



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

26 August 2011

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 "76 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	NASA = National Aeronautics and Space Administration
AF = Alternative fuel	NEMA = National Electrical Manufacturers Association
AST = Office of Commercial Space Transportation	NEPA = National Environmental Protection Act
BP = BioPreferred	NESHAP = National Emission Standards for Hazardous Air Pollutants
CAA = Clean Air Act	NMAC = New Mexico Administrative Code
CARB = California Air Resources Board	NO ₂ = Nitrogen dioxide
CBI = Confidential business information	NPDES = National Pollutant Discharge Elimination System
CBSA = Core based statistical area	NPS = National Park Service
CCAFS = Cape Canaveral Air Force Station Florida	NSPS = New Source Performance Standards
CCR = <i>California Code of Regulations</i>	NSR = New Source Review
CFR = <i>Code of Federal Regulations</i>	OAC = Ohio Administrative Code
CO = Carbon monoxide	OEPA = Ohio Environmental Protection Agency
COMAR = <i>Code of Maryland Regulations</i>	PM ₁₀ = Particulate matter less than 2.5 micrometers
CRNR = California Regulatory Notice Register	PPE = Personal protective equipment
CTG = Control Technologies Guideline	ppm = Parts per million
CUP = Consumptive use permit	PTC = Positive train control
DAPC = Division of Air Pollution Control	R = Recycled contents
DEIS/GMP = Draft Environmental Impact Statement/General Management Plan	RACT = Reasonable available control technology
DOE = U.S. Department of Energy	RCRA = Resource Conservation and Recovery Act
DPS = Distinct population segment	RIN = Regulatory Identification Number
EA = Environmental Assessment	RMP = Risk Management Plan
e-GGRT = Greenhouse Gas Reporting Tool	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	SB = Senate Bill
EPCRA = Emergency Planning and Community Right-to- Know Act	SCAQMD = South Coast Air Quality Management District
ES = Energy Star	SEIS = Supplemental Environmental Impact Statement
ESA = Endangered Species Act	SIP = State Implementation Plan
ESU = Evolutionarily significant unit	SJRWMD = St. Johns River Water Management District
F.A.C. = Florida Administrative Code	SNAP = Significant New Alternatives Policy
FAW = <i>Florida Administrative Weekly</i>	SPCC = Spill Prevention, Control and Countermeasure
FED = Functional Equivalent Document	SWRCB = State Water Resources Control Board
FEMP = Federal Energy Management Program	TCEQ = Texas Commission on Environmental Quality
FR = <i>Federal Register</i>	TRI = Toxic Release Inventory
FWS = U.S. Fish and Wildlife Service	TSCA = Toxic Substances Control Act
GHG = Greenhouse gas	U.S. = United States
GSA = General Services Administration	USDA = U.S. Department of Agriculture
IRFA = Initial regulatory flexibility analysis	VAC = Virginia Administrative Code
IRIS = Integrated Risk Information System	VAFB = Vandenberg Air Force Base
ISS = International Space Station	VA.R = <i>Virginia Register</i>
MACT = Maximum achievable control technology	VOC = Volatile organic compound
Md.R. = <i>Maryland Register</i>	VPDES = Virginia Pollution Discharge Elimination System
MOA = Memorandum of Agreement	WS = WaterSense
MRR = Mandatory Reporting Rule	XML = eXtensible Markup Language
MS4 = Municipal separate storm sewer system	
NAAQS = National Ambient Air Quality Standards	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

