ Vertical Drain (Code 630)</li> <li>▪ Water Well (Code 642)</li> <li>▪ Water Well Decommissioning (Code 351)</li> <li>▪ Well Water Testing (Code 355)</li> </ul> <p>The standards are used by NRCS state offices to develop state conservation practice standards. These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland. Comments due 09/03/2010.</p>	
FED08132010-9	Nuclear Radioactive Material	08/06/2010	<a href="#">75 FR 47494</a>	Notice	<p>Nuclear Regulatory Commission</p> <p>Implementation Guidance for Physical Protection of Byproduct Material; Category 1 and Category 2 Quantities of Radioactive Material; Meeting [10 CFR Part 37]</p> <hr/> <p>Announces two public meetings regarding draft guidance (<a href="#">75 FR 40756</a>, 07/14/2010) on proposed amendments to establish security requirements for the use and transport of Category 1 and Category 2 quantities of radioactive material. Meetings to be held 09/01/2010 in Austin, Texas, and 09/10/2010 in Rockville, Maryland. [RIN 3150-AI12]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08132010-10	Occupational Safety Cranes and Derricks in Construction	08/09/2010	<a href="#">75 FR 47905</a>	Final Rule	Occupational Safety and Health Administration Cranes and Derricks in Construction [29 CFR Part 1926]  Revises the Cranes and Derricks in Construction Standard and related sections. Addresses advances in the designs of cranes and derricks, related hazards, and qualifications of employees needed to operate them safely. Requires that employers determine whether the ground is sufficient to support the anticipated weight of hoisting equipment and associated loads. Also requires employer to assess hazards within the work zone that would affect the safe operation of hoisting equipment, such as those of power lines and objects or personnel who would be within the work zone or swing radius of the hoisting equipment. Requires that the employer ensure that the equipment is in safe operating condition via required inspections and that employees in the work zone are trained to recognize hazards associated with the use of the equipment and any related duties they are assigned to perform. Effective 11/08/2010. [RIN 1218-AC01]	
FED08132010-11	Species	08/04/2010	<a href="#">75 FR 47025</a>	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Initiation of 5-Year Reviews of Five Listed Species: Delmarva Peninsula Fox Squirrel, Northeastern Bulrush, Furbish Lousewort, Chittenango Ovate Amber Snail, and Virginia Round-Leaf Birch  Announces initiation of 5-year reviews for the following listed species: <ul style="list-style-type: none"> <li>▪ Delmarva Peninsula fox squirrel</li> <li>▪ Northeastern bulrush</li> <li>▪ Furbish lousewort</li> <li>▪ Chittenango ovate amber snail</li> <li>▪ Virginia round-leaf birch</li> </ul> Comments due 10/04/2010.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08132010-12	Species Mexican Gray Wolf	08/04/2010	<a href="#">75 FR 46894</a>	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Mexican Gray Wolf as an Endangered Subspecies With Critical Habitat [50 CFR Part 17]</p> <p>Announces a 90-day finding on two petitions to list the Mexican gray wolf as an endangered subspecies and to designate critical habitat. Although not listed as a subspecies, the Mexican wolf currently is listed as endangered within the broader listing of gray wolves. Finding is that reclassifying the Mexican wolf as a separate subspecies may be warranted. Initiates a review of the status of the Mexican wolf subspecies to determine if listing the Mexican wolf as a subspecies or Distinct Population Segment is warranted. Comments due 10/04/2010.</p>	
FED08132010-13	Toxic Substances Hexachloroethane	08/02/2010	<a href="#">75 FR 45112</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>Draft Toxicological Review of Hexachloroethane: In Support of Summary Information on the Integrated Risk Information System</p> <p>Announces an external peer review workshop to review the draft human health assessment titled, "<a href="#">Toxicological Review of Hexachloroethane: In Support of Summary Information on the Integrated Risk Information System (IRIS)</a>." Workshop to be held 09/21/2010 in Arlington, Virginia.</p>	
FED08132010-14	Toxic Substances TSCA	08/13/2010	<a href="#">75 FR 49655</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>TSCA Inventory Update Reporting Modifications; Proposed Rule</p> <p>Proposes to amend the TSCA Inventory Update Reporting rule to require electronic reporting of information and to modify reporting requirements, including circumstances that trigger reporting, the specific data to be reported, the reporting standard for processing and use of information, and Confidential Business Information reporting procedures. Comments due 10/12/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED08132010-15	Water Oceans, Coasts, and Great Lakes	08/03/2010	<a href="#">75 FR 45606</a>	Notice	<p>Council on Environmental Quality, Interagency Ocean Policy Task Force</p> <p>Final Recommendations of the Interagency Ocean Policy Task Force</p> <p>Notice of availability of Task Force final recommendations related to the following:</p> <ul style="list-style-type: none"> <li>▪ National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes</li> <li>▪ Strengthened governance structure to provide sustained, high-level, and coordinated attention to ocean, coastal, and Great Lakes' issues</li> <li>▪ Implementation strategy that identifies and prioritizes nine categories for action</li> <li>▪ Framework for effective coastal and marine spatial planning that establishes a comprehensive, integrated, ecosystem-based approach to address conservation; economic activity; user conflict; and sustainable use of ocean, coastal, and Great Lakes resources</li> </ul> <p>The <a href="#">recommendations</a> are available on the <a href="#">National Ocean Council website</a>.</p>	
FED08132010-16	Water SPCC	08/03/2010	<a href="#">75 FR 45572</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure Rule—Proposed Amendments [40 CFR Part 112]</p> <p>Proposes to extend by 1 year, to 11/10/2011, the date by which certain facilities must prepare or amend and implement their SPCC Plans. Proposal would not extend the compliance date for drilling, production, and workover facilities that are offshore or that have an offshore component, or for onshore facilities required to submit Facility Response Plans. Comments due 08/18/2010. [RIN 2050-AG59]</p> <p><a href="#">A regulatory alert on this topic is available on the RRAC PC website.</a></p>	

