

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Bloomberg BNA  
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**Subject:** [SPAM] May 25 -- EHS Federal Regulatory Alert



## **EHS Federal Regulatory Alert**

May 25, 2017 - Number 100

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### Summaries

*AIR*

**New Hampshire SIP/Permit Programs, Public Hearings, Infrastructure Requirements**  
**AIR**

Direct final rule of the EPA amends regulations under 40 CFR 52.1519 and 52.1520 to convert to full approval the EPA's Sept. 25, 2015, conditional approval of the New Hampshire's prevention of significant deterioration (PSD) and nonattainment new source review (NSR) permit programs (80 FR 57722). The rule also approves infrastructure SIP revisions that were conditionally approved by EPA (80 FR 78135, 12/16/2015; 81 FR 44542, 07/08/2016). In addition, the rule approves SIP revisions regarding public notice and hearing procedures for the state's nonattainment NSR, PSD and minor NSR permit programs; a revision that withdraws the state SIP's permit fee system; and a revision that addresses the good neighbor provisions of the infrastructure SIP for the 2010 nitrogen oxide NAAQS. Finally, the rule corrects amendatory instructions and a table entry for the 2010 sulfur dioxide NAAQS infrastructure SIP (82 FR 21123; 05/05/2017). The rule is effective July 24, 2017, unless adverse comments are received by June 26, 2107. Contact: Ida McDonnell; EPA Region 1, Air Permits, Toxics, and Indoor Programs Unit; 617-918-1653; McDonnell.Ida@epa.gov

82 FR 24057 (05/25/2017)

### Regulatory Update

*AIR*

**New Hampshire SIP/Permit Programs, Public Hearings, Infrastructure Requirements**  
**AIR**

Proposed rule of the EPA amends regulations under 40 CFR 52.1519 and 52.1520 to convert to full approval the EPA's Sept. 25, 2015, conditional approval of the New Hampshire's prevention of significant deterioration (PSD) and nonattainment new source review (NSR) permit programs (80 FR 57722). The rule also approves infrastructure SIP revisions that were conditionally approved by EPA (80 FR 78135, 12/16/2015; 81 FR 44542, 07/08/2016). In addition, the rule approves SIP revisions regarding public notice and hearing procedures for the state's nonattainment NSR, PSD and minor NSR permit programs; a revision that withdraws the state SIP's permit fee system; and

a revision that addresses the good neighbor provisions of the infrastructure SIP for the 2010 nitrogen oxide NAAQS. Finally, the rule corrects amendatory instructions and a table entry for the 2010 sulfur dioxide NAAQS infrastructure SIP (82 FR 21123; 05/05/2017). A concurrent direct final rule adopts the revisions, effective July 24, 2017. Comments are due June 26, 2107. Contact: Ida McDonnell; EPA Region 1, Air Permits, Toxics, and Indoor Programs Unit; 617-918-1653; McDonnell.Ida@epa.gov

82 FR 24085 (05/25/2017)

Regulatory Update

***ENDANGERED SPECIES***

Fish and Wildlife Permit Applications and Reports

**ENDANGERED SPECIES**

Notice of the U.S. Fish and Wildlife Service announces the submission of a revised information collection request to the OMB regarding numerous fish and wildlife application and reporting requirements. The collection addresses requirements related to permit applications and reports under 50 CFR 12 through 18, 21 and 23; requirements regarding renewal of CITES registration of commercial breeding operations for certain wildlife and other CITES requirements under 50 CFR 17 and 23; and requirements regarding the import of sport-hunted African elephant trophies under 50 CFR 17. The collection combines into a single collection three separate, previously approved collections. Comments are due June 26, 2017. Contact: Madonna Baucum; USFWS; 703-358-2503; info\_coll@fws.gov

82 FR 24139 (05/25/2017)

Regulatory Update

***FOOD SAFETY***

Pesticide Residues in Food Recordkeeping and Reporting

**FOOD SAFETY**

Notice announces the intention of the Food and Drug Administration to seek OMB approval for a continuing information collection request regarding channels of trade policy for commodities with residues of pesticide chemicals for which tolerances have been revoked, suspended or modified by the EPA due to dietary risk considerations. The collection addresses documentation required to be maintained by parties responsible for food found to contain pesticide chemical residues after the tolerance for the pesticide chemical has been revoked, suspended or modified to demonstrate that such food was handled during the acceptable time frames cited in FDA guidance (76 FR 66072; 10/25/2011). Such documentation may include packing codes, batch records and inventory records, but each party has discretion to maintain appropriate documentation. Comments are due July 24, 2017. Contact: Ila Mizrahi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 24133 (05/25/2017)

