



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

19 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).

Contents of This Issue

Acronyms and Abbreviations	3
1.0 U.S. Federal Regulatory Review	4
1.1 Federal Register Summary	4
1.2 Other News and Developments	5
1.2.1 <i>Catalog of Federal Environmental Programs</i>	5
1.2.2 <i>Upcoming "Ask the Inspector" Webinars</i>	6
1.2.3 <i>Federal Green Challenge</i>	6
1.3 NASA Regulatory Communication Working Group Updates	6
2.0 State Regulatory Reviews	7
2.1 Alabama State Regulatory Review	7
2.2 California State Regulatory Review	7
2.2.1 <i>Diesel Engine Regulations Compliance</i>	9
2.2.2 <i>Air Quality Legislation 2012 Annual Summary</i>	9
2.2.3 <i>California Air Districts Regulatory Review</i>	9
2.2.3.1 <i>Antelope Valley Air Quality Management District</i>	9
2.2.3.2 <i>Bay Area Air Quality Management District</i>	9
2.2.3.3 <i>Eastern Kern Air Pollution Control District</i>	9
2.2.3.4 <i>Mojave Desert Air Quality Management District</i>	9
2.2.3.5 <i>South Coast Air Quality Management District</i>	10
2.2.3.6 <i>Ventura County Air Pollution Control District</i>	10
2.3 Florida State Regulatory Review	10
2.4 Louisiana State Regulatory Review	11
2.5 Maryland State Regulatory Review	11
2.6 Mississippi State Regulatory Review	11
2.7 New Mexico State Regulatory Review	12
2.8 Ohio State Regulatory Review	13
2.9 Texas State Regulatory Review	13
2.10 Utah State Regulatory Review	13
2.11 Virginia State Regulatory Review	14
2.11.1 <i>Wetlands Program Development Grant</i>	15

Acronyms and Abbreviations

AB = Assembly Bill	NNSR = Nonattainment New Source Review
ARB = Air Resources Board	NO ₂ = Nitrogen dioxide
BACT = Best available control technology	NO _x = Nitrogen oxides
BTU = British thermal unit	NRC = Nuclear Regulatory Commission
CAA = Clean Air Act	NSPS = New Source Performance Standard
CAIR = Clean Air Interstate Rule	NSR = New Source Review
CASAC = Clean Air Scientific Advisory Committee	OAC = Ohio Administrative Code
CCR = <i>California Code of Regulations</i>	OEHHA = Office of Environmental Health Hazard Assessment
CFR = <i>Code of Federal Regulations</i>	OEPA = Ohio Environmental Protection Agency
CO = Carbon dioxide	PBRF = Plum Brook Reactor Facility
COMAR = Code of Maryland Regulations	PFRR = Poker Flat Research Range
CRNR = California Regulatory Notice Register	PM = Particulate matter
DARTIC = Developmental and Reproductive Toxicant Identification Committee	PM ₁₀ = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less
DC-MD-VA = Washington, DC, Maryland and Virginia	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
DEIS = Draft Environmental Impact Statement	PSD = Prevention of significant deterioration
DLA = Defense Logistics Agency	R&D = Research and development
DSW = Division of Surface Water	RIN = Regulatory Identification Number
EIB = Environmental Improvement Board	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	SIP = State Implementation Plan
ERC = Emission reduction credit	SJRWMD = St. John's River Water Management District
ESA = Endangered Species Act	SPCC = Spill prevention, control, and countermeasure
F.A.C. = Florida Administrative Code	SWRCB = State Water Resources Control Board
FAR = Florida Administrative Register	UDAQ = Utah Division of Air Quality
FR = <i>Federal Register</i>	U.S. = United States
FY = Fiscal year	UST = Underground storage tank
GHG = Greenhouse gas	VA.R. = <i>Virginia Register</i>
LUFT = Leaking underground fuel tank	VAC = Virginia Administrative Code
MAB = Mississippi Administrative Bulletin	VCAPCD = Ventura County Air Pollution Control District
MCLG = Maximum contaminant level goal	VDEQ = Virginia Department of Environmental Quality
MDAQMD = Mojave Desert Air Quality Management District	VIMS = Virginia Institute of Marine Science
Md.R. = <i>Maryland Register</i>	WFF = Wallops Flight Facility
MSFC = Marshall Space Flight Center	
MW = Megawatt	
NAA = Nonattainment area	
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	
NEPA = National Environmental Policy Act	

