

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Fri 10/13/2017 12:45:27 PM
Subject: Oct. 13 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

October 13, 2017 - Number 197

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.

Summaries

AIR

Alabama SIP/Volatile Organic Compounds, Particulate Emissions

AIR

Final rule of the EPA approves revisions to the Alabama SIP that modify the definition of “volatile organic compounds” by adding tertiary butyl acetate and 1,1,2,2-tetrafluoro-1-(2,2,2-trifluoroethoxyl) ethane to the list of negligibly reactive compounds. The revisions also remove recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements for tertiary butyl acetate. In addition, the revisions remove particulate emission and opacity limits for wood waste boilers in Talladega County because no such sources exist in the county. The EPA also addresses an adverse comment on an Aug. 16, 2017, direct final rule (82 FR 38865) that adopted the changes. A concurrent notice of the EPA withdraws the direct final rule. The rule is effective Nov. 13, 2017. Contact: Richard Wong; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-8726; wong.richard@epa.gov. Citations: 40 CFR 52.50

82 FR 47631 (10/13/2017)

Regulatory Update

AIR

Alabama SIP/Volatile Organic Compounds, Particulate Emissions

AIR

Notice of the EPA announces the withdrawal of an Aug. 16, 2017, direct final rule (82 FR 38841) that would have approved revisions to the Alabama SIP to modify the definition of “volatile organic compounds” by adding tertiary butyl acetate and 1,1,2,2-tetrafluoro-1-(2,2,2-trifluoroethoxyl) ethane to the list of negligibly reactive compounds. The revisions also remove recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements for tertiary butyl acetate. In addition, the revisions remove particulate emission and opacity limits for wood waste boilers in Talladega County because no such sources exist in the county. The withdrawal, which is due to receipt of an adverse comment, is effective Oct. 13, 2017. The agency addresses the comment in a concurrent final rule based on the related proposed rule

(82 FR 38865; 08/16/2017). Contact: Richard Wong; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-8726; wong.richard@epa.gov. Citations: 40 CFR 52.50

82 FR 47635 (10/13/2017)

Regulatory Update

AIR

Connecticut SIP/New Source Review Requirements for 2008 Ozone NAAQS

AIR

Notice of the EPA announces the withdrawal of an Aug. 14, 2017, direct final rule (82 FR 37819) that would have approved a revision to the Connecticut SIP regarding nonattainment new source review permit requirements for the 2008 eight-hour ozone NAAQS for the Greater Connecticut area and the Connecticut portion of the New York-Northern New Jersey-Long Island nonattainment area. The revision addresses the change in classification of both nonattainment areas from marginal to moderate and specifies that the state's SIP complies with anti-backsliding requirements. The withdrawal is in response to an adverse comment. The agency will proceed with a final rule based on the related proposed rule (82 FR 37829; 08/14/2017). The withdrawal is effective Oct. 13, 2017. Contact: Donald Dahl; EPA Region 1, Office of Ecosystem Protection; 617-918-1657; dahl.donald@epa.gov. Citations: 40 CFR 51.1105, 52.377

82 FR 47630 (10/13/2017)

Regulatory Update

AIR

Florida SIP/Emissions Monitoring for Stationary Sources

AIR

Direct final rule of the EPA approves a portion of revisions to the Florida SIP concerning requirements and procedures for emissions monitoring at stationary sources. The revisions update supplementary test procedures and volatile organic compounds capture efficiency test procedures and remove redundant language and make technical corrections. Revisions concerning the general test requirement will be addressed in a separate action. The rule is effective Dec. 12, 2017, unless adverse comments are received by Nov. 13, 2017. Contact: Andres Febres; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-8966; febres-martinez.andres@epa.gov. Citations: 40 CFR 52.520