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

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED082611-1	Air GHG	08/25/2011	76 FR 53057	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Change to the Reporting Date for Certain Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule [40 CFR Part 98]</p> <p>Defers reporting for some data elements that are used by direct emitter reporters as inputs to emission equations under the Mandatory Greenhouse Gas Reporting Rule to the following:</p> <ul style="list-style-type: none"> ▪ 05/31/2013 ▪ 05/31/2015 <p>Final rule does not change any other requirements of the Mandatory Greenhouse Gas Reporting Rule. Effective 09/09/2011. [RIN 2060-AQ80]</p> <p>A regulatory alert on this topic will be available on the RRAC website.</p>	
FED082611-2	Commercial Space Transportation	08/19/2011	76 FR 52016	Notice Meeting	<p>National Aeronautics and Space Administration</p> <p>NASA International Space Station Advisory Committee and the Aerospace Safety Advisory Panel: Meeting</p> <p>Announces a meeting to assess the status of the development of two current commercial cargo vehicles under consideration by NASA for Commercial Resupply Services for the ISS, with particular focus on the ability of each to rendezvous and berth safely with the ISS. Meeting is scheduled for 09/09/2011 in Washington, D.C.</p>	
FED082611-3	Commercial Space Transportation	08/23/2011	76 FR 52732	Notice	<p>Federal Aviation Administration</p> <p>Office of Commercial Space Transportation Notice of Intent To Publish Current and Future Launch, Site, and Reentry Licenses and Permits and Their Orders Online</p> <p>Announces the following changes:</p> <ul style="list-style-type: none"> ▪ Current and future authorizations will be available online on the AST website beginning 10/24/2011 ▪ License or permit applications or evaluations will not be published online. ▪ Proposed changes include the following: <ul style="list-style-type: none"> ▪ Post launch, reentry and site licenses in the Commercial Space Data - Active Licenses section of the AST website ▪ Post permits in the Commercial Space Data - Active Permits section of the AST website <p>Comments due 09/22/2011.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED082611-4	Energy Fluorescent Lamps	08/24/2011	76 FR 52892	Notice	U.S. Department of Energy Energy Conservation Program: Energy Conservation Standards for Fluorescent Lamp Ballasts [10 CFR Part 430] Announces availability of additional data for fluorescent lamp ballasts provided by NEMA and additional DOE test data (76 FR 20090 , 04/11/2011). Additional data are as follows: <ul style="list-style-type: none"> ▪ Addresses the differences between the DOE test data and the data submitted by NEMA. ▪ Describes proposed changes based on additional data and present efficiency levels. Comments due 09/14/2011. [RIN 1904-AB50]	
FED082611-5	Hazardous Materials Transportation	08/18/2011	76 FR 51324	Proposed Rule	Pipeline and Hazardous Materials Safety Administration Hazardous Materials: Incorporating Rail Special Permits Into the Hazardous Materials Regulations [49 CFR Parts 171, 172, 173, 174, 179, and 180] Proposes to amend the Hazardous Materials Regulations to incorporate provisions contained in certain special permits that have general applicability and established safety records. Proposed revisions would: <ul style="list-style-type: none"> ▪ Provide wider access to the regulatory flexibility offered in special permits. ▪ Eliminate the need for numerous renewal requests. Comments due 10/17/2011. [RIN 2137-AE55]	
FED082611-6	Natural Resources NEPA	08/23/2011	76 FR 52694	Notice	National Aeronautics and Space Administration National Environmental Policy Act: Launch of NASA Routine Payloads on Expendable Launch Vehicles Announces availability of a Draft EA for the launch of NASA routine payloads on expendable launch vehicles. This EA updates the Final Environmental Assessment for Launch of NASA Routine Payloads on Expendable Launch Vehicles from CCAFS, Florida and VAFB, California, published 06/2002 . Comments due 10/07/2011.	
FED082611-7	Railroads Positive Control Systems	08/24/2011	76 FR 52918	Notice Rulemaking	Federal Railroad Administration Positive Train Control Systems [49 CFR Part 236] Proposes removal of regulatory requirements that require railroads to either conduct further analyses or meet certain risk-based criteria to avoid PTC system implementation on certain track segments. Comments due 10/24/2011. [RIN 2130-AC27]	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED082611-8	Species Southwestern Willow Flycatcher	08/15/2011	76 FR 50542	Proposed Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Designation of Revised Critical Habitat for Southwestern Willow Flycatcher [50 CFR Part 17]</p> <p>Proposes to revise critical habitat for the southwestern willow flycatcher under the ESA. Proposed stream segments are located on a combination of federal, state, tribal, and private lands in the following counties of interest to NASA:</p> <ul style="list-style-type: none"> ▪ Kern County, California ▪ Los Angeles County, California ▪ Santa Barbara County, California ▪ San Bernardino County, California ▪ Ventura County, California ▪ Dona Ana County, New Mexico <p>Comments due 10/14/2011. [RIN 1018-AX43]</p>	NASA Centers in California and New Mexico should be aware of this proposed rule.
FED082611-9	Toxic Substances	08/16/2011	76 FR 50815	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>TSCA Inventory Update Reporting Modifications; Chemical Data Reporting [40 CFR Parts 704, 710, and 711]</p> <p>Amends the TSCA "Inventory Update Reporting" rule and changes its name to the "Chemical Data Reporting" rule. Amendments will require electronic reporting of information and modification of reporting requirements, including the following:</p> <ul style="list-style-type: none"> ▪ Certain circumstances that trigger reporting ▪ Specific data to be reported ▪ Reporting standard for processing and use information ▪ CBI reporting procedures <p>Effective 09/15/2011.</p>	
FED082611-10	Toxic Substances Asbestos	08/25/2011	76 FR 53125	Notice	<p>U.S. Environmental Protection Agency</p> <p>Draft Toxicological Review of Libby Amphibole Asbestos: In Support of the Summary Information on the Integrated Risk Information System</p> <p>Announces a 60-day public comment period and a public listening session for the external review draft human health assessment titled, "Toxicological Review of Libby Amphibole Asbestos: In Support of Summary Information on the Integrated Risk Information System (IRIS)." Comments due 10/24/2011. Listening session is scheduled for 10/06/2011 in Arlington, Virginia.</p>	
FED082611-11	Waste Solid Waste	08/26/2011	76 FR 53376	Notice	<p>U.S. Environmental Protection Agency</p> <p>Definition of Solid Waste [40 CFR Parts 260, 261, and 270]</p> <p>Announces extension of the comment period for the proposed rule on the definition of solid waste (76 FR 44094, 07/22/2011). Comments due 10/20/2011. [RIN 2050-AG62]</p>	

