

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 6/27/2017 10:53:16 PM
Subject: June 27 -- Energy and Climate Report



Energy and Climate Report

June 27, 2017 - Number 123

News

Budget

House Appropriators Move to Eliminate Funding for ARPA-E

The Energy Department's Advanced Research Projects Agency—Energy (ARPA-E) would have its funding eliminated in spending legislation released June 27 by Republicans on the House Appropriations committee.

Climate Policy

Germany Prepares Fund to Encourage Pension-Pot Climate Spending

Germany's environment ministry is to start its first fund aimed at reducing the risk of financing clean-energy projects in emerging nations.

Coal Mining

\$1 Billion Mine Cleanup Bill Moves to Full House

A bill that would speed the delivery of \$1 billion to states grappling with old, unreclaimed mine sites passed a House committee June 27.

Coal-Fired Power Plants

Navajo Vote to Extend Large Coal-Fired Power Plant's Lease

The massive coal-fired Navajo Generating Station can continue to operate through 2019 after the Navajo Nation Council approved legislation allowing it more time to shut down.

Congress

EPA Prying Into Witness Testimony Merits Probe: Democrats

House Science Committee Democrats are calling for an investigation into potential inappropriate interference from EPA into an agency science adviser's testimony before Congress.

Energy

Energy Regulator to Retire June 30, Leaving One Commissioner

The Federal Energy Regulatory Commission's Colette Honorable said her last day will be June 30, leaving the independent agency with one remaining member and four vacancies.

Energy

Energy Secretary Supports Nuclear, but Funding Cut Proposed

Energy Secretary Rick Perry called domestic nuclear energy development a "game changer" at the start of White House "Energy Week," but the department's proposed budget would cut funding for its nuclear office.

Energy

Perry Seeks Energy Pact with Mexico, Canada as NAFTA Talks Near

The U.S. has a unique opportunity to develop a “North American energy strategy” with Canada and Mexico, Energy Secretary Rick Perry said, striking a conciliatory tone with the other members of the North American Free Trade Agreement.

Energy

Perry: Renewables Affect Grid Reliability; FERC Member Refutes

Energy Secretary Rick Perry said previous policies benefiting renewable resources threaten baseload resources and lead to a less reliable electric grid, but Federal Energy Regulatory Commissioner Colette Honorable refuted his claim.

Energy

Pumped Hydropower Storage Bill Passes House

A bill designed to eliminate regulatory uncertainty in hydropower storage at federal reservoirs passed the House June 27.

Energy

Westinghouse Dealt Setback in Bid to Recover \$2 Billion

Westinghouse Electric Co. was dealt a setback in its bid to recover \$2 billion from Chicago Bridge & Iron Co. NV stemming from cost overruns at unfinished nuclear reactors in South Carolina and Georgia.

Hydraulic Fracturing

Interior May Restore Pre-2015 Federal Fracking Regulations

The Interior Department appears poised to rescind its 2015 rule on hydraulic fracturing outright, after which it may simply revert to the pre-existing status quo on federal regulations for fracking on federal and Indian lands.

Radioactive Waste

Adviser Promoted as Acting Head of Nuclear Waste Cleanup Office

James Owendoff was named as acting head of the Energy Department's Office of Environmental Management, which is responsible for the cleanup of waste from the government's nuclear weapons program.

Shareholder Proposals

Energy Giants May Be Bowing to Investor Sway on Climate Stance

Energy companies may be more willing to give in to investor demand for disclosure on climate change after a record show of support for environmental issues this proxy season.

Tax Policy

Pass and Go: Four Non-Tax Reform Bills That Could Move This Year

Top House Republicans have vowed repeatedly to make sweeping tax reform a reality this year—but that effort won't be the only chance to see tax action.