82 FR 47636 (10/13/2017)

Regulatory Update

AIR

Florida SIP/Emissions Monitoring for Stationary Sources

AIR

Proposed rule of the EPA would approve a portion of revisions to the Florida SIP concerning requirements and procedures for emissions monitoring at stationary sources. The revisions update supplementary test procedures and volatile organic compounds capture efficiency test procedures and remove redundant language and make technical corrections. Revisions

concerning the general test requirement will be addressed in a separate action. A concurrent direct final rule adopts the revisions, effective Dec. 12, 2017. Comments are due Nov. 13, 2017. Contact: Andres Febres; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-8966; febres-martinez.andres@epa.gov. Citations: 40 CFR 52.520

82 FR 47662 (10/13/2017)

Regulatory Update

AIR

Georgia SIP/Cross-State Air Pollution Rule

AIR

Final rule of the EPA approves portions of a revision to the Georgia SIP that establishes Cross-State Air Pollution Rule (CSAPR) state trading programs for annual nitrogen oxides, annual sulfur dioxide, and ozone season NOx emissions. The revision replaces the federal implementation (FIP) requirement for large electric-generating units (EGUs) to participate in the corresponding CSAPR federal trading programs. The rule eliminates the obligation of state EGUs under CSAPR FIPs addressing interstate transport requirements for the 1997 annual and 2006 24-hour fine particulate matter NAAQS and the 1997 eight-hour ozone NAAQS, as well as state trading programs adopted to comply with Clean Air Interstate Rules. The rule is effective Nov. 13, 2017. Contact: Ashten Bailey; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9164; bailey.ashten@epa.gov. Citations: 40 CFR 52.38, 52.39, 52.570

82 FR 47930 (10/13/2017)

Regulatory Update

AIR

North Carolina SIP/Air Curtain Burners

AIR

Notice of the EPA announces the withdrawal of an Aug. 17, 2017, direct final rule (82 FR 39027) that would have approved portions of revisions to the North Carolina SIP regarding the state's strategy to meet and maintain the NAAQS. The revisions address air pollution control requirements for air curtain burners. The agency did not propose to take action on air pollution control requirements for incinerators. The withdrawal is in response to an adverse comment. The agency will proceed with a final rule based on the related proposed rule (82 FR 39097; 08/17/2017). The withdrawal is effective Oct. 13, 2017. Contact: Sean Lakeman; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9043; lakeman.sean@epa.gov. Citations: 40 CFR 52.1770

82 FR 47634 (10/13/2017)

Regulatory Update

AIR

North Carolina SIP/Transportation Conformity Requirements

AIR

Notice of the EPA announces the withdrawal of an Aug. 16, 2017, direct final rule (82 FR 38838)

that would have approved revisions to the North Carolina SIP regarding transportation conformity requirements. The revisions specify that transportation conformity requirements apply to areas identified as nonattainment or maintenance areas by the EPA or to areas listed in state regulation. The revisions also clarify the statement that transportation conformity requirements apply to areas “not in compliance with the primary standard” by identifying the applicable fine particulate matter and ozone standards. The withdrawal is in response to receipt of an adverse comment, and the agency will proceed with a final rule based on the related proposed rule (82 FR 38864; 08/16/2017). Contact: Kelly Scheckler; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9222; sheckler.kelly@epa.gov. Citations: 40 CFR 52.1770

82 FR 47629 (10/13/2017)

Regulatory Update

AIR

South Carolina SIP/Air Pollution Control Standards

AIR

Notice of the EPA announces the withdrawal of an Aug. 16, 2017, direct final rule (82 FR 38828) that would have approved portions of revisions to the South Carolina SIP concerning air pollution control standards. The revisions would have addressed emissions from fuel burning operations and process industries. The rule takes no action on revisions regarding administrative and clarifying changes. The withdrawal is in response to the receipt of adverse comments. The agency will proceed with a final rule based on the related proposed rule (82 FR 38874; 08/16/2017). The withdrawal is effective Oct. 13, 2017. Contact: Richard Wong; EPA Region 4, Air, Pesticides, and Toxics Management Division; 404-562-8726; wong.richard@epa.gov. Citations: 40 CFR 52.2120

