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From: Bloomberg BNA
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EHS Federal Regulatory Alert

November 02, 2017 - Number 211

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Summaries

AIR

Air Quality Designations for the 2008 Ozone NAAQS/Philadelphia Area
AIR

Final rule of the EPA determines that the Philadelphia-Wilmington-Atlantic City, Pa.-N.J.-Md.-Del., marginal ozone nonattainment area has attained the 2008 ozone NAAQS based on monitoring data for 2013-2015. The determination does not constitute a redesignation to attainment and is not a clean data determination. The rule is effective Dec. 4, 2017. Contact: Gregory Becoat; EPA Region 3; 215-814-2036; becoat.gregory@epa.gov. Citations: 40 CFR 52.425, 52.1082, 52.1576, 52.2056

82 FR 50814 (11/02/2017)

Regulatory Update

AIR

Clean Air Act Advisory Committee Meeting
AIR

Notice of the EPA announces a meeting of the Clean Air Act Advisory Committee. The committee advises the EPA on issues related to implementation of the 1990 Clean Air Act Amendments. The meeting is scheduled for Dec. 12, 2017, in Washington, D.C. Contact: Tamara Saltman; EPA, Office of Air and Radiation; 202-564-2781; saltman.tamara@epa.gov

82 FR 50869 (11/02/2017)

Regulatory Update

AIR

Electric Motors and Small Electric Motors Test Procedures
AIR

Notice of the Energy Department, Office of Energy Efficiency and Renewable Energy, announces the receipt of petitions and requests information on potential revisions to the test procedure for electric motors and small electric motors. The petitions, which were submitted by the National Electrical Manufacturers Association, of Arlington, Va., and UL LLC, of Northbrook, Ill., request incorporation of the IEC 60034-2-1:2014 test methods 2-1-1A and 2-1-1B as alternative test methods for determining the energy efficiency of electric motors and small electric motors. Comments are due Jan. 2, 2018. Contact: Jeremy Dommu; DOE, Building Technologies Program; 202-586-9870; ApplianceStandardsQuestions@ee.doe.gov. Citations: 10 CFR 431, Subparts B, X

82 FR 50844 (11/02/2017)

Regulatory Update

AIR

Illinois/Volatile Organic Compounds

AIR

Direct final rule of the EPA approves revisions to the Illinois SIP concerning the control of ozone. The revisions update the definition of volatile organic material to remove the recordkeeping and reporting requirements related to the use of t-butyl acetate and to clarify the list of compounds excluded from the definition. The rule is effective Jan. 2, 2018, unless adverse comments are received by Dec. 4, 2017. Contact: Charles Hatten; EPA Region 5, Air Programs Branch; 312-886-3031; hatten.charles@epa.gov. Citations: 40 CFR 52.720

82 FR 50811 (11/02/2017)

Regulatory Update

AIR

Illinois/Volatile Organic Compounds

AIR

Proposed rule of the EPA would approve revisions to the Illinois SIP concerning the control of ozone. The revisions update the definition of volatile organic material to remove the recordkeeping and reporting requirements related to the use of t-butyl acetate and to clarify the list of compounds excluded from the definition. A concurrent direct final rule adopts the revisions, effective Jan. 2, 2018. Comments are due Dec. 4, 2017. Contact: Charles Hatten; EPA Region 5, Air Programs Branch; 312-886-3031; hatten.charles@epa.gov. Citations: 40 CFR 52.720

82 FR 50853 (11/02/2017)

Regulatory Update

AIR

Michigan SIP/Minor New Source Review

AIR

Notice of the EPA announces the reopening of the comment period for an Aug. 15, 2017, proposed rule (82 FR 38651) to approve portions of revisions to the Michigan SIP regarding the permit-to-install (PTI) minor new source review program. The revisions provide a waiver from the

requirement to obtain a PTI prior to the start of construction for minor construction activities and activities not considered construction or reconstruction under NESHAP standards. The revisions also add several categories of exemptions from the requirement to obtain a PTI and address required application materials and the processing of applications. Revisions to the public notice requirements will be addressed in a separate action. In response to multiple requests, comments now are due Dec. 4, 2017. Contact: Rachel Rineheart, EPA Region 5, Air Programs Branch; 312-886-7017; Rineheart.rachel@epa.gov. Citations: 40 CFR 52

82 FR 50853 (11/02/2017)

Regulatory Update

AIR

Minnesota SIP/Clean Air Act State Board Requirements

AIR

Final rule of the EPA approves revisions to the Minnesota SIP that address the Minnesota Pollution Control Agency and state board requirements under Clean Air Act Section 128. The revisions also incorporate state statutes into the SIP to address infrastructure requirements relating to state boards for the 1997 ozone, 1997 particulate matter (PM-2.5), 2006 PM-2.5, 2008 lead, 2008 ozone, 2010 nitrogen dioxide, 2010 sulfur dioxide, and 2012 PM-2.5 NAAQS. The approval does not apply to sources located within Indian country. The rule is effective Dec. 4, 2017. Contact: Eric Svingen; EPA Region 5, Air Programs Branch; 312-353-4489; svingen.eric@epa.gov. Citations: 40 CFR 52.1220