## 1.2 Other News and Developments

### 1.2.1 EPA Issues Two Proposed Rules for the GHG Tailoring Rule

On 12 August 2010, EPA issued prepublication versions of two proposed rules related to state implementation of the GHG Tailoring Rule. Beginning in 2011, the Tailoring Rule requires facilities to obtain air permits for large projects expected to substantially increase the facilities' GHG emissions.

In the first rule, [Finding of Substantial Inadequacy and SIP Call](#), EPA proposes to require permitting programs in 13 states to make changes to their SIPs to ensure that GHG emissions will be included. All other states that implement an EPA-approved air permitting program must review their existing permitting authority and inform EPA if their programs do not address GHG emissions.

Some states may not be able to develop and submit revisions to their plans before the Tailoring Rule becomes effective in 2011. EPA developed the second proposed rule to address those cases. The [Federal Implementation Plan](#) proposed rule would allow EPA to issue permits to facilities in states that will not have revised SIPs in place by 2011. This would be a temporary measure until the states can revise their SIPs to include GHGs in their permitting requirements and resume permitting responsibilities.

EPA will accept comments about the first proposal for updated SIPs for 30 days after publication in the *Federal Register*. EPA has scheduled a [hearing on the proposal for the federal implementation plans](#) on 25 August 2010 in Arlington, Virginia, and will accept comments for 30 days after the hearing. EPA anticipates finalizing these rules before 2 January 2011, the date when GHG permitting requirements will be effective. Additional information is available on EPA's [website](#).

### 1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 1 September
- 22 September
- 13 October
- 24 November
- 15 December

