



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

05 October 2012

This report summarizes regulatory items reviewed by the NASA RRAC PC and includes items with direct applicability to NASA facilities and operations, as well as items of general interest. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "77 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 and other materials 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 and Abbreviations

AAC = Alabama Administrative Code	NMED = New Mexico Environmental Department
AAM = Alabama Administrative Monthly	NNSR = Nonattainment New Source Review
ADA = Americans with Disabilities Act	NSPS = New Source Performance Standard
AST = Aboveground storage tank	NSR = New Source Review
AVAQMD = Antelope Valley Air Quality Management District	NSRL = No significant risk level
CAA = Clean Air Act	OAC = Ohio Administrative Code
C&L = Classification and labeling	OAL = Office of Administrative Law
CCR = <i>California Code of Regulations</i>	OEHHA = Office of Environmental Health Hazard Assessment
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act	OEPA = Ohio Environmental Protection Agency
CFR = <i>Code of Federal Regulations</i>	OSHSB = Occupational Safety and Health Standards Board
CO _{2e} = Carbon dioxide equivalent	PAL = Plantwide applicability limit
CRNR = California Regulatory Notice Register	PBR = Permit by rule
DARTIC = Developmental and Reproductive Toxicant Identification Committee	PHG = Public health goal
DMWM = Division of Materials and Waste Management	PM = Particulate matter
DOE = U.S. Department of Energy	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
DSW = Division of Surface Water	PSD = Prevention of significant deterioration
EA = Environmental Assessment	PTIO = Permit to install/operate
ECHA = European Chemicals Agency	RCRA = Resource Conservation and Recovery Act
EINECS = European Inventory of Existing Commercial Chemical Substances	RIN = Regulatory Identification Number
EIS = Environmental Impact Statement	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EISA = Energy Independence and Security Act	SCAQMD = South Coast Air Quality Management District
EPA = U.S. Environmental Protection Agency	SIL = Significant impact level
F.A.C. = Florida Administrative Code	SIP = State Implementation Plan
FAW = <i>Florida Administrative Weekly</i>	SJRWMD = St. John's River Water Management District
FR = <i>Federal Register</i>	SMC = Significant monitoring concentration
FY = Fiscal year	SNUR = Significant New Use Rule
GDF = gasoline dispensing facility	SWPPP = Stormwater Pollution Prevention Plan
GHG = Greenhouse gas	SWRCB = State Water Resources Control Board
GHS = Globally harmonized system	TDCPP = Tris(1,3-dichloro-2-propyl) phosphate
HCS = Hazard communication system	TMDL = Total maximum daily load
LaRC = Langley Research Center	U.S. = United States
lb = Pound	USGBC = U.S. Green Building Council
LEED = Leadership in Energy and Environmental Design	UST = Underground storage tank
NAAQS = National Ambient Air Quality Standards	VA.R. = <i>Virginia Register</i>
NASA = National Aeronautics and Space Administration	VAC = Virginia Administrative Code
NESHAP = National Emission Standards for Hazardous Air Pollutants	VOC = Volatile organic compound
NFSEG = North Florida Southeast Georgia	WTE = Waste-to-energy
NMAC = New Mexico Administrative Code	

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
FED100512-1	Air Monitoring-PM	10/05/2012	77 FR 60985	Notice	U.S. Environmental Protection Agency Ambient Air Monitoring Reference and Equivalent Methods: Designation of Three New Equivalent Methods Announces new air monitoring equivalent methods for measuring PM concentrations in ambient air. The new equivalent methods are automated monitoring methods using a measurement principle based on sample collection by filtration and analysis by beta radiation attenuation.	
FED100512-2	Hazardous Materials Transportation	10/05/2012	77 FR 60935	Final Rule	Pipeline and Hazardous Materials Safety Administration Hazardous Materials: Minor Editorial Corrections and Clarifications (RRR) Corrects editorial errors and makes minor regulatory changes intended to improve clarity of the Hazardous Materials Regulations. Effective 10/05/2012. [RIN 2137-AE90]	
FED100512-3	Natural Resources EIS	09/28/2012	77 FR 59611	Notice	U.S. Environmental Protection Agency Environmental Impact Statement Solicits comments for EIS No. 20120308, " Draft EIS for the Sounding Rockets Program at Poker Flat Research Range ." Comments due 11/26/2012.	
FED100512-4	Toxic Substances SNUR	10/05/2012	77 FR 61117	Final Rule	U.S. Environmental Protection Agency Significant New Use Rules on Certain Chemical Substances [40 CFR Parts 9 and 721] Direct final rule promulgates SNURs for 78 chemical substances. Persons must notify EPA at least 90 days before manufacturing, importing, or processing any of these substances for an activity designated as a significant new use by this rule. Comments due 10/19/2012. Effective 12/04/2012. [RIN 2070-AB27]	