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Energy and Climate Report

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Wed 6/7/2017 1:05:19 PM
Subject: June 07 -- EHS State Regulatory Alert



EHS State Regulatory Alert

June 07, 2017 - Number 108

You can create a report customized by topic, jurisdiction, and date range by using the [Regulatory Summaries Report Tool](#). The report can be generated in Excel, Word, or PDF.

Alabama

GENERAL ENVIRONMENT AND SAFETY
Department of Environmental Management/Communications
Alabama GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Environmental Management amends regulations under AAC 335-1-1-.08 regarding communications with the department. The rule updates the address used for submission of correspondence, applications, reports, or other required documents. A hearing is scheduled for July 13, 2017, in Montgomery. Comments are due July 13, 2017. Contact: David Hutchinson; DEM; 334-271-7711

—Alabama Administrative Monthly (05/31/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Department of Environmental Management/Organization
Alabama GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Environmental Management amends regulations under AAC 335-1-1-.07 regarding departmental forms, instructions and procedures. The rule adds two forms, revises 45 forms and deletes 27 forms. A hearing is scheduled for July 13, 2017, in Montgomery. Comments are due July 13, 2017. Contact: David Hutchinson; DEM; 334-271-7711

—Alabama Administrative Monthly (05/31/2017)

Regulatory Update

WATER
Department of Environmental Management/Permit Application Fees
Alabama WATER

Proposed rule of the Department of Environmental Management amends regulations under AAC 335-1-6-.04 regarding permit application fees. The rule corrects fee schedule B for coastal use permits statewide, water quality certification, and project reviews. The rule also removes fee schedule F for National Pollutant Discharge Elimination System construction materials, noncoal, nonmetallic mining, excavation, borrow, disturbance, development dry processing storage, and transloading sites. A hearing is scheduled for July 13, 2017. Comments are due July 13, 2017. Contact: David Hutchinson; DEM; 334-271-7711

—Alabama Administrative Monthly (05/31/2017)

Regulatory Update

Alaska

OCCUPATIONAL SAFETY AND HEALTH

Plumbing Code

Alaska OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Workforce Development, Division of Labor Standards and Safety, amends regulations under 8 AAC 63.010 regarding minimum plumbing standards. The rule incorporates by reference the 2015 Uniform Plumbing Code and deletes unnecessary language. Comments are due July 5, 2017. Contact: William Harlan; DLWD, Division of Labor Standards and Safety; 907-465-2700; anchorage.lss-mi@alaska.gov

—Alaska Regulations (06/05/2017)

Regulatory Update

California Regions

WATER

Scott and Shasta River Watersheds/Waste Discharge Requirements Conditional Waiver California Regions WATER

Notice of the North Coast Regional Water Quality Control Board announces the availability of draft orders renewing the conditional waiver of waste discharge requirements for specific land management activities in the Scott and Shasta river watersheds (Order Nos. R1-2017-0031 and R1-2017-0032). The orders provide for waiver of requirements to file a Report of Waste Discharge and obtain Waste Discharge Requirements for discharges addressed in the Scott and Shasta river total maximum daily load action plans for dischargers that implement specified conditions and North Coast region water quality control plan measures. Workshops are scheduled for June 14 and 29, 2017, in Yreka and Santa Rosa, respectively. A meeting is scheduled for Oct. 19, 2017, at a location to be determined. Comments are due July 7, 2017. Contact: Eli Scott; North Coast RWQCB; 707-576-2610; Elias.Scott@waterboards.ca.gov

—California RegionsRegulations (06/01/2017)

Regulatory Update

New Hampshire

AIR

Sources of Hazardous Air Pollutants

New Hampshire AIR

Proposed rule of the Department of Environmental Services amends regulations under NHAR Env-A 500 and adopts regulations under NHAR Env-A 506 regarding standards applicable to certain new or modified facilities and sources of hazardous air pollutants. The rule updates the incorporation by reference of new source performance standards (NSPS) and national emission standards for hazardous air pollutants (NESHAP) under 40 CFR 60, 61, and 63, as of July 1, 2016. The rule also incorporates the NSPS for municipal solid waste landfills (Subpart XXX), new residential wood heaters (Subpart AAA), and new residential hydronic heaters and forced air furnaces (Subpart QQQQ). In addition, the rule incorporates federal requirements under 40 CFR 62, Subpart LLL, concerning the federal plan requirements for existing sewage sludge incineration units. A hearing is scheduled for June 29, 2017, in Concord. Comments are due July 7, 2017. Contact: Karla McManus; DES, Air Division; 603-271-6854; Karla.McManus@des.nh.gov