## 2.0 State Regulatory Reviews

The following sections provide details about 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
AL08132010-1	Waste Solid Waste	07/30/2010	<a href="#">AAM Vol. XXVII, No. 10, pp. 450</a>	Final Rule	Alabama Department of Environmental Management Solid Waste Program [AAC 335-13] Final rule amends the following chapters: <ul style="list-style-type: none"> <li>335-13-1 General Provisions: Changes and adds to the definitions included in the Solid Wastes &amp; Recyclable Materials Management Act and clarifies existing requirements regarding the closure of unauthorized solid waste dumps.</li> <li>335-13-3 Processing and Recycling: Establishes the registration, record-keeping, reporting, facility design, and operational requirements necessary for facilities engaged in the receipt, storage, and processing of recyclable materials at the point where these materials initially are diverted from the solid waste stream.</li> </ul> Effective 06/28/2010.	
AL08132010-2	Water NPDES Permits	07/30/2010	<a href="#">AAM Vol. XXVII, No. 10, pp. 450</a>	Final Rule	Alabama Department of Environmental Management Water Quality Program, National Pollutant Discharge Elimination System [AAC 335 6-6] Revises the Notice of Intent provisions for 335-6-6-23 General Permits under the NPDES program that are necessary for consistency with 40 CFR 122.28. Effective 06/28/2010.	

### 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
CA08132010-1	Hazardous Waste LDR	08/06/2010	<a href="#">CRNR 2010, 32z, p. 1219</a>	Notice	Department of Toxic Substances Control Land Disposal Restriction Regulations [22 CCR 66261.3, 66261.4, 66268.1, 66268.7, 66268.9, and 66268.124] Modifies DTSC's RCRA hazardous waste regulations by revising technical terms for clarity, correcting typographical errors, and making the regulations consistent with federal requirements.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA08132010-2	Occupational Safety	08/06/2010	<a href="#">CRNR 2010. 32z, p. 1219</a>	Final Rule	Occupational Safety and Health Standards Board Loading of Explosive Materials [8 CCR 5278] Prohibits anyone except specified personnel from being allowed within 50 feet of a loaded hole. Effective 08/21/2010.	
CA08132010-3	Proposition 65 Chromium	08/13/2010	<a href="#">CRNR 2010. 33z, p.1260</a>	Proposed Rule	Office of Environmental Health Hazard Assessment Specific Regulatory Level Having a Maximum Allowable Dose Level (MADL) for Chromium (Hexavalent Compounds) [27 CCR 25805] Proposes to establish a specific regulatory level having an MADL for chromium (hexavalent compounds). Further information is available on OEHHA's <a href="#">website</a> . Comments due 09/27/2010.	
CA08132010-4	Proposition 65 Methyl Isocyanate	08/13/2010	<a href="#">CRNR 2010. 33z, p.1269</a>	Notice	Office of Environmental Health Hazard Assessment Availability of Hazard Identification Materials for Methyl Isocyanate Announces updated information on this rulemaking, including availability of the hazard identification document, <a href="#">Evidence on the Developmental and Reproductive Toxicity of Methyl Isocyanate</a> . Also notes the following changes: <ul style="list-style-type: none"> <li>▪ The review of documents related to sulfur dioxide and consideration of its listing under Proposition 65 have been postponed.</li> <li>▪ The Committee will meet on 10/21/2010; the meeting on 10/20/2010 has been cancelled.</li> </ul> Comments due 09/28/2010.	
CA08132010-5	Proposition 65 S,S,S-Tribufos	08/13/2010	<a href="#">CRNR 2010. 33z, p.1268</a>	Proposed Rule	Office of Environmental Health Hazard Assessment Notice of Intent to List S,S,S-Tributyl Phosphorothioate [27 CCR 25306 (d), (e), (f), and (m)] Proposal to list S,S,S-Tributyl Phosphorothioate as a carcinogen under Proposition 65. Further information is available on OEHHA's <a href="#">website</a> . Comments due 09/13/2010.	
CA08132010-6	Species	08/04/2010	<a href="#">75 FR 46912</a>	Notice	National Marine Fisheries Service, National Oceanic and Atmospheric Administration Draft 2010 Marine Mammal Stock Assessment Reports Announces availability of draft revisions to the Pacific regional marine mammal <a href="#">SARs</a> . Comments due 11/02/2010.	
CA08132010-7	Species	08/10/2010	<a href="#">75 FR 48294</a>	Notice of Petition Finding and Initiation of Status Review	U.S. Fish and Wildlife Service, Department of Interior Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition to List <i>Arctostaphylos franciscana</i> as Endangered with Critical Habitat Announces a 90-day finding on a petition to list Franciscan manzanita as endangered and to designate critical habitat. The finding is that listing may be warranted. Requests scientific and commercial data and other information regarding this species by 10/12/2010.	