1.2 Other News and Developments

1.2.1 Classification and Labeling Inventory Updates

The European Chemicals Agency (ECHA) has [updated](#) the public Classification and Labeling (C&L) Inventory with additional information regarding substances. The Inventory, which is now intended to contain all information about hazardous substances on the European Union market, also includes notifications for the European Inventory of Existing Commercial Chemical Substances (EINECS).

The current version of the Inventory contains approximately 5.3 million notifications relating to 120,000 substances. ECHA maintains the Inventory, and the data are refreshed on a regular basis with incoming and updated C&L information. More information regarding the C&L inventory is available on ECHA's [website](#).

1.2.2 U.S. Green Building Council Seeks Comments on the Latest Proposed Version of LEED

The U.S. Green Building Council (USGBC) is [soliciting](#) comments for proposed revisions to the Leadership in Energy and Environmental Design (LEED) rating system, or "LEED v4". Proposed LEED v4 revisions are designed to drive innovation throughout a building's lifecycle and would include the following:

- Offer LEED credits for integrative design.
- Revise the Materials & Resources credit category.
- Offer LEED credits for using less material, using the right materials, and using the best materials.
- Support product use by innovative manufacturers that report, and in some cases reduce, negative impacts associated with their product from the extraction of raw materials through the manufacturing process, including credits for the following:
 - Building life cycle-impact reduction
 - Building product disclosure and optimization-environmental product declarations
 - Building product disclosure and optimization-sourcing of raw materials
 - Building product disclosure and optimization-material ingredients

The proposed LEED rating system revisions would open up the program to the following sectors: data centers, warehouses, existing schools, existing retail, hospitality, and mid-rise residential. The council is accepting comments about the proposed program revisions until 10 December 2012. More information regarding LEED v4 is available on the USGBC [website](#).

1.2.3 GreenGov Spotlight Communities

The White House Council on Environmental Quality is inviting federal cross-agency teams working on energy or sustainability projects to submit applications for consideration as a Spotlight Community under the GreenGov initiative. The Spotlight Communities designation is intended to highlight projects that demonstrate leveraging of resources and shared targets to help agencies achieve the energy and sustainability goals outlined in [Executive Order 13514, Federal Leadership in Environmental, Energy and Economic Performance](#). Applications are due 16 November 2012. More information, including the online application [form](#), is available on the FedCenter [website](#).

1.2.4 Implementation and Follow-up of Identified Energy and Water Efficiency Measures in Covered Facilities

The DOE has announced availability of the document, "[Final Guidance for the Implementation and Follow-up of Identified Energy and Water Efficiency Measures in Covered Facilities](#)," dated September 2012. The document provides specific guidance to agencies about the following:

- Implementation and follow-up of energy and water efficiency measures under Section 432 of the Energy Independence and Security Act of 2007 (EISA)
- Context for including energy and water efficiency activities in the comprehensive approach to facility energy and water management outlined by the statute
- Incorporation by reference of previous DOE guidance released under EISA and other related documents

In addition, the statute requires the DOE to establish a publicly available web-based tracking system that provides compliance data at the facility level. An agency can request an exemption from disclosure based on national security concerns. Requests for the exemption of facility data from public disclosure are due 24 December 2012. Additional energy management guidance documents are available on the Federal Energy Management Program [website](#).