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
FED101912-1	Air GHGs- Electronics	10/16/2012	77 FR 63537	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Greenhouse Gas Reporting Program: Proposed Amendments and Confidentiality Determinations for Subpart I [40 CFR Part 98]</p> <p>Proposes the following changes to requirements for the Electronics Manufacturing sector (Subpart I):</p> <ul style="list-style-type: none"> Revise certain calculation methods and add a new method. Amend data reporting requirements. Clarify terms and definitions. <p>Also proposes the following actions:</p> <ul style="list-style-type: none"> Confidentiality determinations for reporting new and revised data elements Amendments to General Provisions of the GHG Reporting Rule to reflect proposed changes to the reporting requirements for the Electronics Manufacturing sector <p>Comments due 12/17/2012. [RIN 2060-AR61]</p>	
FED101912-2	Air Ozone	10/19/2012	77 FR 64334	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee (CASAC) Ozone Review Panel</p> <p>Announces a public teleconference to discuss draft reviews of the following EPA documents:</p> <ul style="list-style-type: none"> Integrated Science Assessment for Ozone and Related Photochemical Oxidants (Third External Review Draft--June 2012) Health Risk and Exposure Assessment for Ozone (First External Review Draft--Updated August 2012) Welfare Risk and Exposure Assessment for Ozone (First External Review Draft--Updated August 2012) Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards (First External Review Draft--August 2012) <p>Teleconference is scheduled for 11/05/2012.</p>	
FED101912-3	Air SIP-PM _{2.5}	10/11/2012	77 FR 61724	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Partial Approval and Partial Disapproval of Air Quality Implementation Plans for Florida, Mississippi, and South Carolina; Section 110(a)(2)(D)(i)(I) Transport Requirements for the 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52]</p> <p>Partially approves and partially disapproves certain Florida and Mississippi SIP revisions. Approves determinations to address interstate transport requirements with regard to the 2006 24-hour PM_{2.5} NAAQS. Disapproves SIP submissions to the extent that they rely on the CAIR to meet CAA requirements for the 2006 24-hour PM_{2.5} NAAQS. Because CAIR does not address the 2006 PM_{2.5} NAAQS, its requirements may not be assumed to satisfy any requirements related to that NAAQS. Effective 11/13/2012.</p>	KSC and MAF should be aware of this action.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED101912-4	Materials	10/19/2012	77 FR 64311	Notice	Bureau of Industry and Security Potential Market Impact of the Proposed Fiscal Year 2014 Annual Materials Plan; National Defense Stockpile Market Impact Committee Request for Public Comments Solicits comments about the potential market impact of the proposed FY 2014 National Defense Stockpile Annual Materials Plan. The plan also includes two material R&D projects in its proposed Annual Materials Plans related to DLA establishing vendor-owned buffer inventories for specific levels for cadmium zinc tellurium substrates and triamino trinitrobenzene. Comments due 11/19/2012.	
FED101912-5	Natural Resources NEPA	10/10/2012	77 FR 61642	Notice	National Aeronautics and Space Administration National Environmental Policy Act; Sounding Rockets Program; Poker Flat Research Range Announces availability of and solicits comments on the DEIS for its continued use of PFRR. Comments due 12/10/2012.	
FED101912-6	Species Sea Turtles	10/10/2012	77 FR 61573	Notice	National Oceanic and Atmospheric Administration Endangered and Threatened Species; Initiation of 5-Year Review for Kemp's Ridley, Olive Ridley, Leatherback, and Hawksbill Sea Turtles Announces 5-year ESA reviews of the following sea turtles: <ul style="list-style-type: none"> ▪ Kemp's Ridley ▪ Olive Ridley ▪ Leatherback ▪ Hawksbill Solicits information that has become available since the 2007 status review. Comments due 12/10/2012. [RIN 0648-XC281]	Coastal facilities should be aware of this action.
FED101912-7	Water Drinking Water-Perchlorate	10/19/2012	77 FR 64335	Notice Meetings	U.S. Environmental Protection Agency Notification of a Public Teleconference of the Science Advisory Board; Perchlorate Advisory Panel Announces two public teleconferences to discuss the revised draft report concerning EPA's draft white paper, "Life Stage Considerations and Interpretation of Recent Epidemiological Evidence to Develop a MCLG for Perchlorate ." Teleconferences are scheduled for 12/05/2012 and 12/07/2012.	

