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From: Bloomberg BNA
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EHS State Regulatory Alert

August 15, 2017 - Number 156

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California

AIR
Aftermarket Catalytic Converters
California AIR

Proposed rule of the Air Resources Board amends regulations under 13 CCR 2222 regarding evaluation procedures for new aftermarket catalytic converters. The rule incorporates low-emission vehicle (LEV) III standards and test procedures to allow for anti-tampering exemption of aftermarket catalytic converters for sale and installation on LEV III vehicles. A hearing is scheduled for Sept. 28-29, 2017, in Sacramento. Comments are due Sept. 25, 2017. Contact: Tony Martino, ARB, Aftermarket Parts Section; 626-575-6848

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Child Safety Alert Systems
California HAZARDOUS MATERIALS TRANSPORTATION

Proposed rule of the California Highway Patrol adopts regulations under 13 CCR 1294 to establish provisions concerning specifications, installation, and use of child safety alert systems (CSAS). The rule specifies the circumstances under which all school buses, school pupil activity buses, youth buses, and child care vehicles must be equipped with a CSAS to provide the basis for the determination of compliance with 2018-19 school year implementation date requirements. The rule also specifies the circumstances under which the CSAS must be activated and prohibits any method of deactivation except as provided. In addition, the rule provides warning requirements for the CSAS, specifies interior lighting requirements and alternatives, and clarifies CSAS operational requirements. Hearing requests are due Sept. 11, 2017. Comments are due Sept. 25, 2017. Contact: Joseph Mosinski; CHP, Commercial Vehicle Section; 916-843-3400; cvsregs@chp.ca.gov

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Hazardous Materials/Explosives Routes and Stopping Places

California HAZARDOUS MATERIALS TRANSPORTATION

Final rule of the California Highway Patrol amends regulations under 13 CCR 1151 concerning commercial vehicle routes and stopping places for transportation of explosives. The rule updates explosives routes to extend 2.2 miles and remove 8.2 miles of currently designated routes in the San Francisco region. The rule is effective July 27, 2017. Contact: Tian-Ting Shih; CHP, Commercial Vehicle Section; 916-843-3400; cvsregs@chp.ca.gov

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

General Industry Safety Orders/Process Safety Management for Petroleum Refineries

California OCCUPATIONAL SAFETY AND HEALTH

Final rule of Department of Industrial Relations, Occupational Safety and Health Standards Board, adopts regulations under 8 CCR 5189.1 regarding general industry safety orders related to process safety management for petroleum refineries. The rule establishes safety performance standards for refinery employers, including applying safeguard protection analyses, integrating human factors and safety culture assessments into safety planning, involving front-line employees in decision-making, conducting root-cause analysis following significant incidents, and performing comprehensive process hazard analyses. The rule is effective Oct. 1, 2017. Contact: Marley Hart; DIR, Cal-OSHA Standards Board; 916-274-5721; oshsb@dir.ca.gov

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Industry Safety Orders/General Mobile Equipment and Auxiliaries

California OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Industrial Relations, Occupational Safety and Health Standards Board, amends regulations under 8 CCR 3650 regarding design and construction standards for powered industrial trucks (PITs). The rule specifies that PIT forks may be in the raised position for loading and unloading by operators if the forks are raised no more than 42 inches above the same level on which the PIT is located, rather than where the operators are standing. The rule requires operators to be in the driver's seat of the PIT when not involved in loading and unloading operations. The rule is effective Oct. 1, 2017. Contact: Marley Hart; DIR, Cal-OSHA Standards Board; 916-274-5721; mhart@dir.ca.gov

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

PESTICIDES

Pesticides and Pest Control Operations **California PESTICIDES**

Proposed rule of the Department of Pesticide Regulation amends regulations under 3 CCR 6000 through 6776 (nonconsecutive) to revise pesticide worker safety standards to conform to Nov. 2, 2015, amendments to federal worker protection standards under 40 CFR 170. The rule removes the application exclusion zone definition and revises requirements for notice of completed applications, fieldworker training, fieldworker decontamination supplies, and field posting when a pesticide is used for the commercial or research production of an agricultural commodity. The rule also revises training program requirements for pesticide handlers working in several agriculture settings. Hearing requests are due Sept. 11, 2017. Comments are due Sept. 25, 2017. Contact: Linda Irokawa-Otani; DPR; 916-445-3991