## 2.2.1 California Air Districts Regulatory Review

### 2.2.1.1 Antelope Valley Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA-related operations in the [Antelope Valley Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAA08132010-1	Air Permits	08/05/2010	<a href="#">Public Notice</a> , AVAQMD website	Notice	Antelope Valley Air Quality Management District Equipment Not Requiring a Permit [Regulation II, Rule 219]  A <a href="#">board meeting</a> is scheduled on 08/17/2010 in Lancaster, CA to set a public hearing date of 10/19/2010 to consider amendments that will remove some of the exemptions currently allowed for agricultural sites.	

### 2.2.1.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

### 2.2.1.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

### 2.2.1.4 Mojave Desert Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA-related operations in the [Mojave Desert Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAM08132010-1	Air Permits	05/11/2010	<a href="#">Public Notice</a> , MDAQMD Website	Proposed Rule	Mojave Desert Air Quality Management District Equipment Not Requiring a Permit [Regulation II, Rule 219]  Proposes to remove some of the exemptions currently allowed for agricultural sites. Also proposes to exempt from permitting negligibly emitting fuel cells, described in the proposed rule as those fuel cells using phosphoric acid, molten carbonate, proton exchange, membrane or solid oxide technologies. A <a href="#">board meeting</a> to consider adoption of the proposed amendments is scheduled for 08/23/2010 in Victorville, California.	

### 2.2.1.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA-related operations in [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS08132010-1	Air Landfills	08/01/2010	<a href="#">Public Notice</a> , SCAQMD Website	Proposed Rule	South Coast Air Quality Management District Control of Emissions from MSW Landfills [Rule 1150.1]  Proposes to make consistent with CARB ( <a href="#">CCR Title 17</a> ) emission control requirements adopted under AB32 early action measure that would do the following: <ul style="list-style-type: none"> <li>▪ Lower methane emissions limits from 50 to 25 ppmv</li> <li>▪ Update operating standards for controls</li> <li>▪ Streamline record-keeping and reporting requirements</li> <li>▪ Address administrative changes</li> </ul> The <a href="#">proposed rule</a> defines "municipal solid waste landfill" as "an entire disposal facility in a contiguous geographical space where solid waste is placed in or on land." A board hearing is scheduled to consider adoption of this rule on 09/10/2010 in Diamond Bar, California. Comment period ended 07/07/2010.	
CAS08132010-2	Air NSR-Toxic Air Contaminants	08/04/2010	<a href="#">Public Notice</a> , SCAQMD Website	Notice	South Coast Air Quality Management District New Source Review of Toxic Air Contaminants [Rule 1401]  Announces a public hearing to consider adoption of proposed amendments that would add or revise chronic and acute health risk values for the following substances: <ul style="list-style-type: none"> <li>▪ Acetaldehyde</li> <li>▪ Acrolein</li> <li>▪ Arsenic</li> <li>▪ Fluorides</li> <li>▪ Formaldehyde</li> <li>▪ Manganese</li> <li>▪ Mercury</li> </ul> Further information is available on the rulemaking <a href="#">website</a> . A public hearing is scheduled for 09/10/2010 in Diamond Bar, California. Comments due 08/31/2010.	
CAS08132010-3	Air SIP-NOx	08/04/2010	<a href="#">75 FR 46845</a>	Final Rule	U.S. Environmental Protection Agency  Revisions to the California State Implementation Plan, South Coast Air Quality Management District [40 CFR 52]  Revises the SCAQMD portion of the California SIP concerning NO <sub>x</sub> emissions from natural gas-fired, fan-type central furnaces and other miscellaneous NO <sub>x</sub> sources. Effective 10/04/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS08132010-4	Air Surface Coatings	08/10/2010	<a href="#">Public Notice</a> , SCAQMD Website	Notice	South Coast Air Quality Management District Architectural and Industrial Maintenance Coatings [Rule 1113] Announces a working group meeting to discuss proposed changes to Rule 1113. Among the changes being considered are: <ul style="list-style-type: none"> <li>▪ Modification of applicability</li> <li>▪ Changes to definitions</li> <li>▪ Revision of coating categories and requirements</li> <li>▪ Changes in VOC calculations</li> </ul> The working group meeting is scheduled for 09/16/2010. Further information, including a <a href="#">briefing</a> with details on amendments being considered, is available on the rule development <a href="#">website</a> .	