1.2.5 Langley Research Center Teams Awarded Federal Energy and Water Management Awards

The DOE has announced the winners of the 31st annual Federal Energy and Water Management Awards for a variety of outstanding and innovative efforts that have improved energy, water, and vehicle fleet efficiency. Two teams from NASA's Langley Research Center (LaRC) received awards for the following efforts:

- LaRC implemented a Biomass Steam Optimization Program to increase the use of steam produced at the NASA/City of Hampton Waste-to-Energy (WTE) biomass steam plant and to reduce the use of steam produced at its fossil fuel-powered plant. Program results include the following:
 - An estimated 40-percent reduction in Center-wide natural gas consumption in FY 2011.
 - Approximately \$500,000 in savings compared to the previous fiscal year.
 - Reduction of LaRC's GHG emissions by 8,834,187 lbs CO₂e.
- The new Headquarters Building at LaRC received LEED Platinum Certification in 2011. Features of the new 79,000-square-foot office facility that contributed to achieving LaRC's sustainability goals include the following:
 - Use of 31.5 percent less energy compared to the new office standard used by the USGBC to measure performance
 - Use of 59 percent less energy than an average LaRC office building per square foot
 - Minimization of potable water use
 - Use of a green roof and water retention area to minimize stormwater runoff
 - Annual savings or avoided costs of approximately \$2.5 million in operations and maintenance costs

More information is available on the DOE's [website](#) and LaRC's [website](#).

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls through 2012 are scheduled on the following Wednesdays at 10 a.m. CT:

- 17 October 2012
- 05 December 2012

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 related operations in of Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL100512-1	Air NSPS, NESHAPs	09/28/2012	AAM Vol. XXX, No. 12	Proposed Rule	Alabama Department of Environmental Management General [AAC 335-3-10.01]; Designated Standards of Performance [AAC 335-3-10-.02]; General [AAC 335-11-.01]; National Emissions Standards for Hazardous Air Pollutants [AAC 335-11-.06]; EPA Regulations Reference Documents for New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants AAC 335-3 Appendix C] Proposes revisions to incorporate by reference changes to federal NSPS and NESHAPs. Proposed rules and summary of reasons are available for review. Hearing is scheduled for 11/07/2012 in Montgomery, Alabama. Comments due 11/09/2012.	
AL100512-2	Air SIP	09/26/2012	77 FR 59100	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Alabama: General and Transportation Conformity & New Source Review Prevention of Significant Deterioration for Fine Particulate Matter [40 CFR Part 52] Finalizes revisions to the SIP that modify Alabama's NSR, PSD, and NNSR programs by adopting federal NSR PSD PM _{2.5} NAAQS requirements, as promulgated in the federal 2008 NSR PM _{2.5} Implementation Rule and the 2010 PM _{2.5} PSD Increment, SILs and SMC Rule. Revisions also will modify transportation conformity regulations. Effective 10/26/2012.	
AL100512-3	Air SIP-PM _{2.5}	10/01/2012	77 FR 59755	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Alabama 110(a)(1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52] Finalizes approval of the SIP. Affirms that it meets requirements for the 1997 annual and 2006 24-hour PM _{2.5} NAAQS, except for the following CAA sections, which will be addressed at a later date: <ul style="list-style-type: none"> ▪ 110(a)(2)(D)(i) ▪ 110(a)(2)(E)(ii) Effective 10/31/2012.	