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

SOLID WASTE

Covered Electronic Waste Program **California SOLID WASTE**

Proposed rule of the Department of Resources Recycling and Recovery amends regulations under 14 CCR 18660.5 through 18660.46 (nonconsecutive) to clarify provisions concerning the implementation and administration of the Covered Electronic Waste program. The rule addresses eligibility, documentation, compliance, and accountability under the program. The rule also addresses provisions concerning applicability and limitations, recordkeeping and information tracking, reporting requirements, compliance requirements, procedures for the dismantling of covered electronic waste, program appeals, cancellation methods, manufacturer payments, civil penalties, and definitions. A hearing is scheduled for Oct. 11, 2017, in Sacramento. Comments are due Oct. 10, 2017. Contact: Andrew Hurst; DRRR; 916-323-2872; ewaste@calrecycle.ca.gov

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

TOXIC SUBSTANCES

Safe Drinking Water and Toxic Enforcement Act/Glyphosate, Pentabromodiphenyl Ether Mixture **California TOXIC SUBSTANCES**

Final rule of the Office of Environmental Health Hazard Assessment amends regulations under 27 CCR 27001 to add glyphosate and pentabromodiphenyl ether mixture (DE-71; technical grade) to the list of chemicals known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). The rule is effective Aug. 2, 2017. Contact: Michelle Ramirez; OEHHA; 916-327-3015; Michelle.Ramirez@oehha.ca.gov

—California Regulatory Notice Register (08/11/2017)

Regulatory Update

Colorado

WATER

Basic Standards and Methodologies for Surface Water Colorado WATER

Proposed rule of the Department of Public Health and Environment, Water Quality Control Commission, amends regulations under 5 CCR 1002-31 regarding basic standards and methodologies for surface water. The rule corrects the spelling of a species listed in a footnote to Table I regarding physical and biological parameters. A hearing is scheduled for Dec. 11, 2017, in Denver. Comments are due Nov. 29, 2017. Contact: Blake Beyea; DPHE; 303-692-3656; blake.beyea@state.co.us

—Colorado Register (08/09/2017)

Regulatory Update

WATER

Classifications and Numeric Standards/Rio Grande River Basin Colorado WATER

Proposed rule of the Department of Public Health and Environment, Water Quality Control Commission, amends regulations under 5 CCR 1002-36 regarding classifications and numeric standards for the Rio Grande Basin. The rule revises lead values erroneously written as acute/chromium to acute/chronic. The rule also corrects the descriptions of Alamosa segments 28 and 29 and adds Alamosa segments 8 and 30 as exceptions. In addition, the rule corrects the descriptions of Closed Basin segments 3 and 9a and adds Closed Basin segment 1 as an exception. A hearing is scheduled for Dec. 11, 2017, in Denver. Comments are due Nov. 29, 2017. Contact: Blake Beyea; DPHE; 303-692-3656; blake.beyea@state.co.us

—Colorado Register (08/09/2017)

Regulatory Update

WATER

Classifications and Numeric Standards/South Platte, Laramie, Republican and Smoky Hill River Basins Colorado WATER

Proposed rule of the Department of Public Health and Environment, Water Quality Control Commission, amends regulations under 5 CCR 1002-36 regarding classifications and numeric standards for the South Platte, Laramie, Republican, and Smoky Hill river basins. The rule corrects standards applied to Upper South Platte Segment 16i, including removing the water supply-based standards for cadmium, chromium III, lead, and nickel and replacing the existing agriculture-based chronic arsenic standard of 100 total recoverable micrograms per liter with the fish ingestion-based chronic standard of 7.6 total recoverable µg/L. The rule also revises the qualifier for the Upper South Platte Segment 22a to a water and fish standards qualifier. In addition, the rule revises standards applied to Clear Creek Segment 3b by removing the acute arsenic standard of 50 total recoverable µg/L and retaining the arsenic standards to protect

aquatic life and water supply uses. Finally, the rule corrects the descriptions of Clear Creek segments 6 and 21 and includes the segments as exceptions to segments 7a and 7b, respectively. A hearing is scheduled for Dec. 11, 2017, in Denver. Comments are due Nov. 29, 2017. Contact: Blake Beyea; DPHE; 303-692-3656; blake.beyea@state.co.us