### 2.2.1.6 Ventura County Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA-related operations in the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV08132010-1	Air SIP-RACT	07/29/2010	<a href="#">Public Notice</a> , VCAPCD Website	Notice	Ventura County Air Pollution Control District Draft 2009 RACT SIP The draft <a href="#">2009 RACT SIP</a> is available for public review. The 2009 RACT SIP has been developed to meet CAA requirements for nonattainment areas under the NAAQS for ozone. No new control measures or District Rule changes are proposed. A public hearing is scheduled for 09/15/2010 in Ventura, California. Comments due 09/09/2010.	

## 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
CO08132010-1	Air GHGs	08/10/2010	<a href="#">CO Register</a> Vol. 33, No. 16	Proposed Rule	Colorado Department of Public Health and Environment, Air Quality Control Commission Common Provisions Regulation [5 CCR 1001-2] Proposes <a href="#">revisions</a> to the Common Provisions [5 CCR 1001-2] related to implementation of the federal GHG Tailoring Rule. Public hearing is scheduled for 10/21/2010 at CDPHE in Denver, Colorado.	
CO08132010-2	Air GHGs-Permitting	08/10/2010	<a href="#">CO Register</a> Vol. 33, No. 16	Proposed Rule	Colorado Department of Public Health and Environment, Air Quality Control Commission Stationary Source Permitting and Air Pollutant Emission Notice Requirements [5 CCR 1001-5, Regulation #3] Proposes <a href="#">revisions</a> to implement the federal GHG Tailoring Rule. Public hearing is scheduled for 10/21/2010 at CDPHE in Denver, Colorado.	

## 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
FL08132010-1	Water Drinking Water	08/13/2010	<a href="#">FAW Notice #8965242</a>	Notice Withdrawal	Florida Department of Environmental Protection Drinking Water Standards--Control of Lead and Copper [F.A.C. 62-550.800]  Withdraws proposed amendments ( <a href="#">FAW Notice #8222416</a> , 05/04/2010) intended to strengthen implementation of the Lead and Copper Rule for monitoring, treatment processes, public education, customer awareness, and lead service line replacement in the public drinking water supply.	<a href="#">KSC</a> should be aware of these changes for non-transient, non-community water systems.
FL08132010-2	Water Drinking Water	08/13/2010	<a href="#">FAW Notice #8976009</a>	Proposed Rule	Florida Department of Environmental Protection Drinking Water Standards--Control of Lead and Copper [F.A.C. 62-550.800]  Proposes to adopt the Short Term Rule Revisions in 40 CFR 141, Subpart I-Control of Lead and Copper, as required by EPA, for FDEP's public water system supervision program. Amendments are intended to strengthen implementation of the Lead and Copper Rule for monitoring, treatment processes, public education, customer awareness, and lead service line replacement. The major changes in the federal Short Term Rule Revisions include the following: <ul style="list-style-type: none"> <li>▪ Clarified minimum number of lead and copper tap samples required and alternative sampling schedule for systems collecting minimum number of samples</li> <li>▪ Clarified timing of actions following an action level exceedance including timing of public education requirements and water quality parameter monitoring</li> <li>▪ Modified requirements for systems on a reduced monitoring schedule to include: <ul style="list-style-type: none"> <li>▪ meeting both the optimal water quality parameters and the lead and copper action levels</li> <li>▪ advance notification to the state of any long-term change in water treatment or addition of a new source of water</li> </ul> </li> <li>▪ Added requirement to notify occupants of homes and buildings participating in a system's monitoring program of their tap sampling results</li> <li>▪ Revised public notification message content, delivery, and timing</li> <li>▪ Modified Consumer Confidence Report requirements</li> <li>▪ Modified methodology for testing lead service lines</li> </ul> Comments due 09/03/2010.	<a href="#">KSC</a> should be aware of this change for non-transient, non-community water systems.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL08132010-3	Water Nutrients	08/06/2010	<a href="#">FAW Notice #8953214</a>	Notice Meeting	Florida Department of Environmental Protection, Bureau of Assessment and Restoration Support  Nutrient Criteria for Estuaries and Coastal Areas  Announces meetings to discuss a draft report that summarizes available information and presents proposed approaches for development of numeric nutrient criteria for estuaries and coastal areas, including Ponte Vedra Beach (Indian River Lagoon to St. Marys River Estuary). Further information will be posted to the <a href="#">FDEP website</a> . A series of meetings is scheduled, including a meeting on 08/31 and 09/01/2010 in West Palm Beach, Florida.	
FL08132010-4	Water Nutrients	08/03/2010	<a href="#">75 FR 45579</a>	Notice	U.S. Environmental Protection Agency  Water Quality Standards for the State of Florida's Lakes and Flowing Waters; Supplemental Notice of Data Availability and Request for Comment  Provides a supplemental notice of data availability and request for comments related to <a href="#">75 FR 4173</a> , which proposed numeric nutrient water quality criteria for certain Florida waters and classified Florida's streams into four regions for application of TN and TP criteria. Solicits comments on the following: <ul style="list-style-type: none"> <li>Revised stream region boundaries based on additional information about watershed delineations and phosphorus-rich geological formations in Florida</li> <li>TN and TP criteria for the nutrient watershed regions on a combination of the 75th and 90th percentile values (depending on regions) of the benchmark sites outlined in the alternate approach at proposal</li> <li>Revised calculation methods for deriving both TP and TN criteria to protect downstream lakes</li> </ul> Comments due 09/02/2010.	