82 FR 47640 (10/13/2017)

Regulatory Update

AIR

South Carolina SIP/Miscellaneous Revisions

AIR

Notice of the EPA announces the partial withdrawal of an Aug. 21, 2017, direct final rule (82 FR 39537) that would have approved portions of revisions to the South Carolina SIP regarding the prohibition of open burning and related definitions. The withdrawal is due to the receipt of an adverse comment, and the agency will proceed with a final rule based on the related proposed rule (82 FR 39551; 08/21/2017). Contact: Brad Akers; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9089; akers.brad@epa.gov. Citations: 40 CFR 52.2120

82 FR 47636 (10/13/2017)

Regulatory Update

AIR

South Carolina SIP/State Trading Programs

AIR

Final rule of the EPA approves a revision to the South Carolina SIP concerning the Cross-State Air Pollution Rule (CSAPR). The revision replaces federal implementation plan requirements for large electricity generating units (EGUs) to participate in the federal trading program for annual emissions of nitrogen oxides (NOx) and in one of two federal trading programs for sulfur dioxide (SO2) with a substantively identical requirement for such EGUs to join a new state trading program for NOx and SO2. The revision also eliminates the FIP emission standards addressing interstate transport requirements for the 1997 fine particulate matter NAAQS. The rule is effective Nov. 13, 2017. Contact: Ashten Bailey; EPA Region 4, Air, Pesticides and Toxics Management Division; 404-562-9164; bailey.ashten@epa.gov. Citations: 40 CFR 52.38, 52.39, 52.2120

82 FR 47936 (10/13/2017)

Regulatory Update

AIR

South Carolina SIP/VOC and NOx Standards

AIR

Notice of the EPA announces the withdrawal of a portion of an Aug. 16, 2017, direct final rule (82 FR 38825) that would have approved portions of revisions to the South Carolina SIP concerning standards for volatile organic compounds and nitrogen oxides emissions from process industries. The revisions clarify the applicability of standard requirements for new sources and the exemption of combustion control devices. The revisions also modify the number of hours of operation for testing and maintenance for exempted emergency generators. The partial withdrawal concerns the control of nitrogen oxides. The withdrawal is in response to an adverse comment. The agency will proceed with a final rule based on the related proposed rule (82 FR 38865; 08/16/2017). The withdrawal is effective Oct. 13, 2017. Contact: Brad Akers; EPA Region 4, Air Planning and Implementation Branch; 404-562-9089; akers.brad@epa.gov. Citations: 40 CFR 52.2120

82 FR 47634 (10/13/2017)

Regulatory Update

AIR

Vermont SIP/Regional Haze Progress Report

AIR

Notice of the EPA announces the withdrawal of an Aug. 16, 2017, direct final rule (82 FR 38834) that would have approved a revision to the Vermont SIP regarding the state's regional haze five-year progress report. The revision addresses the state's finding that the Lye Brook Class I Wilderness area, in the Mid-Atlantic/Northeast Visibility Union region, is on track to meet the reasonable progress goals for 2018 based on observed visibility improvement. The withdrawal is in response to an adverse comment. The agency will proceed with a final rule based on the related proposed rule (82 FR 38864; 08/16/2017). The withdrawal is effective Oct. 13, 2017. Contact: Anne McWilliams; EPA Region 1, Air Quality Planning Unit; 617-918-1697; mcwilliams.anne@epa.gov. Citations: 40 CFR 52.2370