1.2 Other News and Developments

1.2.1 Survey to Evaluate RCRA Regulations

EPA's Office of Resource Conservation and Recovery released a survey requesting feedback from federal facilities about ways to improve the hazardous waste determination process. The survey is part of EPA's evaluation of the RCRA regulations that require generators to make

hazardous waste determinations. EPA's request for feedback is not related to an enforcement action. Specifically, EPA is requesting comments regarding the most challenging aspect(s) of hazardous waste determinations and the elements of the hazardous waste determination process that help with sustaining or improving compliance. EPA's anonymous [survey](#) is open through 16 September 2011.

1.2.2 Updated Report about Small Water Systems

EPA has made available online the report, [National Characteristics of Drinking Water Systems Serving 10,000 or Fewer People](#), updated 22 July 2011. The report summarizes the characteristics of both community and non-community small drinking water systems that serve 10,000 or fewer people and how these characteristics could affect their short- and long-term sustainability. The report also provides information about ownership, operation, financial stability, infrastructure needs, and compliance with National Primary Drinking Water Regulations. The current 2011 report contains updated data from when the report was first published in 1999.

More information and guidance about small water system development can be found on the EPA [website](#).

1.2.3 Carbon Monoxide Final Rule

On 12 August 2011, EPA issued a final rule making changes to ambient air monitoring requirements for CO. The changes include the following:

- Revising minimum requirements for CO monitoring by requiring CO monitors to be sited near roads in certain urban areas.
- Requiring one CO monitor to be placed alongside a subset of NO₂ monitors that are required as part of the January 2010 revision to the NAAQS for NO₂. The CO monitors would be placed with "near-road" NO₂ monitors in urban areas with populations of 1 million or more.
- Specifying that monitors required in a CBSA of 2.5 million or more be operational by 1 January 2015 and those in a CBSA of 1 million or more to be operational by 1 January 2017.
- Providing authority to the EPA Regional Administrators to require, in some cases, additional CO monitors above the minimum required.