1.2 Other News and Developments

1.2.1 Catalog of Federal Environmental Programs

EPA's Office of the Inspector General recently published the [2012 Catalog of Environmental Programs](#), which was first developed in 2002 as the Compendium of Environmental Programs and was last updated in 2005. The catalog is an internet-based database describing federal interagency environmental activities. The 2012 update provides the ability to search environmental programs by the owning agency. Individuals also can browse [all agency environmental programs](#) or search by the following goals, defined in [EPA's 2011-2015 Strategic Plan](#):

- [Climate Change and Improving Air Quality](#)
- [Protecting America's Water](#)
- [Cleaning Up and Sustainable Development](#)
- [Safety of Chemicals and Preventing Pollution](#)

1.2.2 Upcoming "Ask the Inspector" Webinars

EPA's Region 3 is scheduled to host two "Ask the Inspector" webinars, in which a regulator will provide a presentation and answer questions about the following environmental compliance topics:

- Industrial Stormwater Requirements at Federal Facilities webinar is scheduled for 14 November 2012:
 - [Registration](#) is due 07 November 2012.
 - [Presentation slides](#) will be available 13 November 2012.
- Spill Prevention, Control, and Countermeasure (SPCC) Requirements at Federal Facilities webinar is scheduled for 13 December 2012:
 - [Registration](#) is due 05 December 2012.
 - [Presentation slides](#) will be available 11 December 2012.

1.2.3 Federal Green Challenge

The [Federal Green Challenge](#) is a program sponsored by EPA's [Sustainable Materials Management Program](#) to challenge federal agencies to reduce their environmental impacts. The program is intended to promote innovative techniques for complying with the sustainability responsibilities described in Executive Orders [13514](#) and [13423](#). The enrollment season for Fiscal Year (FY) 2013 ends 31 December 2012. [Registration](#) forms must be submitted to EPA regional contacts. Registrants should establish a baseline year during the registration process. EPA recommends a baseline year of FY 2011. Baseline data is due within 90 days of acceptance and FY 2013 results are due 31 December 2013.

To participate, federal facilities must focus on improving the following target areas (at least one being waste, electronics, or purchasing) by a minimum of 5 percent per year by 30 September:

- Waste
- Electronics
- Purchasing
- Energy
- Water
- Transportation

The following [webinars](#) are scheduled to provide more information about the Federal Green Challenge initiative:

Federal Green Challenge Overview Webinars	Federal Green Challenge Online Data Management System Training Webinars
23 October 2012 14 November 2012 11 December 2012	25 October 2012 14 November 2012

1.3 NASA Regulatory Communication Working Group Updates

The next Regulatory Communication Working Group call will be held on Wednesday, 05 December 2012 at 10 a.m. CT.

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 Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL101912-1	Air SIP-PM _{2.5}	10/15/2012	77 FR 62449	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Alabama; Disapproval of 110(a)(2)(E)(ii) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52] Final rule disapproves portions of the SIP infrastructure submissions, submitted on 07/25/2008 and 09/23/2009, related to conflict of interest protocols. Effective 11/14/2012.	
AL101912-2	Species Rabbitsfoot	10/16/2012	77 FR 63439	Proposed Rule	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Neosho Mucket, Threatened Status for the Rabbitsfoot, and Designation of Critical Habitat for Both Species [50 CFR Part 17] Proposes to list certain freshwater mussels, including the rabbitsfoot, as threatened under the ESA and to designate a critical habitat. Comments due 12/17/2012. [RIN 1018-AX73] Action would designate critical habitat for the rabbitsfoot mussel in Madison County, Alabama.	MSFC should be aware of this action.