82 FR 50807 (11/02/2017)

Regulatory Update

AIR

Pennsylvania SIP/Lebanon County PM-2.5 Nonattainment Area

AIR

Proposed rule of the EPA would make a determination that the Lebanon County nonattainment area in Pennsylvania has attained the 2012 fine particulate matter (PM-2.5) NAAQS, based on ambient air monitoring data for 2014-2016. Comments are due Dec. 4, 2017. Contact: Maria Pino; EPA Region 3; 215-814-2181; pino.maria@epa.gov. Citations: 40 CFR 52

82 FR 50851 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Alaska/Salmon and Annex Creek Hydroelectric Project

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of an environmental assessment for the Salmon Creek and Annex Creek Hydroelectric Project, located in Juneau, Alaska. The project, proposed by Alaska Electric Light & Power Co., of Juneau, consists of the existing Salmon Creek Development and the Annex Creek Development, each including a dam, reservoir, and powerhouse. The project occupies 648.45 acres of Tongass National Forest lands administered by the U.S. Forest

Service. The EA provides the agency's conclusion that relicensing the project with appropriate environmental protective measures would not constitute a major federal action that would significantly affect the quality of the human environment. Comments are due Nov. 24, 2017. Contact: Suzanne Novak; FERC; 202-502-6665; Suzanne.novak@ferc.gov

82 FR 50867 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Control of Yellow Toadflax

GENERAL ENVIRONMENT AND SAFETY

Notice of the Animal and Plant Health Inspection Service announces an extension of the comment period for a draft environmental assessment regarding control of yellow toadflax, an invasive plant in pastures and crops, particularly in the northern prairies of North America (82 FR 45796; 10/02/2017). The EA addresses the proposed issuance of permits for the field release of the stem gall weevil into the continental U.S. for classical biological control of yellow toadflax. Comments now are due Nov. 16, 2017. Contact: Colin Stewart; APHIS; 301-851-2327; Colin.Stewart@aphis.usda.gov

82 FR 50855 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Florida/Okeechobee Lateral Pipeline Project

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of FERC to prepare an environmental assessment for the Okeechobee Lateral Pipeline Project in Okeechobee County, Fla. The project, proposed by Florida Southeast Connection LLC, of Juno Beach, Fla., would consist of the construction and operation of 5.2 miles of natural gas transmission pipeline to connect the mainline system with the Florida Power & Light Co.'s Okeechobee Clean Energy Center to provide 400 million cubic feet per day of natural gas. Comments are due Nov. 22, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FercOnlineSupport@ferc.gov

82 FR 50864 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Oklahoma/Cana Stack Expansion Project

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the filing of a prior notice request by Enable Gas Transmission LLC, of Houston, regarding the proposed Cana Stack Expansion Project in Grady and McClain counties in Oklahoma. The project would include the construction and operation of the Byars Lake Compressor Station; the installation of interconnect facilities consisting of a 12-inch hot tap, overpressure protection, and valves; and the addition of auxiliary equipment at the existing Amber Junction Compressor Station. The agency will complete an environmental assessment or

issue a notice of schedule of environmental review by Jan. 25, 2018. Protests and motions to intervene are due Dec. 26, 2017. Contact: FERC; 866-208-3676; FERCOOnlineSupport@ferc.gov

82 FR 50868 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Patient Engagement Advisory Committee

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the renewal of the charter of the Patient Engagement Advisory Committee until Oct. 6, 2019. The committee advises the FDA commissioner on medical devices, their effectiveness, and their safety for human use. The committee provides advice and recommendations for agency guidance documents and policies, clinical trial or registry design, patient preference study design, benefit-risk determinations, device labeling, unmet clinical needs, available alternatives, patient reported outcomes, and device-related quality of life or health status issues. Contact: Letise Williams; FDA, Center for Devices and Radiological Health; 301-796-8398; Letise.Williams@fda.hhs.gov

82 FR 50882 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Pediatric Advisory Committee Nominations

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces a request for nominations for nonvoting industry representatives to serve on the Pediatric Advisory Committee. The agency also seeks to identify industry members who are interested in participating in the selection of such representatives. Nominations and notifications are due Dec. 4, 2017. Contact: Marieann Brill; FDA, Office of the Commissioner; 240-402-3838; marieann.brill@fda.hhs.gov

82 FR 50883 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Radiopharmaceuticals Used for Diagnosis and Monitoring

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the FDA to seek OMB approval for a continuing information collection request concerning regulations for in vivo radiopharmaceuticals used for diagnosis and monitoring. The collection addresses the information required to be submitted by manufacturers of diagnostic radiopharmaceuticals to demonstrate the safety and effectiveness of new diagnostic radiopharmaceuticals or new indications for use of an approved diagnostic radiopharmaceutical. The information includes, but is not limited to, nonclinical and clinical data on the pharmacology, toxicology, adverse events, radiation safety assessments, chemistry, manufacturing, and controls. Comments are due Jan. 2, 2018. Contact: Domini Bean; FDA, Office of Operations; 301-796-5733; PRASStaff@fda.hhs.gov. Citations: 21 CFR 315