82 FR 47630 (10/13/2017)

Regulatory Update

ENDANGERED SPECIES

Alaska/Marine Mammal Incidental Take

ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the receipt of a request from the Alaska Department of Transportation and Public Facilities for authorization to take marine mammals incidental to pile driving and pile removal activities of the Haines Ferry Terminal Modification Project in Haines, Alaska. The authorization would allow the take of the humpback whale, harbor seal, harbor porpoise, and Dall's porpoise by Level A and B harassment and the Steller sea lion and killer whale by Level B harassment during a four-month period between Oct. 1, 2018, and Sept. 30, 2019. The incidental take would not occur during the period of March 1 to May 31, 2019, due to the increased density of marine mammals in the inlet during those months. Comments are due Nov. 13, 2017. Contact: Jaclyn Daly; NMFS, Office of Protected Resources; 301-427-8401

82 FR 47700 (10/13/2017)

Regulatory Update

ENDANGERED SPECIES

Alaska/Marine Mammals Incidental Take

ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the issuance of an incidental harassment authorization to the City and Borough of Sitka, Alaska, for authorization to take five species of marine mammals incidental to pile driving and removal activities at the Gary Paxton Industrial Park dock in Sawmill Cove, Alaska. The authorization allows take in the form of Level A and B harassment of the humpback whale, killer whale, harbor porpoise, Stellar sea lion, and harbor seal for 16 days from Oct. 1 through Dec. 31, 2017. Contact: Jaclyn Daly; NMFS, Office of Protected Resources; 301-427-8401

82 FR 47717 (10/13/2017)

Regulatory Update

FOOD SAFETY

Agricultural Biotechnology Education and Outreach Initiative Meetings

FOOD SAFETY

Notice of the FDA announces two meetings to discuss agricultural biotechnology education and outreach initiatives. The meetings are intended to assist in the development of education and outreach initiatives regarding the environmental, nutritional, food safety, economic, and humanitarian impacts of agricultural biotechnology. The agency will coordinate with the Department of Agriculture, other federal agencies, and both private and public organizations to develop the initiatives. The meetings are scheduled for Nov. 7 and 14, 2017, in Charlotte, N.C., and San Francisco, respectively, and via webcast. Comments are due Nov. 17, 2017. Contact: Juanita Yates; FDA, Center for Food Safety and Applied Nutrition; 240-402-1731; Juanita.yates@fda.hhs.gov

82 FR 47750 (10/13/2017)

Regulatory Update

FOOD SAFETY

Produce Safety Regulation/Agricultural Water

FOOD SAFETY

Notice of the FDA announces a correction to a Sept. 13, 2017, proposed rule (82 FR 42963) that would extend the deadlines for compliance with agricultural water provisions of the Produce Safety Regulation (80 FR 74354; 11/27/2015) for covered produce other than sprouts to four years after the relevant farm's compliance date for all other provisions of the regulation. The rule would establish the same deadlines for all agricultural water provisions as applied to nonsprout produce, while retaining date staggering based on farm size. The extension would provide additional time to address questions about implementation of certain provisions, including testing requirements for preharvest agricultural water. The rule is issued in compliance with Executive Orders 13563, 13771, and 13777, which require agencies to consider possible reductions in regulatory burden or increased flexibility for compliance. An Aug. 24, 2016, final rule (81 FR 57784) clarified the compliance dates for certain agricultural water testing provisions as originally established in the Produce Safety Regulation. The correction inserts an omitted description for the table that summarizes changes in benefits and costs as a result of the proposed rule. Contact: Samir Assar; FDA, Center for Food Safety and Applied Nutrition; 240-402-1636. Citations: 21 CFR 112.41-112.50

82 FR 47656 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Abbreviated New Drug Approval Pathways

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a draft guidance for industry concerning submission of abbreviated new drug 505(j) and 505(b)(2) applications. The guidance will assist applicants in determining which of the abbreviated approval pathways is appropriate for the submission of a marketing application. Comments are due Dec. 12, 2017. Contact: Elizabeth Giaquinto; FDA, Center for Drug Evaluation and Research; 240-402-7930; elizabeth.giaquinto@fda.hhs.gov

82 FR 47749 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Assessment for the Biological Control of Lily Leaf Beetle