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
CA100512-1	Air Vapor Recovery	09/28/2012	CRNR 2012, 39z, p. 1445	Notice	California Air Resources Board Vapor Recovery Certification and Test Procedures [17 CCR 94010-94011, 94016, 94150, and 94168] Announces disapproval of proposed amendments for vapor recovery certification and test procedures for ASTs and USTs used at GDFs. (CRNR 2011, 31z, p. 1279 , 08/05/2011).	
CA100512-2	Building Standards	10/05/2012	CRNR 2012, 40z, p. 1474	Proposed Rule	California Building Standards Commission 2010 California Building Code [24 CCR Part 2] Proposes to adopt, approve, codify, and publish changes to the 2010 California Building Code to align the state and federal 2010 ADA Standards until the 2013 California Building Code becomes effective. Proposed changes are intended to eliminate inconsistencies wherein compliance with the state standards results in a violation of the corresponding federal standards. Comments due 11/19/2012.	
CA100512-3	Natural Resources	10/04/2012	77 FR 60718	Notice	Bureau of Land Management Amendment to the California Desert Conservation Area Plan and Associated Environmental Assessment, San Bernardino County Announces intentions to prepare an amendment to the 1980 California Desert Conservation Area Plan with an associated EA to identify an 80-acre parcel of public land for direct sale. Comments due 11/05/2012.	Goldstone Tracking Facility should be aware of this action.
CA100512-4	Occupational Safety HCS	09/28/2012	CRNR 2012, 39z, p. 1425	Proposed Rule	Occupational Safety and Health Standards Board Globally Harmonized System Update to Hazard Communication; Proposed Amendments to Construction Safety Orders [8 CCR 1529, 1532, and 1535] and General Industry Safety Orders [8 CCR 5150, 5189-5192, 5194, 5198, 5200-5202, 5206-5214, 5217-5218, and 5220] Proposes the following amendments: <ul style="list-style-type: none"> Updates to state HCS warning labels, signs, and safety data sheets to be consistent with the United Nations' GHS classification Labeling of chemicals to inform workers and other downstream users of manufactured and imported chemical products Updates to state HCS for welding, brazing, and cutting Comments due 11/09/2012. Public hearing scheduled for 11/15/2012 in Sacramento, California. More information is available on the OSHSB website.	
CA100512-5	Occupational Safety Tree Work	10/05/2012	CRNR 2012, 40z, p. 1493	Final Rule	Occupational Safety and Health Standards Board Tree Work, Maintenance or Removal [8 CCR 2950 and 3420-3428] Adopts updates to the regulations regarding tree trimming and specific to safe work practices, high-voltage wires, tree-climbing equipment, mobile equipment, portable power tools, and employee training. Effective 10/25/2012. Further information is available on the rulemaking website.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA100512-6	Toxic Substances Chlorobenzene, 1,1-Dichloroethane, Trichloroethylene	09/25/2012	OEHHA Website	Notice	Office of Environmental Health Hazard Assessment Initiation of Process to Update Public Health Goals for Three Chemicals in Drinking Water Announces availability of an update of PHG reviews in progress and the initiation of reviews for the following three chemicals: <ul style="list-style-type: none"> ▪ Chlorobenzene ▪ 1,1-Dichloroethane ▪ Trichloroethylene Information that could assist in deriving revised PHGs for these chemicals is due 11/01/2012. PHGs are concentrations of drinking water contaminants considered to pose no significant health risk if consumed over a lifetime. Further information will be posted on the rulemaking website.	
CA100512-7	Toxic Substances Tris(1,3-Dichloro-2-Propyl) Phosphate	10/05/2012	CRNR 2012, 40z, p. 1493	Final Rule	Office of Environmental Health Hazard Assessment Specific Regulatory Levels Posing No Significant Risk for TDCPP [27 CCR 25705(b)] Adopts an NSRL for TDCPP of 5.4 micrograms per day. Effective 10/20/2012. TDCPP, also called "tris," is used as a flame retardant in some applications. Further information on this action is available on the OEHHA website.	
CA100512-8	Toxic Substances Xylene	09/28/2012	CRNR 2012, 39z, p. 1444	Notice	Office of Environmental Health Hazard Assessment Availability of Hazard Identification Document for Xylene Announces availability of the hazard identification document, " Evidence on the Developmental and Reproductive Toxicity of Xylene ," which provides information for the consideration of listing xylene as a reproductive toxicant by the DARTIC. Comments due 11/27/2012. More information is available on the OEHHA website.	
CA100512-9	Water Fees	10/04/2012	SWRCB Website	Proposed Rule	State Water Resources Control Board Water Rights Fees [23 CCR 1062 and 1064] Proposes emergency revisions to water rights fee regulations and schedules consistent with the revenue levels set forth in the Budget Act for FY 2012-2013.	

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 Centers and related operations in [Antelope Valley Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAA100512-1	Air Permits	10/05/2012	AVAQMD Website	Proposed Rule	Antelope Valley Air Quality Management District Amendment of Rule 212–Standards For Approving Permits and Issuing Public Notice Proposes amendments to make public notice requirements consistent with state law and existing AVAQMD rules. Amendments would adjust the process for issuing notices from blanket notification to a risk based notification. Staff report is available for review. Public hearing is scheduled for 11/20/2012 in Lancaster, California.	