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
CA101912-1	Air GHGs	10/12/2012	CRNR 2012, 41z, p. 1503	Final Rule	California Air Resources Board AB 32 Cost of Implementation Fee Regulation [17 CCR 95201-95205] Adopts amendments that consist of the following changes: <ul style="list-style-type: none"> Add, revise, or delete definitions. Change or exclude emissions reporting for certain entities. Clarify certain provisions. Revise applicability to exclude certain small GHG sources. Effective 10/03/2012.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA101912-2	Air GHGs	10/12/2012	ARB Website	Notice	<p>California Air Resources Board</p> <p>Modified Text for the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions [17 CCR 95100], AB 32 Cost of Implementation Fee Regulation [17 CCR 95200], and Cap-and-Trade Regulation [17 CCR 95800]</p> <p>Announces availability of modified text for proposed amendments to the following rules:</p> <ul style="list-style-type: none"> ▪ Regulation for the Mandatory Reporting of Greenhouse Gas Emissions ▪ AB 32 Cost of Implementation Fee Regulation ▪ California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms <p>Proposed amendments would consist of the following changes:</p> <ul style="list-style-type: none"> ▪ Clarify calculation methods. ▪ Increase the rigor of provided data. ▪ Support cap-and-trade and other AB 32 programs. <p>Comments due 10/29/2012.</p> <p>Initial notification for consideration of amendments is available on the ARB website.</p>	
CA101912-3	Air SIP-NO ₂	10/15/2012	ARB Website	Notice Hearing	<p>California Air Resources Board</p> <p>Proposed State Implementation Plan Revision for Federal NO₂ Standard Infrastructure Requirements</p> <p>Announces a public hearing to consider approval of the State Implementation Plan Revision for Federal Nitrogen Dioxide Standard Infrastructure Requirements, which documents that California has the resources and programs in place to implement, maintain, and enforce the 2010 revised NO₂ NAAQS. Public hearing is scheduled for 11/15/2012 in Sacramento, California. Comments due 11/14/2012.</p>	
CA101912-4	Occupational Safety Cranes and Derricks	10/12/2012	CRNR 2012, 41z, p. 1505	Final Rule	<p>Occupational Safety and Health Standards Board</p> <p>Cranes and Derricks in Construction (Clean-Up) [8 CCR 1600, 1610.1, 1610.3-4, 1610.9, 1611.1, 1612.3, 1613, 1613.2, 1613.10-12, 1616.1, 1617.1-3, 1618.1, 1619.1, 4885, and 4999]</p> <p>Adopts amendments to address inconsistencies in the Construction Safety Orders and General Industry Safety Orders standards relating to cranes and derricks in construction (CRNR 2012, 18z, p. 576, 05/04/2012). Effective 11/01/2012.</p>	
CA101912-5	Occupational Safety Woodworking	10/12/2012	CRNR 2012, 41z, p. 1505	Final Rule	<p>Occupational Safety and Health Standards Board</p> <p>Definitions for Woodworking Machines and Equipment [8 CCR 4297]</p> <p>Adopts new definitions for pieces of woodworking equipment and trade terms used by professionals in woodworking shops and mills (CRNR 2012, 22z, p. 706, 06/01/2012). Effective 11/01/2012.</p>	NASA Centers conducting woodworking activities should be aware of this action.
CA101912-6	Storage Tanks USTs	10/15/2012	SWRCB Website	Notice	<p>State Water Resources Control Board</p> <p>Release of the Final Version of Revised LUFT Manual</p> <p>Announces availability of the updated "LUFT Guidance Manual," which provides guidance for making decisions regarding the investigation and cleanup of unauthorized releases of fuels from USTs.</p>	
CA101912-7	Toxic Substances Deltamethrin	10/12/2012	CRNR 2012, 41z, p. 1503	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Availability of Hazard Identification Document for Deltamethrin</p> <p>Announces availability of the hazard identification document, "Evidence on the Developmental and Reproductive Toxicity of Deltamethrin," which provides information for the consideration of listing deltamethrin as a reproductive toxicant by the DARTIC. Comments due 12/11/2012.</p> <p>Deltamethrin is an insecticide. More information is available on the OEHA website.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA101912-8	Toxic Substances Hexavalent Chromium	10/19/2012	CRNR 2012, 42z, p. 1532	Final Rule	Office of Environmental Health Hazard Assessment Hexavalent Chromium Amendment [27 CCR 25707] Adopts amendments that delete chromium (hexavalent compounds) from the list of chemicals that present no significant risk of cancer by the route of ingestion. Effective 11/09/2012.	NASA-related activities using hexavalent chromium in California should be aware of this action.