—New Hampshire Rulemaking Register (06/01/2017)

Regulatory Update

New Jersey

HAZARDOUS WASTE CLEANUP

Site Remediation Professional Licensing Board/Fees

New Jersey HAZARDOUS WASTE CLEANUP

Notice of the Department of Environmental Protection, Site Remediation Professional Licensing Board, announces the availability of the fee calculation report for calendar year 2017. The report, which is required under NJAC 7:26I-3, addresses calculations for the application fee, renewal fee, and annual license fee and specifies that the fiscal year 2016 data proposed for the calculation of calendar 2017 fees does not support a change to the fees. The notice also specifies a need for improved and more accurate collection of such data and announces uncertainties in projections for the fiscal 2017 budget. Contact: DEP, Site Remediation Program; 609-292-1250

—New Jersey Register (06/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Health and Safety Standards for Public Employees/Hazard Communication

New Jersey OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Workforce Development amends regulations under NJAC 12:100-1.3 through -13.2 (nonconsecutive); repeals and readopts regulations under NJAC 12:100-7.1 and :100-7, Appendices A and B; and repeals regulations under NJAC 12:100-7.2 through -7.9 (nonconsecutive) and :100-7, Appendices C, D, and E, regarding standards for hazard communication. The rule specifies that March 26, 2012, amendments to the federal hazard communication standard (HazCom 2012) apply to public employees and adds the appropriate cross-reference; provides alternative definitions of certain federal entities to which HazCom 2012 assigns functions; and removes obsolete provisions regarding HazCom 1994. The rule also incorporates by reference the right-to-know poster and brochure, clarifies that commissioners are to establish standards in accordance with applicable law, updates references, and removes unnecessary language. The rule is effective June 5, 2017. Contact: Joy Lindo; DOH; 609-984-2177

—New Jersey Register (06/05/2017)

Regulatory Update

WATER

Highlands Water Protection and Planning Act Rules New Jersey WATER

Final rule of the Department of Environmental Protection, Division of Land Use Management, amends regulations under NJAC 7:38-1.4 and -3.4 regarding the septic system density standards in the Highlands Water Protection and Planning Act rules. The rule defines and establishes three land use capability (LUC) zones for conservation, existing community and protection. The rule also sets forth the method for determining the number of permitted septic systems on a lot that has land located in more than one of the LUC zones and removes outdated language. The rule is effective June 5, 2017. Contact: Colin Emerle; DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Register (06/05/2017)

Regulatory Update

WATER

New Jersey Pollutant Discharge Elimination System Fees New Jersey WATER

Notice of the Department of Environmental Protection, Division of Water Quality, announces the adoption of the fiscal year 2017 New Jersey Pollutant Discharge Elimination System annual fee report and assessment of fees under NJAC 7:14A-3.1. The program administers permitting of wastewater discharges from publicly and privately owned wastewater management systems, including certain stormwater discharges, and the disposal of residuals from treatment systems. Contact: Terry Beym; DEP, Division of Water Quality; 609-984-4428

—New Jersey Register (06/05/2017)