The final rule is a result of a court-ordered review of the air quality criteria and the NAAQS for CO. Aside from the changes to the monitoring requirements, EPA concluded that no additional changes to the CO standards were necessary. EPA confirmed that the current primary standards adequately protect public health and decided to retain the current primary standards. The existing primary standards are 9 ppm measured over 8 hours and 35 ppm measured over 1 hour. EPA also concluded that no secondary standard should be set for CO at this time.

The final rule is effective 60 days after it is published in the FR. More information regarding the CO final rule can be found on the EPA [website](#).

1.2.4 GHG Electronic Reporting Tool Now Open

On 22 August 2011, EPA opened the electronic Greenhouse Gas Reporting Tool (e-GGRT) for 2010 GHG reporting. Registered reporters in 28 industrial sectors can now submit their 2010 GHG pollution data electronically. The deadline to submit 2010 data is 30 September 2011. To ease data submittal, EPA also developed an XML reporting schema that will allow facilities to upload their GHG data directly, in lieu of using the web forms provided through e-GGRT. The

XML reporting schema is a set of specifications designed to create common electronic data formats to facilitate data sharing and comparison.

EPA's GHG MRR ([74 FR 56260](#)), published on 30 October 2009, requires the reporting of GHG data from large emission sources across 28 industries. Facilities that emit 25,000 metric tons or more per year of GHGs are required to submit annual reports to EPA. Under the GHG reporting program, covered entities are required to submit GHG data to EPA annually. e-GGRT was developed to facilitate the submittal of data. Before it was finalized, more than 1,000 stakeholders took part in the public testing of e-GGRT. A summary of stakeholder input as well as more information about e-GGRT can be found on the EPA [website](#).

1.2.5 New Version of Green Products Compilation Released

On 19 August 2011, the GSA released version 9 of the [Green Products Compilation](#), a downloadable workbook that can be used to facilitate the procurement of green products and services. The Green Products Compilation is a series of spreadsheets containing products for which EPA, DOE, and USDA have provided recommendations based on environmental or energy attributes.

The products are separated into 18 spreadsheets including, but not limited to, the following: Building Construction; Landscaping; Building Interior; Building Finishes; Paper Office Products; Printing; Non-Paper Office Products; Office Electronics; Renewable Energy; Vehicle Products; Cleaning Products; Lubricants, Oils, Hydraulic Fluids and Greases; and Miscellaneous.

Each product is designated as recycled content (R), biobased content/BioPreferred (BP), Energy Star (ES), FEMP-designated (FEMP), WaterSense (WS), alternative fuel (AF), or Significant New Alternatives Policy (SNAP). Version 9 includes identification of products included in the GSA Global Supply and Multiple Award Schedules Group.

More information regarding the Green Products Compilation can be found on the GSA [website](#).

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 21 September
- 19 October
- 16 November