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

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

2.2.1.5 South Coast Air Quality Management District

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

2.2.1.6 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
FL100512-1	Air	10/01/2012	FAW Notice #12074092	Proposed Rule	Department of Environmental Protection Federal Regulations Adopted by Reference [62-204.800, F.A.C.] Proposes amendments to update adoption-by-reference of air pollution regulations to incorporate requirements of federally approved and delegated air pollution programs. Proposed rule text is available for review.	
FL100512-2	Radiation Radiation Protection	09/28/2012	FAW Notice #12002797	Notice Meeting	Department of Health Bureau of Radiation Control Announces a meeting to discuss and make recommendations about radiation protection issues. Meeting scheduled for 10/16/2012 in Tampa, Florida. Further information regarding the Bureau is available on its website.	
FL100512-3	Species Florida Bonneted Bat	10/04/2012	77 FR 60749	Proposed Rule	U.S. Fish and Wildlife Services Endangered and Threatened Wildlife and Plants; Proposed Endangered Species Status for the Florida Bonneted Bat [50 CFR Part 17] Proposes to list the Florida Bonneted Bat as an endangered species. Solicits data and comments regarding the biological needs of this species to define the species' critical habitat. Comments due 12/03/2012. [RIN 1018-AY15]	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL100512-4	Water Groundwater Flow Monitoring	10/05/2012	FAW Notice #12075159, #12075062	Notice Meeting	St. John's River Water Management District North Florida-Southeast Georgia Regional Groundwater Flow Modeling Announces meetings to review and discuss the conceptual model for developing the next-generation NFSEG regional groundwater flow model. Agendas are available for review. Meetings are scheduled for 10/17/2012 in Palatka, Florida. Comments due 10/17/2012.	
FL100512-5	Water Land Assessment	10/05/2012	FAW Notice #12106102	Notice Meeting	St. John's River Water Management District Land Assessment Process Announces a series of public meetings to present draft results of a land assessment process to evaluate the following topics: <ul style="list-style-type: none"> Conservation value of SJRWMD properties Identification of surplus lands Alternate land uses Meeting are scheduled for the following dates and locations: <ul style="list-style-type: none"> 10/23/2012 in Palm Bay, Florida 10/25/2012 in Palatka, Florida 10/30/2012 in Gainesville, Florida 11/07/2012 in DeLand, Florida 11/14/2012 in St. Augustine, Florida 	
FL100512-6	Water Permits	09/28/2012	FAW Notice #12036553	Notice Rulemaking	Department of Environmental Protection Procedures to Obtain Permits and Other Authorizations; Applications [Chapter 62-4.050, F.A.C.] Announces a rulemaking to allow electronic submittal of permit applications and supporting materials by removing paper submittal requirements. Draft proposed rule development text is available for review.	
FL100512-7	Water TMDL-Mercury	09/28/2012	FAW Notice #12037329	Proposed Rule	Department of Environmental Protection Statewide TMDLs [62-304.900, F.A.C.] Proposes to adopt a mercury TMDL and its allocations for Florida fresh and marine waters. Proposed rule text is available for review. Comments due 10/19/2012.	

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
MD100512-1	Air Vehicle Refinishing-VOCs	09/26/2012	77 FR 59093	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Maryland-Revision for the Control of Volatile Organic Compound Emissions From Vehicle Refinishing [40 CFR Part 52] Final rule approves a SIP revision establishing new VOC content limits and standards for coating and cleaning solvents used in vehicle refinishing. Affected sources must comply with the new requirements by 07/01/2013. Effective date is 10/26/2012.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD100512-2	Water Stormwater-Permit	10/05/2012	39:20 Md.R. 1354	Proposed Rule	<p>Department of the Environment</p> <p>General Permit for Discharges from Stormwater Associated with Industrial Activities</p> <p>Proposes to reissue the General Permit with the following revisions:</p> <ul style="list-style-type: none"> ▪ Notice of Intent form requiring more detailed information ▪ Electronic SWPPP submittal ▪ Restoration of impervious surfaces referencing updated "Maryland Stormwater Design Manual" for guidance ▪ Monitoring, inspection, and reporting requirements ▪ Clarifications about the types of eligible discharges authorized by the permit <p>Draft permit is available for review. Public hearings are scheduled for 11/26/2012 and 11/30/2012 in Baltimore, Maryland. Comments due 01/04/2013.</p>	

2.6 Mississippi State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS100512-1	Air SIP-PM _{2.5}	09/26/2012	77 FR 59095	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Mississippi: New Source Review (NSR)-Prevention of Significant Deterioration (PSD); Fine Particulate Matter (PM_{2.5}) [40 CFR Part 52]</p> <p>Approves revisions to the SIP that modify the state's NSR PSD program to incorporate by reference federal requirements related to the PM_{2.5} NAAQS. Effective 10/26/2012.</p>	