2.2.1 Diesel Engine Regulations Compliance

On 10 October 2012, the California ARB issued a reminder that only diesel PM filters, or other devices that have been verified by the ARB to meet rigorous emission reduction and durability demonstration requirements, can be used to comply with the ARB diesel engine regulations. Diesel PM filters that have been verified by the ARB are listed on the [ARB website](#).

2.2.2 Air Quality Legislation 2012 Annual Summary

On 17 October 2012, the California ARB released the [Air Quality Legislation-2012 Annual Summary](#), which provides brief descriptions of legislation tracked by the Office of Legislative Affairs during the second year of the 2011-2012 Legislative Session. Bills are displayed by author and subject, and in numerical order. The year-end status of each bill also is provided. Additional information is available at the [ARB website](#).

2.2.3 California Air Districts Regulatory Review

2.2.3.1 Antelope Valley Air Quality Management District

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

2.2.3.2 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](#).

2.2.3.3 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](#).

2.2.3.4 Mojave Desert Air Quality Management District

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

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAM101912-1	Air ERC	10/19/2012	MDAQMD Website	Proposed Rule	Mojave Desert Air Quality Management District Generation of Emission Reduction Credits for Paving Unpaved Public Roads [Rule 1406] Proposes rule to document the process to calculate and obtain ERC's for paving unpaved roads. Proposed rule would make PM ₁₀ ERCs federally enforceable and eligible for use by major NSR sources. Further information is available in the " Draft Staff Report ." Public hearing is scheduled for 11/26/2012 in Victorville, California. Comments due 11/19/2012.	

2.2.3.5 South Coast Air Quality Management District

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

2.2.3.6 Ventura County Air Pollution Control District

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

2.2.3.6.1 Combustion Source Testing Compliance Advisories

The VCAPCD has announced availability of [three compliance advisories](#) to clarify recent rule revisions ([VCAPCD website](#), 08/03/2012) related to screening and source testing external combustion operations that require NO_x and CO limits. Advisories cover units with the following capacities:

- [1 to 2 Million BTU per Hour](#)
- [2 to 5 Million BTU per Hour](#)
- [Low Usage Units](#)

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
FL101912-1	Fuels Natural Gas	10/19/2012	FAR Notice #12079912	Notice Rulemaking	Department of Environmental Protection Natural Gas Transmission Pipeline Siting [Chapter 62-807, F.A.C.] Announces a rulemaking intended to do the following: <ul style="list-style-type: none"> ▪ Update rule language. ▪ Provide clarifications. ▪ Repeal certain obsolete rule sections. ▪ Streamline rule to better align with the Natural Gas Transmission Pipeline Siting Act and the other Siting Act rules. Workshop is scheduled for 11/14/2012 in Tallahassee, Florida.	
FL101912-2	Water Lead, Copper	10/19/2012	77 FR 64336	Notice	U.S. Environmental Protection Agency Public Water System Supervision Program Revision for the State of Florida Announces tentative approval of the Florida Public Water System Supervision Program revisions that include adoption of the Lead and Copper Rule Short Term Revisions. Effective 11/19/2012.	
FL101912-3	Water SJRWMD	10/18/2012	FAR Notice #12169734	Notice Meeting	St. John's River Water Management District North Florida Regional Supply Partnership Announces a meeting to discuss the following: <ul style="list-style-type: none"> ▪ Updates about the groundwater modeling standing committee ▪ Information about springs and recharge area locations and data gaps analysis Meeting is scheduled for 10/29/2012 in Lake City, Florida. Further information about the Partnership is available on its website.	