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

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 related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA082611-1	Energy, Transportation Tax Exclusion	08/19/2011	CRNR 2011, 33z, p. 1338	Final Rule	California Alternative Energy and Advanced Transportation Financing Authority SB 71 Sales and Use Tax Exclusion Program [4 CCR 10030-6] Adopts a certificate of compliance for emergency regulations that implements the advanced transportation and alternative source manufacturing sales and use tax exclusion program. Effective 09/28/2011.	
CA082611-2	Occupational Safety Hazardous Liquids	08/19/2011	CRNR 2011, 33z, p. 1339	Final Rule	Occupational Safety and Health Standards Board Hazardous Liquids [8 CCR 3302 and 3308] Adopts requirements to ensure that hazardous liquids capable of causing physical injury to the skin be covered, insulated, or otherwise guarded against inadvertent contact. Where covering or guarding a hazardous liquid is impractical, PPE is required. Effective 09/09/2011.	
CA082611-3	Occupational Safety Work Over Water	08/19/2011	CRNR 2011, 33z, p. 1339	Final Rule	Occupational Safety and Health Standards Board Work Over or Near Water [8 CCR 1504, 1600, 1602, 1603, and 1603.1] Amends five existing regulations governing work over or near water to make the California standards as effective as 29 CFR Part 1926.605. Effective 09/04/2011.	
CA082611-4	Species Pacific Salmon and Steelhead	08/15/2011	76 FR 50447	Notice	National Marine Fisheries Service Endangered and Threatened Species; 5-Year Reviews for 5 Evolutionarily Significant Units of Pacific Salmon and 1 Distinct Population Segment of Steelhead in California [50 CFR Parts 223 and 224] Announces availability of 5-year reviews for five ESUs of Pacific salmon and one DPS of steelhead. [RIN 0648-XA619]	
CA082611-5	Species Southern Sea Otter	08/26/2011	76 FR 53381	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Termination of the Southern Sea Otter Translocation Program [50 CFR Part 17] Proposes to remove regulations that govern the southern sea otter translocation program. Revised draft SEIS and IRFA are available for review. Open houses and hearings are scheduled for the following dates and locations: <ul style="list-style-type: none"> ▪ 10/04/2011 in Santa Barbara, California ▪ 10/06/2011 in Santa Cruz, California Further information is available on the FWS website . Comments due 10/24/2011. [RIN 1018-AX51]	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA082611-6	Water Permits-MS4s	07/27/2011	SWRCB website	Notice	State Water Resources Control Board Draft General NPDES Permit for Storm Water Discharges from Small MS4s Announces the availability of a Draft General NPDES Permit for Storm Water Discharges from Small MS4s . Further information is available on the SWRCB website . Comments due 09/08/2011.	Moffett Federal Air Field should be aware of this action. Other NASA operations in California should verify applicability.

2.2.1 CARB Approves Updated Environmental Analysis of State Climate Plan

On 24 August 2011, CARB approved the [Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document](#) (which replaced part of [Appendix J](#) of the original [AB 32 Scoping Plan](#)) and recertified the complete AB 32 Scoping Plan Functional Equivalent Document (FED) revised by the Final Supplement. CARB revised the environmental analysis of project alternatives section of the FED as a response to litigation. The Scoping Plan (originally published in December 2008) outlines CARB's recommended strategies to reduce GHG emissions to 1990 levels by 2020 as required by the Global Warming Solutions Act of 2006. The Scoping Plan recommends a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms. The [Notice of Decision](#) and further information is available on the [CARB website](#).

2.2.2 California Air Districts Regulatory Review

2.2.2.1 Antelope Valley Air Quality Management District

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

2.2.2.2 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](#).

2.2.2.3 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](#).

2.2.2.4 Mojave Desert Air Quality Management District

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

2.2.2.5 South Coast Air Quality Management District

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS082611-1	Air SIP-VOC	08/17/2011	76 FR 50891	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, South Coast Air Quality Management District [40 CFR Part 52] Finalizes approval of proposed revisions to the SCAQMD portion of the California SIP concerning VOC emissions from architectural coatings (75 FR 61367 , 10/05/2010). Includes approval of a local rule that regulates these emission sources under the CAA. Effective on 09/16/2011.	