Regulatory Update

***FOOD SAFETY***

Prior Notice of Imported Food

## FOOD SAFETY

Notice of the Food and Drug Administration announces the submission of a revised information collection request to the OMB regarding notice to the agency prior to importing or offering to import human or animal food into the U.S. (21 CFR 1.278 through 1.285). The collection facilitates initial agency reviews and appeals for articles that the agency has refused to admit or placed under a hold. The revisions require applications to list any prior import refusals of the product by other countries. Comments are due June 26, 2017. Contact: FDA, Office of Operations; 888-463-6332; [PRASStaff@fda.hhs.gov](mailto:PRASStaff@fda.hhs.gov)

82 FR 24131 (05/25/2017)

### Regulatory Update

#### **GENERAL ENVIRONMENT AND SAFETY**

##### Alabama Trustee Implementation Group for the Deepwater Horizon Oil Spill

#### **GENERAL ENVIRONMENT AND SAFETY**

Notice of the National Oceanic and Atmospheric Administration announces the record of decision for the Deepwater Horizon oil spill Alabama Trustee Implementation Group's final recreational use restoration plan I and final environmental impact statement (RP/EIS). The document sets forth the basis for selection of six restoration project alternatives to compensate the public for lost recreational use opportunities in Alabama caused by the oil spill in the Gulf of Mexico. Contact: Dan Van Norstrand; NOAA; 251-544-5015; [ALTIG.RecUsePlanComments@noaa.gov](mailto:ALTIG.RecUsePlanComments@noaa.gov)

82 FR 24107 (05/25/2017)

### Regulatory Update

#### **GENERAL ENVIRONMENT AND SAFETY**

##### EPA Board of Scientific Counselors Nominations

#### **GENERAL ENVIRONMENT AND SAFETY**

Notice of the EPA announces a request for nominations of individuals to serve on the Office of Research and Development's Board of Scientific Counselors. The notice requests nominees that are experts in various fields, including climate and global change; engineering, including drinking water treatment, wastewater treatment, stormwater treatment and management, water reuse and water infrastructure; public health; watershed management; and toxicology. Nominations are due July 21, 2017. Contact: Tom Tracy; EPA, Office of Research and Development; 202-564-6518; [tracy.tom@epa.gov](mailto:tracy.tom@epa.gov)

82 FR 24120 (05/25/2017)

### Regulatory Update

#### **GENERAL ENVIRONMENT AND SAFETY**

##### FDA Approved Information Collection Requests

#### **GENERAL ENVIRONMENT AND SAFETY**

Notice of the Food and Drug Administration announces the approval of 10 information collection

requests by the OMB. The collections address importer's entry notice, substances used in food-contact articles, and restrictions on cigarettes and smokeless tobacco. The collections also address postmarket surveillance of medical devices, review of premarket applications, Clinical Laboratory Improvement Amendments and requirements under the Comprehensive Smokeless Tobacco Health Education Act. In addition, the collections address tobacco retailer training programs, animation in direct-to-consumer advertising and electronic drug reporting for human drug compounding outsourcing facilities. Contact: Ila Mizrachi; FDA; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 24136 (05/25/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**  
**FDA Approved Information Collection Requests**  
**GENERAL ENVIRONMENT AND SAFETY**

Notice of the Food and Drug Administration announces the approval of eight information collection requests by the OMB. The collections address processing and importation of fish and fishery products, designation of new animal drugs and animal feed program standards. The collections also address biological products, device identification, premarket approval of medical devices and requirements for human tissue for implantation. Contact: Ila Mizrachi; FDA, Office of Operations; 301-796-7726; PRAStaff@fda.hhs.gov

82 FR 24130 (05/25/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**  
**TVA Regional Resource Stewardship Council Meeting**  
**GENERAL ENVIRONMENT AND SAFETY**

Notice of the Tennessee Valley Authority announces a meeting of the Regional Resource Stewardship Council. The agenda includes updates on natural resources and river management issues and presentations concerning the economic benefits of TVA management of public land and water. The meeting is scheduled for June 6-7, 2017, in Knoxville, Tenn. Comments are requested, but a due date is not specified. Contact: Barbie Perdue; TVA; 865-632-6113