GENERAL ENVIRONMENT AND SAFETY

Notice of the Animal and Plant Health Inspection Service announces the availability of the final environmental assessment and finding of no significant impact concerning the release of three parasitoids, *Diaparsis jucunda*, *Lemophagus errabundus*, and *Tetrastichus setifer*, for the biological control of the lily leaf beetle. The assessment addresses APHIS's plan to issue permits to the Washington State Department of Agriculture for the field release of the parasitoids to

reduce the severity of lily leaf beetle infestations. Contact: Colin Stewart; APHIS, Plant Protection and Quarantine; 301-851-2237; Colin.D.Stewart@aphis.usda.gov

82 FR 47694 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

California, Hawaii/Military Readiness Activities

GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of the Navy announces the availability of a draft environmental impact statement/overseas environmental impact statement (EIS/OEIS) regarding military readiness activities in the Hawaii-Southern California Training and Testing Study Area. The study area consists of in-water areas of the Southern California Range Complex; in-water areas of Silver Strand Training Complex; the Hawaii Range Complex; areas on the high seas where training and sonar testing and maintenance may occur during vessel transit between the Hawaii and Southern California Range Complexes; the temporary operating area north and west of the Hawaii Range Complex; and specific Navy pier, port, and harbor locations. The draft EIS/OEIS, for which the National Marine Fisheries Service is a cooperating agency, has been filed with the EPA. Meetings are scheduled for Nov. 6, 7, 8, 9, and 13, 2017, in Honolulu, Kahului, Lihue, Hilo, and San Diego, respectively. Comments are due Dec. 12, 2017. Contact: Naval Facilities Engineering Command Pacific; 808-472-1402

82 FR 47729 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Children's Products, Children's Toys, and Child Care Articles

GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Consumer Product Safety Commission would determine that certain untreated and unfinished engineered wood products (EWPs), including particleboard, hardwood plywood, and medium-density fiberboard, made from virgin wood or preconsumer waste wood would not exceed limits for lead, the ASTM F963 elements, or specified phthalates for children's products, children's toys, or child care articles. Under the rule, products made with such EWPs would not be required to have third-party testing for compliance with requirements for lead, ASTM F963 elements, or phthalates. Comments are due Dec. 27, 2017. Contact: Jacqueline Campbell; CPSC, Office of Hazard Identification and Reduction; 301-987-2024; jcampbell@cpsc.gov. Citations: 16 CFR 1252.1, 1252.2, 1252.3

82 FR 47645 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

DHS NEPA Procedures/Categorical Exclusions

GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Homeland Security, Office of Management, announces administrative

revisions to an instruction manual regarding procedures for implementing the National Environmental Policy Act (DHS Instruction 023-01-001-01, Rev. 01) (79 FR 70538; 11/26/2014). The revisions concern categorical exclusions and clarify the applicability of the requirement to prepare a record of environmental consideration. The revisions are effective Oct. 13, 2017. Contact: Jennifer Hass; DHS, Environmental Planning and Historic Preservation Program; 202-834-4346; SEP-EPHP@hq.dhs.gov

82 FR 47761 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

New Jersey/Peckman River Basin Flood Risk Management Study

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the U.S. Army Corps of Engineers, in partnership with the New Jersey Department of Environmental Protection, to prepare an integrated feasibility report/environmental impact statement for the Peckman River Basin Flood Risk Management Study in Passaic County, N.J. The study is assessing the feasibility of flood risk management alternatives to be implemented within the authorized study area with an emphasis on Little Falls Township and Woodland Park Borough. A meeting will be held in late November or early December 2017, to be announced at a later date. Comments are due 30 days after the meeting. Contact: Robert Greco; USACE New York District, Programs and Project Management Division; 917-790-8394; robert.m.greco@usace.army.mil