82 FR 50885 (11/02/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Uranium Data Program

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Energy Department, Energy Information Administration, to seek OMB approval for a continuing information collection request regarding the Uranium Data Program, which collects data on domestic uranium supply and demand activities. The collection addresses the forms used to collect the necessary data for the annual (EIA-851A) and quarterly (EIA-851Q) Domestic Uranium Production Report, which addresses uranium milling and processing, uranium feed sources, uranium mining, employment, drilling, expenditures, and uranium reserves. The collection also addresses the form used to collect data for the Uranium Marketing Annual Report (EIA-858), which addresses uranium contracts and deliveries, inventories, enrichment services purchased, uranium in fuel assemblies, feed deliveries to enrichers, and unfilled market requirements for the current year and the following 10 years. Comments are due Jan. 2, 2018. Contact: Tim Shear; EIA; 202-586-0403; Tim.Shear@eia.gov

82 FR 50863 (11/02/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP

California/Cooper Drum Co. Superfund Site

HAZARDOUS WASTE CLEANUP

Notice of the Justice Department announces a proposed consent decree in *United States v. Cooper Living Trust* (Civil Action No. 2:17-cv-7836), lodged on Oct. 26, 2017, with the U.S. District Court for the Central District of California, Western Division. The consent decree resolves claims under CERCLA for recovery of response costs incurred by the U.S. and addresses soil and groundwater contamination at the Cooper Drum Co. Superfund Site in Los Angeles County, Calif. The consent decree requires the defendants to sell the property adjacent to the site and to pay the U.S. the greater of 90 percent of the net sales proceeds or \$2.5 million. Comments are due Dec. 4, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 50893 (11/02/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Fire Brigades Standard

OCCUPATIONAL SAFETY AND HEALTH

Notice of the Labor Department, Office of the Secretary, on behalf of OSHA, announces the submission of a continuing information collection request to the OMB concerning the fire brigades standard. The standard applies to discretionarily established fire brigades, industrial fire departments, and private or contract fire departments, but not airport crash rescue units or forest firefighting operations. The collection addresses requirements for covered employers to

develop and maintain an organizational statement that describes the functions performed by brigade members and the level of training and type of personal protective equipment necessary for members to perform assigned functions safely. The collection also addresses requirements for workers' fitness physician's certificates and hazard communications and safety training for special hazards, including storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water-reactive substances. Comments are due Dec. 4, 2017. Contact: Michel Smyth; DOL; 202-693-4129; DOL_PRA_PUBLIC@dol.gov. Citations: 29 CFR 1910.156

82 FR 50896 (11/02/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Fire Protection in Shipyard Employment Standard

OCCUPATIONAL SAFETY AND HEALTH

Notice of the Labor Department, Office of the Secretary, on behalf of OSHA, announces the submission of a continuing information collection request to the OMB regarding the fire protection in shipyard employment standard. The collection concerns requirements for employers to develop a written fire safety plan and written statements or policies that contain information about fire watches and fire response duties and responsibilities. The collection also concerns requirements for employers to obtain medical exams for certain workers, to develop training programs and train employees exposed to fire hazards, and to create and maintain records certifying employees have been made aware of the details of the fire safety plan. Comments are due Dec. 4, 2017. Contact: Michel Smyth; DOL; 202-693-4129; DOL_PRA_PUBLIC@dol.gov. Citations: 29 CFR 1915, Subpart P

82 FR 50895 (11/02/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Ionizing Radiation Standard

OCCUPATIONAL SAFETY AND HEALTH

Notice of the Labor Department, Office of the Secretary, on behalf of OSHA, announces the submission of a continuing information collection request to the OMB regarding the ionizing radiation standard. The collection documents that employers are providing their workers with protection from hazardous ionizing radiation exposure by monitoring worker exposure to ionizing radiation, posting caution signs at radiation areas, reporting worker overexposures to OSHA, maintaining exposure records, and providing exposure records to current and former workers. Comments are due Dec. 4, 2017. Contact: Michel Smyth; DOL; 202-693-4129; DOL_PRA_PUBLIC@dol.gov. Citations: 29 CFR 1910.1096

82 FR 50894 (11/02/2017)

Regulatory Update

WATER

Susquehanna River Basin Commission/Projects Approved for Consumptive Water Uses

WATER

Notice of the Susquehanna River Basin Commission announces a list of projects approved for consumptive use of water in September 2017. The notice addresses 15 projects by rule for consumptive use, including uses related to unconventional natural gas and other hydrocarbon development. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net. Citations: 18 CFR 806.22

82 FR 50930 (11/02/2017)

Regulatory Update

WATER

Susquehanna River Basin Commission/Projects Rescinded for Consumptive Uses of Water
WATER

Notice of the Susquehanna River Basin Commission announces one project rescinded for the consumptive use of water during September 2017. The project is located in Bradford County, Pa. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net. Citations: 18 CFR 806.22

82 FR 50930 (11/02/2017)

Regulatory Update

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