82 FR 24202 (05/25/2017)

Regulatory Update

**OIL AND GAS INDUSTRY**  
**Montana, Wyoming/Express Pipeline Presidential Permit**  
**OIL AND GAS INDUSTRY**

Notice of the Department of State announces the receipt of a notice from Enbridge Inc., of Calgary, regarding its acquisition of entities that own Express Pipeline LLC, which owns, operates and maintains the Express Pipeline under a presidential permit (80 FR 45695; 07/31/2015). The pipeline is a 786-mile crude oil pipeline that crosses the U.S.-Canada border near Wild Horse, Mont., and terminates near Casper, Wyo. The notice specifies that environmental

analysis will not be conducted unless information that the transfer potentially would have a significant impact on the quality of the human environment is presented. Comments are due June 26, 2017. Contact: Marcus Lee; Department of State, Bureau of Energy Resources; 202-647-2041

82 FR 24200 (05/25/2017)

Regulatory Update

***OIL AND GAS INDUSTRY***

USEITI MSG Advisory Committee Meeting

**OIL AND GAS INDUSTRY**

Notice of the Department of the Interior, Office of the Secretary, announces the postponement of one of three previously scheduled meetings of the U.S. Extractive Industries Transparency Initiative Advisory Committee (81 FR 96032; 12/29/2016). The meeting, originally scheduled for June 7-8, 2017, in Washington, D.C., will be rescheduled at a later date. Contact: Judith Wilson; USEITI; 202-208-0272; useiti@ios.doi.gov

82 FR 24141 (05/25/2017)

Regulatory Update

***PESTICIDES***

Environmental Modeling Meeting

**PESTICIDES**

Notice of the EPA announces an environmental modeling meeting relating to modeling pesticide fate, transport and exposure for pesticide risk assessments. The tentative agenda includes discussion of evidence of subsurface metabolism in groundwater, methods for measuring subsurface metabolism, and how to parameterize models to account for subsurface metabolism. The meeting is scheduled for June 28, 2017, in Arlington, Va. Contact: Stephen Wentz; EPA, Office of Pesticide Programs; 703-305-0001; wentz.stephen@epa.gov

82 FR 24119 (05/25/2017)

Regulatory Update

***PESTICIDES***

Neonicotinoid Risk Assessments

**PESTICIDES**

Notice of the EPA announces the availability of the aquatic ecological assessment for imidacloprid, the combined preliminary pollinator risk assessment for clothianidin and thiamethoxam, and the draft bee assessment for dinotefuran. The notice also announces the availability of the agency's registration review update for four neonicotinoid insecticides and a summary document that responds to comments on the preliminary pollinator assessment for imidacloprid (81 FR 2212; 01/15/2016). Comments are due July 24, 2017. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24113 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Registration Review Interim Decisions

**PESTICIDES**

Notice of the EPA announces the availability of interim registration review decisions for eight pesticides and revision of the interim registration review decision for maleic hydrazide. The new interim decisions address 2-(decylthio)ethanamine hydrochloride, DTEA-HCl; aliphatic alcohols, C1-C5; bentazon; chlorfenapyr; propoxur; propoxycarbazone-sodium; sodium acifluorfen; and thidiazuron. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24116 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Registration Review Interim Decisions

**PESTICIDES**

Notice of the EPA announces the availability of proposed interim registration review decisions for 10 pesticides under 40 CFR 155.58. The 10 pesticides are boric acid/sodium salts, clethodim, diquat dibromide, ethephon, fenitrothion, hexazinone, hymexazol, methoxyfenozide, pronamide and trimedlure. Comments are due July 24, 2017. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24122 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Registration Review Interim Decisions

**PESTICIDES**

Notice of the EPA announces the availability of proposed interim registration review decisions for six pesticides. The interim decisions address aldicarb, azoxystrobin, bifentazate, chlorpyrifos-methyl, ethalfluralin and pirimiphos-methyl. Comments are due July 24, 2017. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24112 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Registration Review Interim Decisions, Case Closures

**PESTICIDES**

Notice of the EPA announces the availability of interim registration review decisions for eight pesticides and the closure of registration review cases for two pesticides. The interim decisions

address antimycin, Busan 74, flufenacet, flurprimidol, fosamine ammonium, glufosinate, lithium hypochlorite and tebufenozide. The closed registration review cases addressed disodium cyanodithioimidocarbonate and decyl-isononyl dimethyl ammonium chloride (DIDAC), and the closure is due to the cancellation of all registrations in the U.S. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24123 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Registration Review/Draft Risk Assessments

**PESTICIDES**

Notice of the EPA announces the availability of draft human health and ecological risk assessments for the registration review of chlorethoxyfos and draft human health risk assessments for the registration review of diazinon and phosmet. The phosmet draft risk assessment is being reissued due to a docketing error in a prior notice (81 FR 85952; 11/29/2016). Comments are due July 24, 2017. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24114 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Registration Review/Tetrachlorvinphos