—Colorado Register (08/09/2017)

Regulatory Update

District of Columbia

SOLID WASTE

Solid Waste Control/Mayor's List of Recyclables and Compostables District of Columbia SOLID WASTE

Proposed rule of the Department of Public Works amends regulations under 21 DCMR 700 through 799 (nonconsecutive); adopts regulations under 21 DCMR 722 and 723; and repeals regulations under 21 DCMR 714 regarding solid waste control. The rule establishes the Mayor's List of Recyclables and Compostables, effective Jan. 1, 2018, to define new items that are recyclable and compostable and provide associated source separation requirements for all district premises. The rule also establishes registration and annual reporting requirements for solid waste collectors. In addition, the rule updates the definition of solid waste to mean all waste including refuse, recyclable materials, compostable materials, and reusable materials to align with statute. Comments are due Sept. 11, 2017. Contact: Evann Sawyers-Rouse; DPW, Office of Waste Diversion; 202-640-1427; Evann.Sawyers-Rouse@DC.Gov

—District of Columbia Register (08/11/2017)

Regulatory Update

Florida

OCCUPATIONAL SAFETY AND HEALTH

Firefighter Employment Standards Florida OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Financial Services, Division of State Fire Marshal, amends regulations under FAC 69A-62.0001, .021 and .030 regarding firefighter employment standards. The rule clarifies the definitions of “fatality,” “hazard,” and “illness” and removes the definition of “multiple injury event.” The rule also revises statutory citations and removes references to the firefighter safety and health webpage, which is no longer available. A hearing is scheduled for Sept. 5, 2017, in Ocala. Comments are due Sept. 1, 2017. Contact: Mike Tucker; DFS, Division of State Fire Marshal; 352-369-2829; Mike.Tucker@myfloridacfo.com

—Florida Administrative Weekly (08/11/2017)

Regulatory Update

Massachusetts

AIR

Air Pollution Control for Mobile Sources

Massachusetts AIR

Final rule of the Department of Environment Protection amends regulations under 310 CMR 7.71, 7.72, and 60.05 and adopts regulations under 310 CMR 7.73, 7.74, 7.75, and 60.06 regarding air pollution control for mobile sources to reduce greenhouse gas (GHG) emissions. The rule establishes standards for sulfur hexafluoride emissions from gas-insulated switchgear, methane emissions from the natural gas distribution network, GHG emissions from electricity generating units, and carbon dioxide emissions from fleet passenger vehicles. The rule also revises the GHG Reporting Program to align with changes to the retail seller GHG emission reporting requirements under the clean energy standard. The rule is effective Aug. 11, 2017. Contact: Jay Eberle; DEP; 617-556-1067

—Massachusetts Register (08/11/2017)

Regulatory Update

Pennsylvania

AIR

SIP Revision/Indiana Nonattainment Area

Pennsylvania AIR

Notice of the Department of Environmental Protection announces a proposed revision to the state implementation plan for the Indiana nonattainment area to demonstrate attainment and maintenance of the 2010 sulfur dioxide national ambient air quality standards. The revision consists of a base year emission inventory and a demonstration of reasonable further progress towards attainment and installation of reasonably available control measures and technology. The revision also consists of dispersion modeling that demonstrates attainment in 2018, an approved new source review program, and contingency measures. The SIP revision will be submitted to the EPA for approval. A hearing is scheduled for Sept. 13, 2017, in Pittsburgh. Comments are due Sept. 15, 2017. Contact: Amanda Rodriguez; DEP; 717-787-9702; amarodrigu@pa.gov

—Pennsylvania Bulletin (08/12/2017)

Regulatory Update

Rhode Island

SOLID WASTE

Ocean State Cleanup and Recycling Program

Rhode Island SOLID WASTE

Proposed direct final rule of the Department of Environmental Management repeals regulations regarding recycling and litter control grants. The rule removes provisions concerning the Ocean State Cleanup and Recycling Program, because the program was discontinued and all such recycling programs were transferred to the Rhode Island Resource Recovery Corp. Comments are due Sept. 10, 2017. Contact: Leo Hellested; DEM, Office of Waste Management; 401-222-2797; leo.hellested@dem.ri.gov

—Rhode Island Regulations (08/13/2017)

Regulatory Update

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