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
MD101912-1	Air Radiation	10/19/2012	39:21 Md.R. 1380	Final Rule	<p>Department of the Environment Radiation Protection [COMAR 26.12.01]</p> <p>Final rule approves the update of COMAR 26.12.01.01 to incorporate by reference Supplement 22 of "Regulations for the Control of Ionizing Radiation." Updates include the following amendments:</p> <ul style="list-style-type: none"> ▪ Clarify training requirements promulgated by the NRC. ▪ Ensure consistency in regulations requiring use of a dose calibrator. ▪ Change instructions for released patients. ▪ Reclassify a number of sealed radioactive source licenses into another category, resulting in a higher annual fee. ▪ Allow the use of alternative dose weighting factors to determine exposure for certain fluoroscopic medical procedures. ▪ Make other minor clarifications to regulations. <p>Effective 10/29/2012.</p>	
MD101912-2	Air SIP-PM _{2.5}	10/10/2012	77 FR 61513	Final Rule	<p>U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Maryland; The 2002 Base Year Emissions Inventory for the Washington DC-MD-VA Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard [40 CFR Part 52]</p> <p>Final rule approves the 2002 base year PM_{2.5} emissions inventory to meet nonattainment requirements related to Maryland's portion of the Washington DC-MD-VA NAA as a revision to the Maryland SIP. Effective 11/09/2012.</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
MS101912-1	Air SIP-PM _{2.5}	10/09/2012	77 FR 61276	Final Rule	<p>U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(1) and (2) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52]</p> <p>Approves revisions to the SIP pertaining to the 1997 annual and 2006 24-hour PM_{2.5} NAAQS with the exception of certain required sections to be addressed in separate actions. Effective 11/08/2012.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS101912-2	Air SIP-PM _{2.5}	10/09/2012	77 FR 61279	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(2)(G) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52] Approves revisions to the SIP pertaining to the 1997 annual and 2006 24-hour PM _{2.5} NAAQS. Effective 11/08/2012.	
MS101912-3	Species Non-native Plants	10/12/2012	MAB #19165	Proposed Rule	Mississippi Department of Agriculture and Commerce Non-native Plant Species Proposes to require a permit application submittal before planting a non-native species for fuel production or purposes other than agriculture. Comments due 11/06/2012. Proposed effective date 12/06/2012.	

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
NM101912-1	Air NAAQS-NO ₂	10/15/2012	EIB Website	Notice	Environmental Improvement Board Infrastructure State Implementation Plan for the Nitrogen Dioxide National Ambient Air Quality Standard Announces a public hearing to consider the SIP for NO ₂ NAAQS that must be submitted to EPA in February 2013. Hearing is scheduled for 01/07/2013 in Santa Fe, New Mexico.	
NM101912-2	Air SIP	10/12/2012	77 FR 62200	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; New Mexico; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) Permitting [40 CFR Part 52] Proposes to approve NNSR and PSD permitting program revisions in the New Mexico SIP as consistent with federal requirements. Comments due 11/13/2012.	
NM101912-3	Air SIP - PM	10/12/2012	77 FR 62191	Proposed Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Infrastructure and Interstate Transport Requirements for the 2006 PM _{2.5} NAAQS [40 CFR Part 52] Proposes to approve the following findings: <ul style="list-style-type: none"> ▪ SIP submittal meets the infrastructure elements for the 2006 PM_{2.5} NAAQS ▪ SIP addresses requirements that emissions from area sources do not interfere with related PSD measures from any other state. Comments due 11/13/2012.	

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
OH101912-1	Nuclear License Termination	10/17/2012	77 FR 63897	Notice	U.S. Nuclear Regulatory Commission (NRC) Plum Brook Reactor Facility (PBRF) License Terminations [TR-3 and R-93] Announces termination of PBRF licenses TR-3 and R-93 for two decommissioned nuclear reactors. NRC has released the site for unrestricted use.	
OH101912-2	Water Water Quality	10/11/2012	DSW-Rules and Laws	Final Rule	Division of Surface Water, Ohio Environmental Protection Agency Water Quality Trading Program Rules [OAC 3745-5] Adopts amendments to administrative requirements for implementing a water quality trading program. Further details, including the public notice , are available on the OEPA website . Effective 11/01/2012.	