Regulatory Update

Ohio

AIR

Particulate Matter Standards

Ohio AIR

Proposed rule of the Ohio EPA amends regulations under OAC 3745-17-01 through -14 (nonconsecutive) concerning standards for particulate matter. The rule removes facilities and emission units that have been permanently shutdown and adds an additional compliance option for certain facilities, including utilities, that are required to use a continuous opacity monitor to comply with visible emissions requirements. The rule also clarifies that salvageable material is intended for reuse or restoration. In addition, the rule adds definitions to reflect exemptions for residential wood burning appliances and pellet stoves. The rule will be submitted to the EPA as a revision to the state implementation plan. A hearing is scheduled for July 11, 2017, in Columbus. Comments are due July 11, 2017. Contact: Michael Maleski; OEPA, Division of Air Pollution Control; 614-644-1961; michael.maleski@epa.ohio.gov

—Ohio Regulations (06/05/2017)

Regulatory Update

Utah

AIR

Air Quality/Nonattainment and Maintenance Areas for Particulate Matter

Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-309-3 through -12 and repeals regulations under R307-309-13 regarding fugitive emissions and fugitive dust in nonattainment and maintenance areas for particulate matter (PM-10) and fine particulate matter (PM-2.5). The rule clarifies that the provisions apply to fugitive dust sources one-quarter acre or more. The rule also clarifies the method for observing fugitive emissions to allow for observations at varying lengths of duration. In addition, the rule requires that sources keep compliance records for a two-year period and removes unnecessary language concerning compliance schedules. Comments are due July 3, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

AIR

Clean Fuel Vehicle Tax Credits

Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-122-2 and -4 regarding general requirements for the clean air and efficient vehicle tax credit. The rule adds heavy-duty vehicles that have hydrogen-electric and 100 percent electric drivetrains to the definition of a “qualified heavy duty vehicle.” Comments are due July 3,

2017. Contact: Mat Carlile; DEQ, Division of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

AIR

Nitrogen Oxide Emission Limits for Natural Gas-Fired Water Heaters

Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-230 to specify nitrogen oxide emission limits for natural gas-fired water heaters. Comments are due July 3, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Class IV and VI Landfill Requirements

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-305-3 regarding Class IV and VI landfill requirements. The rule aligns hazardous waste requirements with Nov. 28, 2016, amendments to the Hazardous Waste Generator Improvements Rule under 40 CFR 257. The rule revises definitions to change the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Hazardous Waste Management System

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-260-10 and -11 regarding the state hazardous waste management system to incorporate Nov. 28, 2016, amendments to the Hazardous Waste Generator Improvements Rule under 40 CFR 260. The rule reorganizes and consolidates generator requirements, updates hazardous waste management standards, and revises the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Hazardous Waste Permit Program

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-270-1 regarding the hazardous waste permit program to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 270.1. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Hazardous Waste TSD Facilities

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-264-1 through - (nonconsecutive) regarding standards for owners and operators of hazardous waste treatment, storage, and disposal (TSD) facilities. The rule aligns requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 264. The rule also clarifies the applicability of provisions for on-site accumulation of hazardous wastes by generators, owners or operators who ship hazardous waste generated at their facility, or operators consolidating waste from very small quantity generators. In addition, the rule updates biennial reporting requirements for owners or operators. Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Identification and Listing of Hazardous Waste

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-261-1, -4, -6, -33, and -420 and repeals regulations under R315-261-5 regarding the identification and listing of hazardous waste to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 261. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule also establishes personnel training requirements for proper waste handling and emergency procedures relevant to their responsibilities during normal

facility operations and emergencies. Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Industrial Solid Waste Landfills

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-304-3 regarding industrial solid waste landfill requirements. The rule aligns hazardous waste requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 257. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Interim Status Standards for TSD Facilities

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-261-1 regarding interim status standards for owners and operators of hazardous waste treatment, storage, and disposal (TSD) facilities. The rule incorporates by reference Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 265. Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Land Disposal Restrictions

