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From: Bloomberg BNA
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EHS State Regulatory Alert

August 22, 2017 - Number 161

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California

AIR

Accidental Release Prevention Program/Petroleum Refineries **California AIR**

Final rule of the Office of Emergency Services amends regulations under 19 CCR 2735.1 through 2785.1 (nonconsecutive) and adopts regulations under 19 CCR 2745.1, 2762.0.1 through 2762.17, and 2775.2.5 to establish the California Accidental Release Program (CalARP) 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: Stephanie Ogren; OES; 916-845-8322

—California Regulatory Notice Register (08/18/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Basic Inspection of Terminals Program

California HAZARDOUS MATERIALS TRANSPORTATION

Proposed rule of the California Highway Patrol adopts regulations under 13 CCR 1233.2 to establish a performance-based truck terminal inspection selection priority system due to the re-branding of the state inspection of terminals program. The rule specifies safety performance scoring methodologies to be used by the agency and provides the basis for the selection of terminals for required inspections. Comments are due Oct. 2, 2017. Contact: Joseph Mosinski; CHP, Commercial Vehicle Section; 916-843-3400; cvsregs@chp.ca.gov

—California Regulatory Notice Register (08/18/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Inhalation Hazard Shipments/Routes and Stopping Places

California HAZARDOUS MATERIALS TRANSPORTATION

Proposed rule of the California Highway Patrol amends regulations under 13 CCR 1157.21 regarding routes and stopping places for inhalation hazard shipments. The rule updates information on inspections stops, required inspections stops, and stopping places used by carriers of inhalation hazards along the designated inhalation hazard routes. Hearing requests are due Sept. 18, 2017. Comments are due Oct. 2, 2017. Contact: Tian-Ting Shih; CHP, Commercial Vehicle Section; 916-843-3400

—California Regulatory Notice Register (08/18/2017)

Regulatory Update

TOXIC SUBSTANCES

Safe Drinking Water and Toxic Enforcement Act/Coumarin

California TOXIC SUBSTANCES

Notice of the Office of Environmental Health Hazard Assessment announces a meeting of the Carcinogen Identification Committee to discuss whether to add coumarin to the list of chemicals known to the state to cause cancer or reproductive toxicity, pursuant to the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). The notice also announces the availability of the hazard identification document Evidence on the Carcinogenicity of Coumarin, which will be considered during the meeting. The meeting is scheduled for Nov. 2, 2017, in Sacramento. Comments are due Oct. 2, 2017. Contact: Michelle Ramirez; Cal-EPA, OEHHA; 916-445-6900; Michelle.Ramirez@OEHHA.ca.gov

—California Regulatory Notice Register (08/18/2017)

Regulatory Update

WATER

Water Quality Control/Los Angeles Region

California WATER

Final rule of the State Water Resources Control Board adopts regulations under 23 CCR 3939.53 regarding the water quality control plan for the Los Angeles Region. The rule incorporates salt and nutrient management measures for the Malibu Valley Groundwater Basin in Los Angeles County. The rule is effective Aug. 9, 2017. Contact: Ginachi Amah; SWRCB; 213-576-6685

—California Regulatory Notice Register (08/18/2017)

Regulatory Update

WATER

Water Quality Control/Los Angeles Region

California WATER

Final rule of the State Water Resources Control Board amends regulations under 23 CCR 3930

regarding the water quality control plan for the Los Angeles Region. The rule updates descriptions of Los Angeles Water Board programs; adds sections on funding for water quality improvement projects and climate change considerations; incorporates previously adopted basic plan amendment language; and revises tables, maps, and figures. The rule also updates geographic information regarding certain hydrologic unit codes and reach descriptions in the beneficial use tables and tributary tables. The rule is effective Aug. 8, 2017. Contact: Ginachi Amah; SWRCB; 213-576-6685

—California Regulatory Notice Register (08/18/2017)

Regulatory Update

North Dakota

RADIATION

Radiological Health Rules

North Dakota RADIATION

Proposed rule of the Department of Health, Division of Air Quality, amends regulations under NDAC 33-10-03.1 through -28 (nonconsecutive) to revise radiological health standards to incorporate changes to Nuclear Regulatory Commission standards. The rule revises provisions related to NRC-approved quality assurance programs, updates general license procedures, revises definitions, and modifies licensee exemptions for low-level materials. The rule also replaces references to the Office of Information Services with references to the Office of the Chief Information Officer as the point of contact to obtain detailed guidance on making electronic submissions to the NRC. In addition, the rule specifies that containers containing technologically enhanced naturally occurring radioactive material (TENORM) waste can also be covered to prevent loss of material and the entrance of outside elements. A hearing is scheduled for Sept. 21, 2017, in Bismarck. Comments are due Oct. 2, 2017. Contact: Terry O'Clair; DOH, Division of Air Quality; 701-328-5188