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
UT101912-1	Air SIP-Open Burning	10/12/2012	UDAQ Website: R307-202	Notice	Utah Department of Environmental Quality; Division of Air Quality Demonstration-Air Quality Impact of R307-202 Emissions Standards: General Burning Amendments [R307-202] Announces availability of an impact assessment for proposed rule R307-202 , which would allow the state to extend the time period for open burning. Comments due 11/30/2012.	NASA-related operations in Utah should be aware of this action.
UT101912-2	Air SIP-PM	10/12/2012	UDAQ Website: R307-309	Notice	Utah Department of Environmental Quality; Division of Air Quality Demonstration-Air Quality Impact of Amendments Made to Air Quality Rule R307-309 Fugitive Emissions and Fugitive Dust [R307-309] Announces availability of an impact assessment to newly proposed rule R307-309 , which would establish more stringent emission standards and work practices for fugitive emissions sources. Comments due 11/30/2012. The newly proposed rule R307-309 has not been published to the Utah State Bulletin. A preliminary copy has been included on the UDAQ website as additional information to the notice, along with the original rule.	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
VA101912-1	Air Permits	10/08/2012	29 VA.R. 3 431-463	Final Rule	<p>Virginia Department of Environmental Quality State Air Pollution Control Board</p> <p>New and Modified Stationary Sources ([9VAC5-50], Permits for Stationary Sources [9VAC5-80])</p> <p>Amends permit applicability by considering emissions increases from only those units undergoing a physical or operational change. Other amendments include the following:</p> <ul style="list-style-type: none"> ▪ BACT determination changes ▪ Changes in exemptions of NSPS-affected facilities ▪ Removal of transportable engines from a nonroad engine exclusion ▪ Clarification of exemptions for reconstructed and modified emissions units ▪ Exemption of short-term testing and remediation projects ▪ Replacement emissions units' exemption changes ▪ Portable stationary source exemption changes ▪ Emission rates calculation changes ▪ Clarification of open pit incinerators ▪ Clarification of the minor NSR program <p>Effective 11/07/2012.</p>	
VA101912-2	Air Sewage Sludge Incinerators	10/17/2012	VDEQ Website	Proposed Rule	<p>Virginia Department of Environmental Quality</p> <p>Sewage Sludge Incinerators</p> <p>Proposes new regulations for emissions from sewage sludge incinerators to meet federal ambient air quality standards (76 FR 15371, 03/21/2011). Comments due 12/05/2012.</p>	
VA101912-3	Commercial Space Transportation	10/11/2012	77 FR 61721	Final Rule	<p>Department of the Army, U.S. Army Corps of Engineers</p> <p>Atlantic Ocean off Wallops Island and Chincoteague Inlet, Virginia; Danger Zone [33 CFR Part 334]</p> <p>Final rule amends an existing permanent danger zone in the waters of the Atlantic Ocean off Wallops Island and Chincoteague Inlet, Virginia. WFF flight range capabilities have been expanded to accommodate larger classes of orbital rockets. Amendment increases the permanent danger zone to a 30-nautical-mile sector. Effective 10/12/2012.</p>	WFF should be aware of this action.
VA101912-4	Energy Permits	10/08/2012	29 VA.R. 3 463-473	Proposed Rule	<p>Virginia Department of Environmental Quality</p> <p>Small Renewable Energy Projects (Combustion) Permit by Rule [9VAC15-70]</p> <p>Proposes to establish requirements for permits by rule for combustion energy projects with a rated capacity less than 20 MW. Proposed requirements include the following:</p> <ul style="list-style-type: none"> ▪ Environmental impact analysis ▪ Mitigation plan ▪ Public participation ▪ Permit fees ▪ Interagency consultation ▪ Compliance ▪ Enforcement <p>Comments due 12/10/2012.</p>	
VA101912-5	Waste Recycling	10/16/2012	VDEQ Website	Notice	<p>Virginia Department of Environmental Quality</p> <p>Virginia Annual Recycling Rate Report, Calendar Year 2011</p> <p>Announces availability of the 2011 Virginia Recycling Rate Report.</p>	

2.11.1 Wetlands Program Development Grant

EPA has [awarded](#) a Wetlands Program Development Grant to the Virginia Institute of Marine Science (VIMS). In collaboration with VDEQ, VIMS will work with state and local governments and federal agencies to develop strategies to further reduce the loss of wetlands and aquatic ecosystems in Virginia.