82 FR 47728 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Orthopaedic and Rehabilitation Devices Panel Meeting

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a meeting of the Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee. The agenda includes discussions and voting on information regarding Intrinsic Therapeutics' premarket approval application for the Barricaid Annular Closure Device, which is intended to be implanted following a limited disectomy to prevent reherniation and pain. The device is indicated for patients with radiculopathy, a posterior or posterolateral herniation, characterized by radiographic confirmation of neural compression, and a large annular defect post disectomy. The meeting is scheduled for Dec. 12, 2017, in Gaithersburg, Md. Comments are due Dec. 1, 2017. Contact: Sara Anderson; FDA, Center for Devices and Radiological Health; 301-796-7074; Sara.Anderson@fda.hhs.gov

82 FR 47752 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Prescription Drug User Fee Act/Application and Program Fees

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of draft guidance for industry regarding the implementation of amendments to the Prescription Drug User Fee Act and associated policies and procedures. The guidance specifies when the application and program fees are incurred and the process for payment submission. The guidance also specifies the consequences for failing to pay such fees and the process for submitting a reconsideration and appeals request. Comments are due Dec. 12, 2017. Contact: Peter Chen; FDA, Center for Drug Evaluation and Research; 240-402-8605; Peter.Chen@fda.hhs.gov

82 FR 47748 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Sale of Mineral Materials

GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of the Interior, Bureau of Land Management, announces the submission of a revised information collection to the OMB regarding contracts to purchase or use mineral materials from public lands. Comments are due Nov. 13, 2017. Contact: Stuart Grange; BLM; 202-912-7067; sgrange@blm.gov. Citations: 43 CFR 3600

82 FR 47763 (10/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

U.S. Army Corps of Engineers/Civil Monetary Penalties

GENERAL ENVIRONMENT AND SAFETY

Direct final rule of the U.S. Army Corps of Engineers adjusts for inflation civil monetary penalty amounts. The rule increases the Class I civil penalty under Section 309 of the Clean Water Act to \$20,966 per violation and the maximum civil penalty and the judicial civil penalty to \$52,414 per day for each violation. The rule also increases the Class I civil penalty under the National Fishing Enhancement Act to \$22,957 per violation. The rule is effective Dec. 12, 2017, unless adverse comments are received by Nov. 13, 2017. Contact: Stacey Jensen; USACE; 202-761-5856; stacey.m.jensen@usace.army.mil. Citations: 33 CFR 326.6

82 FR 47623 (10/13/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Black Lung Benefits

OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Labor Department, Office of Workers' Compensation Programs, to seek OMB approval for a continuing information collection request concerning the representative payee report (CM-623), the representative payee—short form (CM-623), and the physician's/medical officer's statement (CM-787) for coal miners totally disabled with black lung disease. The forms collect expenditure data on the disbursement of the beneficiary's benefits by the representative payee, including when the representative payee is a family member residing

with the beneficiary, and gather information from the beneficiary's physician on the capability of the beneficiary to manage monthly benefits. Comments are due Dec. 12, 2017. Yoon Ferguson; DOL, Office of Workers' Compensation Programs; 202-354-9647; ferguson.yoon@dol.gov

82 FR 47772 (10/13/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Black Lung Benefits/Report of Changes

OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Labor Department, Office of Workers' Compensation Programs, to seek OMB approval for a continuing information collection request regarding the report of changes that may affect black lung benefits (CM-929 and CM-929P). The collection concerns the requirement for primary beneficiaries and representative payees to review information, including name, address, number of dependents on record, state workers' compensation information, and amount of current benefits, and report any changes. Comments are due Dec. 12, 2017. Contact: Yoon Ferguson; DOL, Office of Workers' Compensation Programs; 202-354-9647; ferguson.yoon@dol.gov. Citations: 20 CFR 725.533

82 FR 47773 (10/13/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Cotton Dust Standard/Pulmonary Function Testing Course Approval Program