**PESTICIDES**

Notice of the EPA announces the availability of draft human health and ecological risk assessments for registration review of several pesticides and the final occupational and residential exposure assessment for the registration review of the organophosphate insecticide tetrachlorvinphos (TCVP). The notice addresses the draft human health and ecological risk assessments for registration review of bromacil, cyprodinil, and propamocarb; the draft human health risk assessment for the registration review of cyphenothrin; and the draft ecological risk assessment for the registration review of 2,4-D. The notice also specifies the EPA's explanation for relying on TCVP data from human research on TCVP exposure from pet collars. Comments on the draft assessments are due July 24, 2017. Contact: Richard Dumas; EPA, Office of Pesticide Programs; 703-308-8015; dumas.richard@epa.gov

82 FR 24117 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Tolerance/Flazasulfuron

**PESTICIDES**

Final rule of the EPA amends regulations under 40 CFR 180.655 to establish a tolerance for residues of the herbicide flazasulfuron in or on olives at 0.01 parts per million. The rule is issued in response to a petition filed by ISK Biosciences Corp., of Concord, Ohio. The rule is effective

May 25, 2017. Objections and hearing requests are due July 24, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDRNotices@epa.gov

82 FR 24062 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Tolerance/Isopyrazam

**PESTICIDES**

Final rule of the EPA amends regulations under 40 CFR 180.654 to establish a tolerance for residues of the fungicide isopyrazam in or on bell peppers at 0.5 parts per million (ppm); tomatoes at 0.5 ppm; and the cucurbit subgroup 9A at 0.3 ppm. The rule is issued in response to a petition filed by Syngenta Crop Protection LLC, of Greensboro, N.C. The rule is effective May 25, 2017. Objections and hearing requests are due July 24, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDRNotices@epa.gov

82 FR 24071 (05/25/2017)

Regulatory Update

**PESTICIDES**

Pesticide Tolerances/Fenazaquin

**PESTICIDES**

Final rule of the EPA amends regulations under 40 CFR 180.632 to establish tolerances for residues of the miticide/insecticide fenazaquin in or on hops at 30 parts per million (ppm); nut, tree group 14-12 at 0.02 ppm; pineapple at 0.2 ppm; and tea at 9 ppm. The rule also removes the existing tolerance for almond at 0.2 ppm due to the establishment of the tolerance for nut, tree group 14-12. The rule is issued in response to petitions from Gowan Co., of Yuma, Ariz. The rule is effective May 25, 2017. Objections and hearing requests are due July 24, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDRNotices@epa.gov

82 FR 24067 (05/25/2017)

Regulatory Update

**RADIATION**

ACRS Planning and Procedures Subcommittee Meeting

**RADIATION**

Notice of the Nuclear Regulatory Commission announces a meeting of the Advisory Committee on Reactor Safeguards Subcommittee on Planning and Procedures to discuss proposed ACRS activities and related matters. The meeting is scheduled for June 6, 2017, in Rockville, Md. Comments are due June 6, 2017. Contact: Quynh Nguyen; NRC; 301-415-5844; Quynh.Nguyen@nrc.gov

82 FR 24168 (05/25/2017)

Regulatory Update

**TOXIC SUBSTANCES**

**National Toxicology Program Board of Scientific Counselors Meeting**

**TOXIC SUBSTANCES**

Notice of the National Institutes of Health announces amendments to a May 2, 2017, notice (82 FR 20484) regarding a meeting of the National Toxicology Program (NTP) Board of Scientific Counselors. The agenda includes updates on programmatic activities, including issues related to studying mixtures, an evaluation of the zebrafish model for toxicology, a state of the science evaluation of transgenerational inheritance of health effects, and the new Integrated Chemical Environment database. The agenda also includes discussion of the Interagency Coordinating Committee on the Validation of Alternative Methods' (ICCVAM) activities regarding new approaches in evaluating the safety of chemicals and medical products in the U.S. The current action specifies that the agenda has been updated to include reports from agency directors and presentations on NTP efforts and challenges toward studying real world exposures. The meeting is scheduled for June 29, 2017, in Research Triangle Park, N.C., and via webcast. Contact: Mary Wolfe; NIH, National Institute of Environmental Health Sciences; 919-541-7539; wolfe@niehs.nih.gov

82 FR 24136 (05/25/2017)

**Regulatory Update**

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