## 2.5 Louisiana State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA08132010-1	Administration Amendments and Corrections	08/20/2010	<a href="#">MM013</a>	Proposed Rule	Louisiana Department of Environmental Quality  Miscellaneous Amendments and Corrections [LAC 33:1.903, 1905, 1909, 1911, 3925; III.502; V.109, 4489, 4901; VII.303; and XV.588]  Proposes to correct administrative errors and add clarifying language in State Environmental Quality regulations. Public hearing will be held 09/28/2010 in Baton Rouge, Louisiana. Comments due 10/05/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA08132010-2	Air VOCs	08/20/2010	<a href="#">AQ307</a>	Final Rule	Louisiana Department of Environmental Quality Organic Solvents and Solvent Degreasers [LAC 33:III.111 and 2123] Updates and adds new emission limitations and control technique efficiency requirements for organic solvent and solvent degreaser VOC emissions. It also adds definitions to the general provisions to clarify letterpress and lithographic printing process terms. Effective 08/20/2010.	<b>MAF</b> should be aware of the revisions.
LA08132010-3	RCRA Hazardous Waste	08/05/2010	<a href="#">75 FR 47223</a>	Final Rule	U.S. Environmental Protection Agency Final Authorization of State-Initiated Changes and Incorporation by Reference of Approved State Hazardous Waste Management Program [40 CFR Parts 271 and 272] Authorizes state-initiated changes to the Louisiana Hazardous Waste Management Program and corrects previous technical errors. Codifies in the regulations the prior approval of Louisiana's hazardous waste management program and incorporates by reference authorized provisions of the state's statutes and regulations. Effective 10/04/2010.	
LA08132010-4	Water Spill Prevention and Control	08/20/2010	<a href="#">WQ079</a>	Final Rule	Louisiana Department of Environmental Quality Spill Prevention and Control [LAC 33:IX.901, 903, 905, and 907] Finalizes the following amendments to the subject rule: <ul style="list-style-type: none"> <li>▪ Increases the minimum container volume for applicability of spill prevention provisions from 660 gallons to 1,320 gallons.</li> <li>▪ Establishes a <i>de minimus</i> container size for aggregate container applicability that excludes containers smaller than 55 gallons of oil from consideration.</li> <li>▪ Increases the interval between operators' required reviews of spill prevention plans from 3 to 5 years.</li> <li>▪ Implements minor administrative corrections and updates.</li> </ul> Effective 08/20/2010.	<b>MAF</b> should consider reviewing the regulation to evaluate potential impacts.