2.2.2.6 Ventura County Air Pollution Control District

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

2.3 Florida State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL082611-1	Natural Resources EIS	08/18/2011	76 FR 51395	Notice	National Park Service Draft Environmental Impact Statement for the General Management Plan (DEIS/GMP), Canaveral National Seashore, Florida Announces the availability of a Draft Environmental Impact Statement for the General Management Plan for Canaveral National Seashore, Florida. The document provides a framework for management, use, and development options for the Seashore by the NPS for the next 15 to 20 years. The DEIS/GMP is available on the NPS website . Public meetings are scheduled for: <ul style="list-style-type: none"> ▪ 09/19/2011 in Titusville, Florida ▪ 09/20/2011 in New Smyrna Beach, Florida Comments due 10/31/2011.	
FL082611-2	Water Numeric Nutrient Criteria	08/26/2011	FAW Notice #10323242	Notice Meeting	Florida Department of Environmental Protection Surface Water Quality Standards [Chapter 62-302, F.A.C], Identification of Impaired Surface Waters [Chapter 62-303, F.A.C] Announces a meeting to present information about possible revisions to Chapters 62-302 and 62-303, F.A.C., regarding numeric nutrient standards for Florida's surface waters. Draft rule language is available for review. Meeting is scheduled for 09/13/2011 in Leesburg, Florida.	
FL082611-3	Water Onsite Sewage	08/26/2011	FAW Notice #10329256	Notice Meeting	Florida Department of Health Bureau of Onsite Sewage Programs Announces a meeting to discuss onsite sewage research projects, including the Nitrogen Reduction Strategies Study. Web conference details to be posted on the Bureau website . Meeting is scheduled for 09/08/2011 in Tallahassee, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL082611-4	Water SJRWMD	08/26/2011	FAW Notice #10308110	Notice Meeting	<p>St. Johns River Water Management District</p> <p>Projects and Land Committee, Finance, Administration, and Audit Committee, and Regulatory Committee and Governing Board</p> <p>Announces meetings to discuss regulatory and non-regulatory matters. Agenda to be posted before the meetings. Meetings are scheduled for 09/13/2011 in Palatka, Florida.</p>	
FL082611-5	Water SJRWMD- Consumptive Use Permits	08/19/2011	FAW Notice #10305685	Proposed Rule	<p>St. Johns River Water Management District</p> <p>Permitting of Consumptive Uses of Water [F.A.C. 40C-2.101, 40C-2.331, 40C-2.381, 40C-2.501, and 40C-2.900]</p> <p>Proposes to:</p> <ul style="list-style-type: none"> ▪ Expand modifications of CUPs by letter ▪ Clarify the procedures and criteria for CUP modifications (including letter modifications) and renewals ▪ Revise and update permit limiting conditions and repeal outdated permit conditions ▪ Condense the water use type categories ▪ Revise and update the CUP application form ▪ Adopt Water Use Record (EN-50) and Water Use Reporting (EN-51) forms ▪ Define "domestic use" ▪ Clarify and update the compliance report requirements for 20-year CUPs ▪ Clarify the requirements for supplemental irrigation models and expand the types of such models allowed ▪ Clarify permit transfer criteria ▪ Clarify monitoring requirements for water withdrawal quantities ▪ Reduce water use reporting requirements for certain small users if they annually submit an "Annual Statement of Continuing Use" ▪ Clarify who must submit a water conservation plan as part of a CUP application ▪ Make miscellaneous conforming changes <p>Comments due 09/09/2011. Effective on 12/01/2011.</p>	

2.4 Louisiana State Regulatory Review

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

2.5 Maryland State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD082611-1	Air SIP-Adhesives and Sealants	08/19/2011	76 FR 51925	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adhesives and Sealants Rule [40 CFR Part 52]</p> <p>Proposes to approve Maryland's SIP revisions related to VOC emissions from the following industries:</p> <ul style="list-style-type: none"> ▪ Chemical production and polytetrafluoroethylene operations ▪ Paint, resin, and adhesive manufacturing ▪ Adhesive and sealant application <p>Proposed revisions include the following:</p> <ul style="list-style-type: none"> ▪ Standards for adhesives, sealants, adhesive primers, and sealant primer application ▪ Standards for cleanup solvents ▪ VOC limits for surface preparation solvents ▪ Alternative add-on control system requirements ▪ Exemptions for certain operations ▪ Simplified record-keeping ▪ Storage requirements ▪ Content limits <p>Proposed revisions would accomplish the following:</p> <ul style="list-style-type: none"> ▪ Add definitions for specialty electronic systems and subsystems for defense and homeland security ▪ Set a RACT emission limit for specialty electronic systems and subsystems for defense and homeland security ▪ Limit VOC emissions from adhesive and sealant applications <p>Comments due 09/19/2011.</p>	
MD082611-2	Air SIP-Plastic Parts	08/19/2011	76 FR 51922	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adoption of Plastic Parts and Business Machines Coating Standards [40 CFR Part 52]</p> <p>Proposes to approve Maryland's SIP revision for adoption of the CTG standard for plastic parts and business machine coatings. Proposed revisions include the following:</p> <ul style="list-style-type: none"> ▪ Admission limits and coating standards for plastic parts and business machines coatings ▪ New regulations for plastic parts and business machines coatings ▪ New definitions and application methods <p>Comments due 09/19/2011.</p>	
MD082611-3	Air SIP-VOCs	08/22/2011	76 FR 52278	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Update to Materials Incorporated by Reference [40 CFR Part 52]</p> <p>Updates the following:</p> <ul style="list-style-type: none"> ▪ Materials submitted by Maryland that are incorporated by reference into the SIP ▪ Regulations applying to VOC emissions from the following: <ul style="list-style-type: none"> ▪ Industrial Solvent cleaning operations ▪ Fuel burning equipment ▪ Appliance and parts coating <p>Effective 08/22/2011.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD082611-4	Water Erosion and Sediment Control	08/26/2011	38:18 Md.R. 1101	Proposed Rule	<p>Department of the Environment Erosion and Sediment Control [COMAR 26.17.01]</p> <p>Proposes to update existing regulations and revise the "1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control," which are incorporated by reference in the current regulations. Proposed revisions include the following:</p> <ul style="list-style-type: none"> ▪ Additions of new designs and standard ▪ New planning section ▪ Stabilization requirements <p>Public hearing is scheduled for 09/16/2011 in Baltimore, Maryland. Comments due 09/26/2011.</p>	

