

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
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Subject: Aug. 07 -- EHS State Regulatory Alert



EHS State Regulatory Alert

August 07, 2017 - Number 150

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California

HAZARDOUS MATERIALS TRANSPORTATION
Motor Carrier Safety/Modified Limousine Buses
California HAZARDOUS MATERIALS TRANSPORTATION

Emergency rule of the California Highway Patrol amends regulations under 13 CCR 1212.5, 1218, 1239, and 1264 and adopts regulations under 13 CCR 1231.3 to establish requirements for a modified limousine terminal inspection program. The rule also establishes a terminal inspection fee based on carrier fleet size. In addition, the rule applies certain requirements regarding maximum driving and on-duty time, fueling restrictions, commercial vehicle safety out-of-service criteria, and passenger compartment signaling devices to modified limousines. The rule is effective July 31, 2017, and expires Jan. 30, 2018. Contact: Joseph Mosinski; CHP; 916-843-3400; cvsregs@chp.ca.gov

—California Regulatory Notice Register (08/02/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Conveyance Inspection Program Fees
California OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Industrial Relations, Division of Occupational Safety and Health, announces the readoption of a Jan. 31, 2017, emergency rule that amended regulations under 8 CCR 344.30 to reduce fees for permits, certifications, and inspections of elevators and other types of conveyances. The readoption was filed July 31, 2017. Contact: Denise Cardoso; DIR, Division of Occupational Safety and Health; 510-286-0306; dcardoso@dir.ca.gov

—California Regulatory Notice Register (08/02/2017)

Regulatory Update

Delaware

GENERAL ENVIRONMENT AND SAFETY

Implementation of Renewable Energy Portfolio Standards Cost Cap Provisions

Delaware GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Natural Resources and Environmental Control, Division of Energy and Climate, repeals regulations under 7 DEAC 2102 regarding procedures for the director to freeze implementation of the renewable portfolio standards. The repeal is intended to avoid inconsistencies with similar Public Service Commission regulations under 26 DEAC 3008 and to comply with an agency commitment made in recent state court proceedings. The rule is effective Aug. 11, 2017. Contact: Thomas Noyes; DNREC, Division of Energy and Climate; 302-735-3480; thomas.noyes@state.de.us

—Delaware Register of Regulations (08/01/2017)

Regulatory Update

SOLID WASTE

Solid Waste/Coal Combustion Residuals

Delaware SOLID WASTE

Proposed rule of the Department of Natural Resources and Environmental Control, Division of Waste and Hazardous Substances, amends regulations under 7 DEAC 1301 regarding solid waste. The rule incorporates federal requirements on the management of coal combustion residuals and modifies obsolete provisions. The rule also clarifies requirements for industrial landfills concerning stormwater plans, data evaluation, weekly inspections, interim-closure care, and post-closure care. A hearing is scheduled for Aug. 30, 2017, in Dover. Comments are due Aug. 31, 2017. Contact: Alison Kiliszek; DNREC; 302-739-9403; Alison.Kiliszek@state.de.us

—Delaware Register of Regulations (08/01/2017)

Regulatory Update

WATER

Delaware River Basin Commission Hearing and Meeting

Delaware WATER

Notice of the Delaware River Basin Commission announces a hearing to discuss draft dockets for withdrawals, discharges, and other water-related projects. The commission also announces a business meeting to address the adoption of minutes from the commission's June 14, 2017, meeting; a report on hydrologic conditions; reports by the commission's executive director and general counsel; upcoming event and meeting announcements; and consideration of additional matters including authorization resolutions regarding the executive director. The hearing is scheduled for Aug. 16, 2017, in Washington Crossing, Pa., and the meeting is scheduled for Sept. 13, 2017, in Newtown, Pa. Comments are due Aug. 21, 2017. Contact: Pamela Bush; DRBC; 609-883-9500; pamela.bush@drbc.nj.gov

—Delaware Register of Regulations (08/01/2017)

Regulatory Update

Mississippi

OCCUPATIONAL SAFETY AND HEALTH

Safety Conveyance Act

Mississippi OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Insurance Department amends regulations under Title 19, Part 8, Chapter 1, regarding the Safety Conveyance Act. The rule updates provisions to prevent the retroactive application of the 2011 National Safety Code for Existing Elevators and Escalators (American Society of Mechanical Engineers A.17.3). The rule also requires that certain hydraulic elevators have the hydraulic jacks pressure tested annually and specifies that those with jacks determined to be leaking underground must be immediately shut off until the jack unit is replaced. The rule is effective Sept. 2, 2017. Contact: Daniel Bradshaw; Insurance Department; 601-359-1074; daniel.bradshaw@mid.ms.gov

—Mississippi Regulations (08/03/2017)

Regulatory Update

Oregon

OCCUPATIONAL SAFETY AND HEALTH

Recording Workplace Injuries and Illnesses

Oregon OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Consumer and Business Services, Occupational Safety and Health Division, amends regulations under OAR 437-001-0700, Table 1, regarding recording workplace injuries and illnesses. The rule removes elementary and secondary schools, other schools of instruction, and educational support services from the recordkeeping exempt status list and requires those employers to keep safety injury and illness records. The rule is in response to a petition by the Oregon School Employees Association. The rule is effective Jan. 1, 2018. Contact: Sue Jove; DCBS, Occupational Safety and Health Division; 503-947-7449

—Oregon Bulletin (08/02/2017)

Regulatory Update

Utah

SOLID WASTE

Waste Management/Solid Waste Facility Location Standards
Utah SOLID WASTE

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-302-1 regarding location standards for solid waste disposal facilities. The rule removes the prohibition on new solid waste landfills being located within farmland classified or evaluated as “prime,” “unique,” or of “statewide importance” under federal standards. The rule is effective Aug. 1, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (08/01/2017)

Regulatory Update

Virginia

WATER

City of Fairfax/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed special consent order with Nutley Street Service Center LLC for alleged State Water Control Law violations associated with underground storage tank release detection, recordkeeping, and reporting requirements at the settling party's facility in Fairfax. The order requires the settling party to pay a civil penalty of \$3,851. Comments are due Sept. 7, 2017. Contact: Stephanie Bellotti; DEQ, Northern Regional Office; 703-583-3800; stephanie.bellotti@deq.virginia.gov

—Virginia Register (08/07/2017)

Regulatory Update

WATER

City of Roanoke/State Water Control Law Special Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed special consent order with Conny Oil Inc. for alleged State Water Control Law violations associated with the release of gasoline from one of the facility's underground storage tanks into a city of Roanoke storm water sewer. The order requires the settling party to pay a civil penalty of \$19,425 and to perform actions specified in an incorporated schedule of compliance. Comments are due Sept. 6, 2017. Contact: Jerry Ford; DEQ, Blue Ridge Regional Office; 540-562-6817; jerry.ford@deq.virginia.gov

—Virginia Register (08/07/2017)

Regulatory Update

WATER

Henrico County/State Water Control Law Consent Order
Virginia WATER

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Attack Investors LLC for alleged State Water Control Law violations regarding maintenance of erosion and sediment controls in wetlands and streams on the company's property in Henrico County. The order requires the settling party to pay a civil penalty of \$3,413 and to perform actions described in an incorporated schedule of compliance. Comments are due Sept. 6, 2017. Contact: Lee Crowell; DEQ; 804-698-4000; lee.crowell@deq.virginia.gov

—Virginia Register (08/07/2017)

Regulatory Update

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