## 2.6 Maryland State Regulatory Review

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

## 2.7 Mississippi State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS08132010-1	Administration	07/29/2010	Mississippi Administrative Bulletin #17173, <a href="#">Notice</a>	Proposed Rule	Mississippi Department of Environmental Quality Mississippi Hazardous Waste Management Regulations (HW-1) Proposes <a href="#">amendments</a> to postpone the effective date of the rule for organic emission standards for tanks, surface impoundments, and containers; incorporate by reference federal regulations regarding transboundary movement of spent lead acid batteries; and make technical corrections. A public hearing will be held on 09/15/2010 in Jackson, Mississippi. Comments due 09/15/2010.	

## 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
NM08132010-1	Air SIP	08/12/2010	<a href="#">75 FR 48860</a>	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Revisions to Emissions Inventory Reporting Requirements, and General Provisions; [40 CFR Part 52] Announces approval of the following revisions to the New Mexico SIP: <ul style="list-style-type: none"> <li>▪ Revisions to regulations on emission inventories submitted by stationary sources of air pollutants, including the following: <ul style="list-style-type: none"> <li>▪ New and modified definitions</li> <li>▪ Requirements for stationary sources outside of Bernalillo County to report emissions location information, PM2.5 emissions, and ammonia emissions</li> <li>▪ Allows NMED to require speciation of hazardous air pollutants for emissions reporting</li> </ul> </li> <li>▪ Revisions to the General Provisions [20.2.1 NMAC] adding a new definition for Significant Figures into the New Mexico SIP Effective 10/12/2010.</li> </ul>	<b>WSTF</b> should be aware of the SIP revisions.

## 2.9 Ohio State Regulatory Review

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

## 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
TX08132010-1	Air Storage Tanks and Transport Vessels	08/13/2010	<a href="#">35 TexReg 6976</a>	Proposed Rules	<p>Texas Commission on Environmental Quality Control of Air Pollution from Volatile Organic Compounds, Miscellaneous Industrial Sources [30 TAC 115 Subchapter F]</p> <p>Proposes amendments to rules that regulate the degassing or cleaning of storage tanks, transport vessels, and marine vessels. Proposes to clarify the degassing and cleaning rule requirements; provide additional flexibility by allowing for the use of alternative control options; and facilitate rule enforcement. Public hearings to be held 09/07/2010 in Austin, Texas, 09/08/2010 in Houston, Texas, and 09/09/2010 in Fort Worth, Texas. Comments due 09/13/2010.</p> <p><b>Current rules apply in the Houston-Galveston-Brazoria ozone nonattainment area. Rules also apply in El Paso County as contingency measures that could become effective if TCEQ determines that the rules are necessary to comply with federal air quality standards.</b></p>	
TX08132010-2	Water Water Quality Management Plan	8/06/2010	<a href="#">35 TexReg 6853</a>	Notice	<p>Texas Commission on Environmental Quality Notice of Availability of the Draft July 2010 Update to the Water Quality Management Plan</p> <p>Announces the availability of the draft <a href="#">July 2010 Update</a> to the <a href="#">Water Quality Management Plan for the State of Texas</a>. Comments due 09/07/2010.</p>	

### 2.10.1 Draft Air Pollution Control Guidance Document

TCEQ recently announced availability of a draft Air Pollution Control guidance document. This document will provide permit reviewers with a process to evaluate and determine air pollution control requirements and will outline general guidance about responsibilities, format, content, and quality assurance for case-by-case permit reviews. Although it focuses on the technical review process and BACT, the document is available to the regulated community and the public to provide an understanding of air pollution control requirements and processes that affect air permit applications. Comments on the document may be submitted until 10 September 2010. More information, including the draft document, is available on the [TCEQ website](#).

### 2.10.2 Proposed Ozone Designations Available for Comment

TCEQ is accepting comments regarding the proposed 2010 Ozone Designations through 3 September 2010. More information about the proposed designations is available on [TCEQ's website](#).