OCCUPATIONAL SAFETY AND HEALTH

Notice of the National Institute for Occupational Safety and Health announces the submission of a revised information collection request to the OMB regarding the Pulmonary Function Testing Course Approval Program, which governs the approval of programs training cotton technicians to perform spirometry according to the OSHA cotton dust standard. The collection addresses applications submitted by potential program sponsors that seek NIOSH approval to conduct or renew courses. The collection also addresses additional obligations to notify NIOSH of subsequent course changes and the submission of voluntary annual reports on such changes. In addition, the collection addresses application submission requirements for approved courses seeking to offer spirometry refresher courses. Finally, the collection addresses a one-time customer satisfaction survey to course directors and sponsor representatives to evaluate agency service to courses, effectiveness of program changes, and the usefulness of potential program enhancements. Comments are due Nov. 13, 2017. Contact: Leroy Richardson; CDC, Office of Scientific Integrity; 404-639-7570; omb@cdc.gov. Citations: 29 CFR 1910.1043

82 FR 47737 (10/13/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Nevada State Plan/Private Sector Military Base Employees

OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces approval of a change to Nevada's state plan to reinstate federal enforcement authority over all private-sector employment on state military facilities and bases. The change was requested by the Nevada Occupational Safety and Health Administration in response to confusion over when state or federal authority is applicable. The action is effective Oct. 13, 2017. Contact: Douglas Kalinowski; OSHA, Directorate of Cooperative and State Programs; 202-693-2200; kalinowski.doug@dol.gov

82 FR 47772 (10/13/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Occupational Injury and Illness Classification System

OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Labor, Bureau of Labor Statistics, announces the second major revision of the Occupational Injury and Illness Classification System (OIICS), Version 2.01. The OIICS is used to classify certain case characteristics associated with fatal and nonfatal work injury cases received by the programs into five code structures that describe the injury or illness and how it occurred. The revision updates the classification system to provide for workplace hazards that could result from an incident or exposure, new data aggregations, new coding structures, and changes to the OIICS manual. The BLS will review the International Statistical Classification of Diseases and Related Health Problems, 10th revision, and other comparable coding structures to help in reviewing occupational safety and health data. Comments are due Feb. 1, 2018. Contact: Christen Byler; BLS, Office of Safety, Health and Working Conditions; 202-691-6252; Byler.Christen@bls.gov

82 FR 47770 (10/13/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Online Training for Law Enforcement/Shift Work and Long Work Hours

OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the National Institute for Occupational Safety and Health to seek OMB approval for a new information collection request regarding online training for law enforcement to reduce risks associated with shift work and long work hours. The training is intended to relay the risks linked to shift work and long work hours and give workplace strategies for employers and personal strategies for the officers to reduce the risks. The collection addresses a pilot test for the online training with 30 recent graduates of a police academy in their first field experience and 30 experienced officers and will be used to improve the training. Comments are due Dec. 12, 2017. Contact: Leroy Richardson; CDC, Office of Scientific Integrity; 404-639-7570; omb@cdc.gov

82 FR 47744 (10/13/2017)

Regulatory Update

OIL AND GAS INDUSTRY

OCS Oil and Gas Drilling Operations

OIL AND GAS INDUSTRY

Notice of the Bureau of Safety and Environmental Enforcement announces the submission of a continuing information collection request to the OMB regarding oil and gas drilling operations on the Outer Continental Shelf (OCS). The collection addresses the safety of drilling crews, proper use of equipment, environmental protection, and compliance with safety standards. The collection also addresses end-of-operation reporting (BSEE-0125) and well and status drilling operations (BSEE-0133/0133S). Comments are due Nov. 13, 2017. Contact: Nicole Mason; BSEE, Regulations and Standards Branch; 703-787-1607; kye.mason@bsee.gov. Citations: 30 CFR 250, Subpart D