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-268 regarding land disposal restrictions to align Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 268. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule also addresses storage of hazardous waste restricted from land disposal and adds hazardous waste container labeling requirements. Comments are

due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Management of Specific Hazardous Wastes/Spent Lead-Acid Batteries
Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-266-80 regarding applicability and requirements for spent lead-acid batteries being reclaimed. The rule aligns requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 266.80 regarding spent lead-acid batteries being reclaimed. Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Solid Waste Authority, Definitions, General Requirements
Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-301-2 regarding industrial solid waste landfill requirements. The rule aligns hazardous waste requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 258. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Standards for Universal Waste Management
Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-273 regarding standards for universal waste management to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 273. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257;

rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Standards for the Management of Used Oil

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-15-1, -10, -12, -13, and -17 regarding standards for the management of used oil to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 279. The rule clarifies requirements for sudden accidental and nonsudden accidental releases and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule also adds mixed mode transit systems to the list of North American Industry Classification System codes to allow qualifying transit systems to transport their own used oil to a permitted used oil recycler. Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Transfer Facility Requirements

Utah HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-263-12 regarding hazardous waste transporters and other hazardous waste handlers to align requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 263. The rule provides that transporters storing manifested shipments of hazardous waste that meet applicable packaging requirements for 10 days or less are not subject to hazardous waste storage requirements. The rule also requires transporters, when combining and consolidating compatible hazardous wastes in containers of 119 gallons or fewer, to mark containers as hazardous waste. Comments are due July 3, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Lead-Based Paint Activities/Training Program Accreditation

Utah OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-842-1, -2, and -3 regarding lead-based paint (LBP) activities to be consistent with

federal requirements. The rule allows electronic training as an option for the LBP renovator certification course, specifies that courses must be accredited by the department director, and clarifies that accreditation requirements are for initial training courses. The rule also addresses course certification expiration dates and notification requirements. The rule is effective May 9, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Residential Property and Child-Occupied Facility Renovation/Lead-Based Paint
Utah OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-841-1, -7, and -8 regarding residential property and child-occupied facility renovation. The rule adopts amendments to federal standards under 40 CFR 745 concerning lead-based paint renovator certification courses. The rule also allows electronic training as an option for the course and addresses course certification expiration dates. The rule is effective May 9, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

OIL AND GAS INDUSTRY

Drilling and Operation of Wells/Owners Refusal to Agree to Share Costs
Utah OIL AND GAS INDUSTRY

Emergency rule of the Department of Natural Resources, Division of Oil, Gas and Mining, amends regulations under R649-2-9 regarding the manner in which owners must consent to the drilling and operation of wells. The rule provides that owners are determined to have refused to agree to bear a proportionate share of the costs of the drilling, testing, completion, and equipping of a well if consent to leasing terms is not given in writing within 30 days of receipt of written notice. The rule is effective May 9, 2017, and expires Sept. 6, 2017. Contact: James Owen; DNR, Division of Oil, Gas and Mining; 801-538-5328; jcowen@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

WATER

Water Rights/Administrative Procedures
Utah WATER

Proposed rule of the Department of Natural Resources, Division of Water Rights, repeals regulations under R655-2-1 through -11 to delete outdated provisions concerning administrative proceedings before the division commenced prior to Jan. 1, 1988. Comments are due July 3, 2017. Contact: Marianne Burbidge; DNR, Division of Water Rights; 801-538-7370; marianneburbidge@utah.gov

—Utah State Bulletin (06/01/2017)

Regulatory Update

Washington

AIR

Southwest Clean Air Agency/Aerosol Coatings, Automobile Refinish Coatings
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 493-200 and -400 regarding aerosol coatings and automobile refinish coatings. The rule removes variance fees and adds a reference to the consolidated fee schedule under SWCAA 400-098 to allow the agency to revise fees by direct board action instead of rulemaking. The rule is effective June 18, 2017. Contact: Wess Safford; SWCAA; 360-574-3058; wess@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

AIR

Southwest Clean Air Agency/Gasoline Vapors Sources
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 491-030 regarding emission standards and controls for sources emitting gasoline vapors. The rule removes specific fees and adds a reference to the consolidated fee schedule under SWCAA 400-098 to allow the agency to revise fees by direct board action instead of rulemaking. The rule is effective June 18, 2017. Contact: Wess Safford; SWCAA; 360-574-3058; wess@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