2.6 Mississippi State Regulatory Review

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

2.7 New Mexico State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM082611-1	Air NESHAP	08/15/2011	NM Register Vol. 22, No. 15	Final Rule	<p>Environmental Improvement Board Emissions Standards [20.2.78 NMAC Sections 2 and 9]</p> <p>Finalizes state regulation that incorporates by reference changes to 40 CFR Part 61 as posted in the Federal Register through 12/31/2010. Effective 09/02/2011.</p>	
NM082611-2	Air NESHAP-MACT	08/15/2011	NM Register Vol. 22, No. 15	Final Rule	<p>Environmental Improvement Board Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants [20.2.82 NMAC Sections 2 and 8]</p> <p>Finalizes state regulation that incorporates by reference changes to 40 CFR Part 63 as posted in the Federal Register through 12/31/2010. Effective 09/02/2011.</p>	
NM082611-3	Air NSPS	08/15/2011	NM Register Vol. 22, No. 15	Final Rule	<p>Environmental Improvement Board Source Performance Standards [20.2.77 NMAC Sections 2 and 9]</p> <p>Finalizes state regulation that incorporates by reference changes to 40 CFR Part 60 as posted in the Federal Register through 12/31/2010. Effective 09/02/2011.</p>	

2.8 Ohio State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH082611-1	Air Administrative	08/23/2011	DAPC Website- What's New	Proposed Rule	Division of Air Quality, Ohio Environmental Protection Agency Adjudication and Administration [OAC 3745-47 and 3745-49] Proposes minor amendments to the administrative rules. Further details regarding the proposed rules, including the rule language and public notice , are available on the OEPA website . Comments due 09/23/2011.	
OH082611-2	Air SIP-Lead	08/16/2011	DAPC Website- What's New	Final Rule	Division of Air Quality, Ohio Environmental Protection Agency Lead Emissions [OAC 3745-71] Adopts updates to the regulation of lead emissions from stationary sources. Amendments were made to update or remove attainment dates for obsolete standards and to make minor changes to formatting. Further details regarding the final rules, including the public notice , are available on the OEPA website . Effective 08/26/2011.	
OH082611-3	Air SIP-VOCs	08/19/2011	76 FR 51901	Final Rule	U. S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Ohio; Control of Emissions of Organic Materials That Are Not Regulated by Volatile Organic Compound Reasonably Available Control Technology Rules [40 CFR Part 52] Approves revised rule 3745-21-07, Control of Emissions of Organic Materials from Stationary Sources. The rule was revised because the previous version was found to have inadequate compliance test methods and definitions. Effective 09/19/2011.	
OH082611-4	Air TRI	08/17/2011	DAPC Website- What's New	Proposed Rule	Division of Air Quality, Ohio Environmental Protection Agency Toxic Chemical Release Reporting [OAC 3745-100] Proposes updates to accomplish the following: <ul style="list-style-type: none"> Make the rules consistent with federal requirements Correct minor typographical errors Fulfill the formatting requirements of the Legislative Services Commission Add and update citation information on materials referenced in these rules Further details regarding the proposed rules, including the synopsis and public hearing notice , are available on the OEPA website . Public hearing is scheduled for 09/23/2011 at OEPA Offices, Columbus, Ohio. Comments due 09/23/2011.	
OH082611-5	Water Permits	08/23/2011	DSW Website- What's New	Proposed Rule	Division of Surface Water, Ohio Environmental Protection Agency Pretreatment and Indirect Discharge Program [OAC 3745-3] Proposes minor updates and grammatical edits to the pretreatment and indirect discharge permit regulations. Further details, including the interested party letter and fact sheet , are located on the OEPA website . Comments due 09/23/2011.	