## 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
UT08132010-1	Fire Safety	08/01/2010	<a href="#">UT Bull. Vol. 2010-15: DAR File No. 33838</a>	Proposed Rule	Office of the State Fire Marshal; Department of Public Safety  Liquefied Petroleum Gas Rules [UAC R710-6]  Revises UAC R710-6-1(1.4) to reference International Fire Codes, 2009 Edition; deletes text in UAC R710-6-8(8.5.4) that no longer applies; and revises UAC R710-6-8(8.5.4) to define "temporary" as 1 year in length for liquefied petroleum gas containers that are no longer in use. Comments due 08/31/2010.	
UT08132010-2	Fire Safety	08/01/2010	<a href="#">UT Bull. Vol. 2010-15: DAR File No. 33839</a>	Proposed Rule	Office of the State Fire Marshal; Department of Public Safety  Automatic Fire Sprinkler System Inspecting and Testing [UAC R710-5]  Proposed rule would incorporate the following changes: <ul style="list-style-type: none"> <li>▪ Add the statutory reference included in UAC R710-5-3(3.1) to rule text.</li> <li>▪ Correct incorporated reference that mistakenly interchanges definitions on two referenced sections in UAC R710-5-6(6.2) and (6.3).</li> <li>▪ Create a 3- and 5-year inspection label to be attached to sprinkler risers so that the last inspection date is readily available.</li> <li>▪ Require that the inspection form presented in the NFPA 25 be used as the approved inspection form or allow industry to use another inspection form if it adequately covers the requirements in NFPA 25 and is approved by the state fire marshal.</li> <li>▪ Require copies of the inspection forms be placed in waterproof containers and affixed to sprinkler risers.</li> </ul> Comments due 08/31/2010.	
UT08132010-3	Fire Safety	08/01/2010	<a href="#">UT Bull. Vol. 2010-15: DAR File No. 33840</a>	Proposed Rule	Office of the State Fire Marshal; Department of Public Safety  Buildings Under the Jurisdiction of the State Fire Prevention Board [UAC R710-4]  Proposed rule would revise UAC R710-4-1(1.1) to incorporate by reference NFPA 101, Life Safety Code, 2009 Edition, and remove four incorporated references in UAC R710-4-1(1.2 through 1.5) that have been enacted and amended by the Utah State Legislature through passage of the <a href="#">Utah State Fire Code Adoption Act of 2010</a> . Comments due 08/31/2010.	

## 2.12 Virginia State Regulatory Review

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

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA08132010-1	Air SIP	08/02/2010	<a href="#">26:24</a> <a href="#">Va.R. 2807</a>	Notice	Virginia Department of Environmental Quality State Implementation Plan Amendments [40 CFR Part51] Solicits comments on whether the following amendments, previously adopted by the State Air Pollution Control Board, should be proposed to EPA as revisions to the SIP: <ul style="list-style-type: none"> <li>▪ General Definitions [9VAC5-10]</li> <li>▪ Documents incorporated by reference [9VAC5-20-21]</li> <li>▪ Ambient Air Quality Standards [9VAC5-30]</li> <li>▪ Existing Stationary Sources [9VAC5-40, Article 51]</li> <li>▪ Permits for Stationary Sources [9VAC5-80, Articles 8 and 9]</li> <li>▪ Open Burning [9VAC5-130]</li> <li>▪ Emissions Trading [9VAC5-140]</li> </ul> Further information is posted on VDEQ's <a href="#">website</a> . Comments due 09/03/2010.	
VA08132010-2	Energy Solar	08/02/2010	<a href="#">26:24</a> <a href="#">Va.R. 2783</a>	Proposed Rule	Virginia Department of Environmental Quality Small Solar Renewable Energy Projects Permit Regulation [9VAC15-60] Proposes a permit-by-rule regulation for small solar renewable energy projects. Comments due 09/01/2010.	
VA08132010-3	Energy Wind	08/02/2010	<a href="#">26:24</a> <a href="#">Va.R. 2783</a>	Proposed Rule	Virginia Department of Environmental Quality Small Renewable Offshore Wind Energy Projects Permit Regulation [9VAC15-50] Proposes a permit-by-rule regulation for small offshore renewable wind energy projects. Comments due 09/01/2010.	