—North Dakota Regulations (08/18/2017)

Regulatory Update

Oklahoma

OIL AND GAS INDUSTRY

Corporation Commission Rules of Practice/Spacing Units

Oklahoma OIL AND GAS INDUSTRY

Notice of the Corporation Commission announces changes to a July 27, 2017, proposed emergency rule to amend regulations under OAC 165:5-7-6, -6.1, -6.2, and -7 concerning rules of practice. The rule revises terms concerning applications requesting the issuance of orders concerning horizontal well unitizations and multiunit horizontal wells in targeted reservoirs. The rule also clarifies authorizations for expenditure concerning applications for pooling orders and

updates requirements for horizontal spacing units. The changes specify requirements for spacing orders, provide the contemplated completion intervals for certain multiunit horizontal well units, and address authorizations for expenditure for specified horizontal wells. Contact: Susan Conrad; Corporation Commission; 405-521-3939; s.conrad@occemail.com

—Oklahoma Register (08/17/2017)

Regulatory Update

Pennsylvania

WATER

Susquehanna River Basin Commission Meeting **Pennsylvania WATER**

Notice of the Susquehanna River Basin Commission announces a meeting to discuss the adoption of alternatives analysis guidance, amendment of delegation authority to the executive director, a report on delegated settlements, and amendments to bylaws. The agenda also includes discussion of waiver requests submitted by Middletown Borough, Peak Resorts Inc./Greek Peak Mountain Resort, and the Carrolltown Borough Municipal Authority. In addition, the agenda includes discussion of requests for extension of emergency certificates for Sunset Golf Course, Sunoco Pipeline LP, and Furman Foods Inc. The meeting is scheduled for Sept. 7, 2017, in Elmira, N.Y. Comments on agenda items other than the regulatory program projects, the alternatives analysis guidance, and the request for waiver by Middletown Borough, are due Aug. 31, 2017. Contact: Jason Oyler; SRBC; 717-238-0423

—Pennsylvania Bulletin (08/19/2017)

Regulatory Update

Vermont

HAZARDOUS WASTE CLEANUP

Investigation and Remediation of Contaminated Properties **Vermont HAZARDOUS WASTE CLEANUP**

Final rule of the Agency of Natural Resources adopts regulations under Chapter 35 regarding the investigation and remediation of contaminated properties. The rule establishes a framework for the investigation and remediation of hazardous material releases, including procedures for initial investigation, final cleanup, remediation, and closure of contaminated properties. The rule also clarifies procedures for identifying hazardous material contamination in soil, groundwater, surface water, and air and establishes requirements for source treatment, removal, containment, long-term monitoring and institutional controls. In addition, the rule addresses site management waivers and definitions. The rule is effective July 27, 2017. Contact: Lynda Provencher; ANR; 802-249-5562; lynda.provencher@vermont.gov

—Vermont Regulations (08/17/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Aboveground Storage Tanks

Vermont HAZARDOUS WASTE MANAGEMENT

Final rule of the Agency of Natural Resources, Department of Environmental Conservation, amends regulations under Chapter 9 regarding aboveground storage tanks. The rule addresses the installation of new aboveground storage tank systems and substantial alterations of existing tank systems that store petroleum oil. The rule also requires the inspection of all storage tank systems once every three years, establishes the criteria for inspections, and implements a formal requirement to report certain noncompliance and designate a tank system as noncompliant and unfillable. The rule is effective Aug. 15, 2017. Contact: Matthew Moran; ANR; 802-522-5729; matt.moran@vermont.gov

—Vermont Regulations (08/17/2017)

Regulatory Update

WATER

Wastewater Systems and Potable Water Supply Designers

Vermont WATER

Final rule of the Secretary of State, Office of Professional Regulation, adopts regulations regarding administrative rules for wastewater systems and potable water supply designers. The rule transfers responsibility for licensing facility operators from the Agency of Natural Resources to the OPR. The rule is effective Aug. 1, 2017. Contact: Gabriel Gilman; Secretary of State, Office of Professional Regulation; 802-828-2492; gabriel.gilman@sec.state.vt.us

—Vermont Regulations (08/17/2017)

Regulatory Update

WATER

Water Pollution Abatement Facility Operators

Vermont WATER

Final rule of the Secretary of State, Office of Professional Regulation, adopts regulations regarding water pollution abatement facility operators. The rule transfers responsibility for licensing operators from the Agency of Natural Resources to the OPR. The rule is effective Aug. 1, 2017. Contact: Gabriel Gilman; Secretary of State, Office of Professional Regulation; 802-828-2492; gabriel.gilman@sec.state.vt.us

—Vermont Regulations (08/17/2017)

Regulatory Update

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