2.8.1 OEPA's 2011 Compliance Conference

OEPA is hosting its sixth Compliance Assistance Conference on 7 and 8 November 2011. The conference remains targeted to businesses and others who need to know the basics about environmental compliance; however, the agenda has been expanded to include advanced topics such as Title V permits and reporting. If attendees have specific technical questions, OEPA will have staff available at an "Ask the Experts" session during the conference.

The 2-day conference will cover a variety of environmental compliance-related topics, including the following:

- EPCRA, TRI and RMP Reporting
- Air Permitting Basics and Reporting
- Preparing for an OEPA Inspection
- Hazardous Waste Requirements Overview
- Used Oil and SPCC Requirements
- Reporting When Things Go Wrong
- Solid Waste Basics
- NPDES Permits
- NSR and Title V Permitting
- OEPA's New Expedited Enforcement Policy
- Storm Water and Wetland Requirements for Construction

To view the complete conference agenda and select your workshop sessions, visit [OEPA's 2011 Compliance Conference website](#).

2.9 Texas State Regulatory Review

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

2.9.1 El Paso SIP Revision to Incorporate a Revised Memorandum of Agreement with the City of El Paso

On 17 August 2011, the TCEQ approved proposal of the El Paso State Implementation Plan Revision to incorporate a revised MOA with the City of El Paso for particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀). The 2001 MOA with the City of El Paso is being revised to reflect the alternative control measures proposed in the revisions.

The public comment period for this proposed SIP revision, proposed rule revision, and MOA will open on 2 September 2011 and close on 3 October 2011. The public hearing on this proposal is scheduled for 27 September 2011 in El Paso, Texas. The complete [SIP package](#), including appendixes, is available for review.

2.10 Utah State Regulatory Review

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

2.11 Virginia State Regulatory Review

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

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA082611-1	Energy Permits	08/15/2011	27:25 VA.R. 2649	Notice Rulemaking	Virginia Department of Environmental Quality Small Renewable Energy Projects (Water Related) Permit by Rule [9VAC15-80] Proposes to promulgate regulations requiring the development of a permit-by-rule for water-related energy projects (projects generating electricity from falling water (hydroelectric), wave motion, tides, or geothermal power) with a capacity not exceeding 100 megawatts. Comments due 09/14/2011.	
VA082611-2	Waste Forms	08/15/2011	27:25 VA.R. 2654-2655	Notice	Virginia Department of Environmental Quality Virginia Waste Management Board Solid Waste Management Regulations [9VAC20-81], Regulated Medical Waste Regulations [9VAC20-120] Provides updated forms applicable to solid waste and regulated medical waste management. A list of updated forms is available in the notice .	
VA082611-3	Water VPDES	08/15/2011	27:25 VA.R. 2731-2732	Notice Correction	Virginia Department of Environmental Quality, State Water Control Board Virginia Pollution Discharge Elimination System General Permit for Discharges Resulting from the Application of Pesticides to Surface Waters [9VAC25-800] Corrects text in 9VAC25-800 to conform to the text of the regulation adopted by the State Water Control Board. The effective date of the final regulation was suspended (27:17 VA.R.2083 , 04/25/2011). Regulation has been re-adopted. Effective 10/31/2011.	