AIR

Southwest Clean Air Agency/Outdoor Burning Permits
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 425-060 regarding outdoor burning. The rule removes specific fees and adds a reference to the consolidated fee schedule under SWCAA 400-098 to allow the agency to revise fees by direct board action instead of rulemaking. The rule is effective June 18, 2017. Contact: Wess Safford; SWCAA; 360-574-3058; wess@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Southwest Clean Air Agency/Air Pollution Sources
Washington GENERAL ENVIRONMENT AND SAFETY

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 400-036 through 109 (nonconsecutive) regarding air pollution sources. The rule removes specific fees and adds a reference to the consolidated fee schedule under SWCAA 400-098 to allow the agency to revise fees by direct board action instead of rulemaking. The rule is effective June 18, 2017. Contact: Wess Safford; SWCAA; 360-574-3058; wess@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Southwest Clean Air Agency/Asbestos Standards
Washington GENERAL ENVIRONMENT AND SAFETY

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 476-050 regarding standards for asbestos control, demolition and renovation. The rule removes specific fees and adds a reference to the consolidated fee schedule under SWCAA 400-098 to allow the agency to revise fees by direct board action instead of rulemaking. The rule is effective June 19, 2017. Contact: Wess Safford; SWCAA; 360-574-3058; wess@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Southwest Clean Air Agency/Oxygenated Fuels
Washington GENERAL ENVIRONMENT AND SAFETY

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 492-050 regarding registration requirements for blenders of oxygenated gasoline. The rule removes the registration fee and adds a reference to the consolidated fee schedule under SWCAA 400-098 to allow the agency to revise the fee by direct board action instead of rulemaking. The rule is effective June 18, 2017. Contact: Wess Safford; SWCAA; 360-574-3058; wess@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Southwest Clean Air Agency/Threshold Determinations, Environmental Impact Statements
Washington GENERAL ENVIRONMENT AND SAFETY

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 802-130 regarding requirements for recovering the cost of performing environmental threshold determinations in preparing or reviewing an environmental checklist. The rule removes specific fees and adds a reference to the consolidated fee schedule under SWCAA 400-098. The rule is

effective June 18, 2017. Contact: Paul Mairose; SWCAA; 360-574-3058; Paul@swcleanair.org

—Washington State Register (06/07/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Coordinated Prevention, Local Solid Waste Enforcement Grants

Washington HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Ecology amends regulations under WAC 173-312-010 through 100 and repeals regulations under WAC 173-313-010 through -050 to consolidate provisions concerning grants available to local governments for hazardous and solid waste plans and programs. The rule deletes provisions concerning local solid waste enforcement grants and removes eligibility for separate hazardous and solid waste management plan development funds. The rule also addresses requirements for notification of available funding, revises project criteria, aligns the grant cycle with the fiscal year, and provides for a web-based grants management program. In addition, the rule establishes a 10 percent penalty for recipients who fail to meet performance criteria. A hearing is scheduled for June 27, 2017, in Lacey, and via webinar. Comments are due July 7, 2017. Contact: Tami Ramsey; Department of Ecology, Waste 2 Resources Program; 360-407-6612

—Washington State Register (06/07/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Occupational Safety and Health/Administrative Changes

Washington OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Industries amend regulations under WAC 296-65-003 through -900-17505 (nonconsecutive), adopts regulations under WAC 296-803-099 through -900-099 (nonconsecutive), and repeals regulations under WAC 296-900-180 and -17510 to make numerous changes to the formatting and organization of all Division of Occupational Safety and Health rules. A hearing is scheduled for July 7, 2017, in Tumwater. Comments are due July 14, 2017. Contact: Chris Miller; DLI; 360-902-5090

—Washington State Register (06/07/2017)

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