82 FR 47765 (10/13/2017)

Regulatory Update

PESTICIDES

Nevada/Disapproval of Special Local Need Pesticide Registrations

PESTICIDES

Notice of the EPA announces the disapproval of four special local need pesticide registrations from the Nevada Department of Agriculture. The registrations concern the use of General Hydroponics Prevasyn, Exile, Defguard, and Azamax on cannabis to control various insect pests, mites, and plant diseases. The disapproval was issued July 3, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov. Citations: 40 CFR 162.154

82 FR 47733 (10/13/2017)

Regulatory Update

PESTICIDES

Pesticide Program Dialogue Committee Meeting

PESTICIDES

Notice of the EPA announces a meeting of the Pesticide Program Dialogue Committee, which advises the administrator on issues related to pesticide regulatory development and reform initiatives, public policy and programs, and science associated with evaluating and reducing risks from the use of pesticides. The meeting is scheduled for Nov. 1-2, 2017, in Arlington, Va. Comments are requested, but a due date is not specified. Contact: Dea Zimmerman; EPA, Office of Pesticide Programs; 312-353-6344; zimmerman.dea@epa.gov

82 FR 47733 (10/13/2017)

Regulatory Update

RADIATION

Independent Storage of Spent Nuclear Fuel, Radioactive Waste

RADIATION

Notice of the NRC announces the submission of a continuing information collection request to the OMB concerning licensing requirements for independent storage of spent nuclear fuel, high-

level radioactive waste, and reactor-related greater than Class C waste. The collection addresses applications for new licenses; certificates of compliance; amendments; and applications for renewal of licenses to receive, transfer, and possess spent fuel and other radioactive materials associated with spent fuel storage in an independent spent fuel storage installation or a monitored retrievable storage facility. Comments are due Nov. 13, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV. Citations: 10 CFR 72

82 FR 47778 (10/13/2017)

Regulatory Update

RADIATION

Modified Small Quantities Protocol

RADIATION

Notice of the NRC announces a meeting to conduct an affirmation session regarding the publication of a final rule concerning the modified small quantities protocol. The rule would ensure that the U.S. government meets its obligations under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean. The meeting is scheduled for Oct. 16, 2017, in Rockville, Md. Contact: Denise McGovern; NRC; 301-415-0981; Denise.McGovern@nrc.gov. Citations: 10 CFR 40, 70, 75

82 FR 47779 (10/13/2017)

Regulatory Update

RADIATION

Standard Specifications for Granting of Patent Licenses

RADIATION

Notice of the NRC announces the submission of a continuing information collection request to the OMB concerning standard specifications for granting of patent licenses. The NRC is authorized to grant nonexclusive licenses or limited exclusive licenses for patented inventions and to require periodic submission of reports on efforts to bring the invention to a point of practical application and the extent to which licensees are making the benefits of the invention reasonably accessible to the public. The collection addresses information from license holders seeking to extend their licenses, issue sublicenses, or transfer the licenses and the submission of pleadings or other papers filed in any patent infringement lawsuit and evidence from proceedings relating to a licensed patent. Comments are due Nov. 13, 2017. Contact: David Cullison; NRC; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV. Citations: 10 CFR 81

82 FR 47777 (10/13/2017)

Regulatory Update

TOXIC SUBSTANCES

TSCA Statements of Findings

TOXIC SUBSTANCES

Notice of the EPA announces the availability of seven statements of findings that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health

or the environment. The notice specifies that the statements apply to premanufacture notices, microbial commercial activity notices, and significant new use notices submitted to the EPA under TSCA Section 5(a) from July 1-31, 2017. Contact: Greg Schweer; EPA, Office of Pollution Prevention and Toxics; 202-564-8469; schweer.greg@epa.gov

82 FR 47731 (10/13/2017)

[Regulatory Update](#)

[Privacy Policy](#) | [Terms of Service](#) | [Manage Your Email](#) | [Contact Us](#)

1801 South Bell Street, Arlington, VA 22202
Copyright © 2017 The Bureau of National Affairs, Inc. .
EHS Federal Regulatory Alert