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
NM100512-1	Air Permits	09/28/2012	NM Register Vol. 23, No. 18	Notice Meeting	<p>Environmental Improvement Board</p> <p>Operating Permits [NMAC 20.2.70] and Permits-Prevention of Significant Deterioration (PSD) [NMAC 20.2.74]</p> <p>Announces an informational open house to discuss proposed amendments to the state Title V and PSD permitting programs to include federal GHG tailoring rule amendments. Updates would include applicability thresholds and PALs. Full details of the amendments are available in the Hearing Petition. NMED informational open house to discuss the proposed revisions is scheduled for 11/08/2012 in Santa Fe, New Mexico. Public hearing is scheduled for 12/03/2012 in Santa Fe, New Mexico.</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. An archive of public notices for previous biweekly reporting periods, including past years, is available on the OEPA [website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH100512-1	Air Permitting	10/01/2012	77 FR 59751	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Ohio; PBR and PTIO</p> <p>Direct final rule approves the following additions to the SIP, which are intended to make OEPA's air pollution permit program more efficient:</p> <ul style="list-style-type: none"> ▪ PBR provisions ▪ PTIO program ▪ Permanent exemptions from the PTI requirement ▪ General permit program <p>Effective 11/30/2012. Comments due 10/31/2012.</p>	
OH100512-2	Species Endangered Species	10/03/2012	77 FR 60457	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Draft Midwest Wind Energy Multi-Species Habitat Conservation Plan Within Eight-State Planning Area; Reopening of Comment Period</p> <p>Announces reopening of the public comment period for the development of the Midwest Wind Energy Multi-Species Habitat Conservation Plan. The plan is intended to cover conservation activities for the siting, construction, operation, maintenance, and decommissioning of wind energy facilities within the eight-state planning area, including Ohio. Comments due 12/03/2012.</p>	
OH100512-3	Waste Hazardous Waste	09/24/2012	DMWM Website	Proposed Rule	<p>Division of Materials and Waste Management, Ohio Environmental Protection Agency</p> <p>Hazardous Waste Biennial Set Rules [OAC 3745]</p> <p>Proposes rule amendments that would make certain reports a biennial requirement. Solicits comments on a review package of the draft rules. Further details are provided in the Business Impact Analysis, Rule Language and Interested Party Notice. Comments due 10/12/2012.</p>	
OH100512-4	Water Permits	09/27/2012	DSW-What's New	Proposed Rule	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p>Permits Program Rules [OAC 3745-33-04 and 3745-36-03]</p> <p>Proposes updates that would provide the director discretion in permit renewals regardless of whether the permittee is in compliance with current permit conditions. Further details are provided in the Fact Sheet and Interested Party Notice. Comments due 10/29/2012.</p>	

2.9 Texas State Regulatory Review

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

2.10 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
UT100512-1	Air SIP-Open Burning	09/25/2012	77 FR 58966	Final Rule	U.S. Environmental Protection Agency Disapproval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions To Open Burning Regulations [40 CFR Part 52] Finalizes disapproval of the SIP revision to R307-202 Emission Standards: General Burning, submitted on 12/10/1999, which would have allowed the state to extend the time period for open burning. Effective 10/25/2012.	NASA-related operations in Utah should be aware of this action.

2.11 Virginia State Regulatory Review

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA100512-1	Energy Geothermal	09/24/2012	29 VA.R. 2 168-175	Final Rule	Virginia Department of Conservation and Recreation, Department of Mines, Minerals, and Energy Geothermal Energy Regulations [4VAC25-170] Amends definition of "geothermal resource" to clarify that regulations apply to nonresidential use. Requires that applicants reference the 1983 Virginia Coordinate System for data submissions. Effective 10/24/2012.	
VA100512-2	Waste Remediation	09/24/2012	29 VA.R. 2 241-253	Proposed Rule	Virginia Department of Environmental Quality, Waste Management Board Voluntary Remediation Regulations [9VAC20-160] Proposes to amend regulations pertaining to remediation projects not clearly mandated by CERCLA, RCRA, the Virginia Waste Management Act, or other approval authority. Amendments would include the following actions: <ul style="list-style-type: none"> ▪ Update remediation levels. ▪ Update sampling and analysis methods. ▪ Improve reporting requirements. ▪ Clarify eligibility, application, and termination requirements. ▪ Update program procedures to process contaminated sites more efficiently. ▪ Update technology. ▪ Revise fee for program applicants. Comments due 11/23/2012. Public hearing is scheduled for 11/06/2012 in Richmond, Virginia.	