

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Mon 8/28/2017 12:13:53 PM
Subject: Aug. 28 -- EHS State Regulatory Alert



EHS State Regulatory Alert

August 28, 2017 - Number 165

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Colorado

WATER

Water Resources/Water Well Construction

Colorado WATER

Notice of the Department of Natural Resources, Division of Water Resources, announces corrections to a June 10, 2016, final rule to amend regulations under 2 CCR 402-2 regarding water well construction. The rule revised groundwater protections; set forth minimum standards for construction, repair, plugging, sealing and abandonment of wells, pumps and cisterns; and allowed certain types of monitoring holes and wells to be constructed by persons other than licensed contractors. The rule also specified dewatering well construction and abandonment standards, revised new well permitting requirements, revised minimum distances from contamination sources, specified minimum casing requirements, added notification requirements, and updated references and definitions. The corrections revise erroneous references and update figure labels. Contact: Kevin Donegan; DNR, Division of Water Resources; 303-866-3581

—Colorado Register (08/23/2017)

Regulatory Update

Indiana

WATER

Water Well Drillers and Pump Installers

Indiana WATER

Notice of the Natural Resources Commission announces corrections to regulations under 312 IAC 13-2-1-3 through 312 IAC 20-1-2 (nonconsecutive) to update references to the address of the Division of Hearings in the commission's administrative provisions, including enforcement

provisions concerning water well driller or pump installer licensing. The corrections are effective Sept. 30, 2017. Contact: NRC; 317-232-4699

—Indiana Register (08/23/2017)

Regulatory Update

Kansas

RADIATION

Radiation Control

Kansas RADIATION

Proposed rule of the Department of Health and Environment amends regulations under KAR 28-35-135 through -504 (nonconsecutive); adopts regulations under KAR 28-35-181, -192, -197, and -700; and repeals regulations under KAR 28-35-197 and -230 regarding radiation control to comply with Nuclear Regulatory Commission standards. The rule adds requirements for the initial transfer of source material for use under the small quantities of source material general license, establishes exemptions for certain industrial devices, adds Schedule B exempt quantities of radioactive material, and adopts standards for physical protection of byproduct material. The rule also specifies exemptions for carriers; adds requirements for general licenses for uranium and thorium; updates requirements for general licenses for certain units of radium-226; and clarifies provisions concerning designation of an authorized nuclear pharmacist, including positron emission tomography (PET) radioactive drugs. In addition, the rule clarifies requirements for financial assurance for decommissioning, adopts standards for certain specific licenses, requires notification of Indian tribes regarding certain material shipments, and clarifies general monitoring requirements for personnel dosimeters. Finally, the rule removes redundant and conflicting requirements for individual monitoring. A hearing is scheduled for Nov. 2, 2017, in Topeka. Comments are due Nov. 2, 2017. Contact: Kimberly Steves; DHE, Bureau of Community Health Systems; 785-296-4359; Kim.Steves@ks.gov

—Kansas Register (08/24/2017)

Regulatory Update

Kentucky

MINING

Division of Mine Permits/Assessment of Civil Penalties

Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 7:095 regarding assessment of civil penalties. The rule revises provisions concerning extent of potential or actual damage to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30,

2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Division of Mine Permits/General Hydrologic Requirements
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, adopts regulations under 405 KAR 18:060 regarding general hydrologic requirements to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that underground mining activities should be planned and conducted to minimize disturbance of the hydrologic balance and should include shadow area in these considerations. A hearing is scheduled for Sept. 21, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Division of Mine Permits/In Situ Processing Activities
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 20:080 regarding in situ processing activities to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that regulated entities should include shadow areas when considering performance standards related to in situ processing activities. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Division of Mine Permits/Mining Support and Transportation Facilities
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:260 regarding design, construction, and maintenance requirements for certain support and transportation facilities to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that permit applications should continue to include shadow area information when minimizing damage, destruction, or disruption of services provided by oil, gas, and water wells; oil, gas, and coal-slurry pipelines; railroads; electric and telephone lines; and

water and sewage lines. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Division of Mine Permits/Surface and Groundwater Monitoring
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:110 regarding surface and groundwater monitoring to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule clarifies that permit applications should continue to include shadow area information when providing information related to sudden releases of water accumulated in underground workings. A hearing is scheduled for Sept. 21, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Inspection and Enforcement/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 12:001 concerning definitions for inspection and enforcement of permitted surface coal mining and reclamation operations. The rule clarifies the definition of “permit area” to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Performance Standards for Surface Mining Activities
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 16:001 regarding definitions related to performance standards for surface mining activities. The rule clarifies the definition of “permit area” and adds a definition of “shadow area” to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule also removes materials incorporated by reference. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are

due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Permits for Special Categories of Mining
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:050 regarding permits for special categories of mining to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule establishes requirements for permits for underground only coal mining operations. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Special Performance Standards/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 20:001 regarding definitions relating to special performance standards for surface mining and reclamation operations. The rule revises the definition of “permit area” and adds a definition for “shadow area” to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Surface Coal Mining and Reclamation/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 10:001 regarding definitions related to bond and insurance requirements for surface coal mining and reclamation operations. The rule revises the definitions of “active area” and “permit area” to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Surface Coal Mining and Reclamation/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 7:001 regarding definitions related to surface coal mining and reclamation operations. The rule revises several definitions to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Surface Coal Mining and Reclamation/Definitions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:001 regarding definitions related to surface coal mining and reclamation operations. The rule revises several definitions to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule also removes materials incorporated by reference. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Surface Mining/Surface and Groundwater Monitoring
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 16:110 concerning surface mining requirements for monitoring and reporting of surface water quality and quantity, groundwater quality and quantity, and aquifer conditions. The rule updates the requirements to include shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Underground Coal Mining Permits

Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:040 regarding underground coal mining permits. The rule adds provisions concerning shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Underground Coal Mining/Permits

Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 8:010 to revise general provisions for underground coal mining permits. The rule adds language concerning shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Underground Mining Activities/Casing and Sealing

Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:040 concerning requirements for temporary and permanent casing, sealing, or other management of drill holes, boreholes, shafts, wells, or other exposed underground openings. The rule requires permit applications to include information on shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Underground Mining Activities/Performance Standards
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:001 concerning definitions relating to performance standards for underground mining activities. The rule clarifies the definition of “permit area” and adds a definition for “shadow area” to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. The rule also removes materials incorporated by reference. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Underground Mining/General Provisions
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, amends regulations under 405 KAR 18:010 concerning performance standards for underground mining activities. The rule updates the requirements to include shadow areas to reflect 2017 legislation that removed the requirement for areas overlying underground workings of coal mines to be permitted. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

MINING

Underground Only Mining Permits
Kentucky MINING

Proposed rule of the Department of Natural Resources, Division of Mine Permits, adopts regulations under 405 KAR 20:090 to establish performance standards for underground only mining permits. The rule specifies requirements for coal recovery, permanent abandonment of operations, and the temporary cessation of operations. A hearing is scheduled for Sept. 27, 2017, in Frankfurt. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Annual Retraining Program for Miners
Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:030 to reflect the transition of authority from the Department of Mines and Minerals to the DNR to establish the requirements of the annual retraining program. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Contact: Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Imposition, Enforcement of Sanctions Against Certified Miners

Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 8:030 to reflect the transition of authority from the Mining Board to the division to establish criteria for the revocation, suspension, or probation of a miner's certificate upon an adjudication by the Mine Safety Review Commission. The rule also authorizes the division to grant or deny an application for reinstatement of certification. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Imposition, Enforcement of Sanctions Against Licensees

Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 8:040 to reflect the transition of authority from the Mining Board to the department to establish criteria for the imposition of civil penalties and other consequences upon an adjudication by the Mine Safety Review Commission that an owner or part-owner of a licensed premises has violated mine safety laws. The rule also authorizes the division to grant or deny license applications. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Imposition, Enforcement of Sanctions Against Noncertified Personnel

Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 8:050 to reflect the transition of authority from the Mining Board to

the department to establish criteria for the imposition of civil penalties and other consequences upon an adjudication by the Mine Safety Review Commission that a noncertified person has violated mine safety laws. The rule also authorizes the division to grant or deny applications for foreman and inspector certificates. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Training Program and Examination for Miners on New Work Assignments

Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:050 to reflect the transition of authority from the Mining Board to the department to establish a program of training and examination for miners who receive new work assignments. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Training Program for Newly Employed Miners

Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:040 to reflect the transition of authority from the Mining Board to the division to establish a training program for newly employed miners. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Contact: Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Training and Certification of Inexperienced Miners

Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:020 to reflect the transition of authority from the Mining Board to the division to establish a program for training for inexperienced miners. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Training and Education of Inexperienced Underground and Surface Coal Miners Kentucky OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department for Natural Resources, Division of Mine Safety, amends regulations under 805 KAR 7:060 to reflect the transition of authority from the Mining Board to the department to establish a program of training and education of inexperienced underground and surface coal miners. The rule also authorizes the division to approve training programs. A hearing is scheduled for Sept. 26, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

WATER

Best Management Practices for Timber Harvesting Operations Kentucky WATER

Proposed rule of the Department of Natural Resources, Division of Forestry, amends regulations under 402 KAR 3:030 regarding best management practices for timber harvesting operations. The rule provides a reference to the current version of the Agriculture Water Quality Management Plan and the related statutory requirement. A hearing is scheduled for Sept. 21, 2017, in Frankfort. Comments are due Sept. 30, 2017. Contact: Michael Mullins; Energy and Environment Cabinet; 502-782-6720; michael.mullins@ky.gov

—Administrative Register of Kentucky (08/23/2017)

Regulatory Update

Minnesota

ENDANGERED SPECIES

Wildlife Management Areas Minnesota ENDANGERED SPECIES

Emergency rule of the Department of Natural Resources amends regulations under MCAR 6230.0200 through MNR 6236.0700 (nonconsecutive) regarding wildlife management areas. The rule specifies restrictions for the Sandstone wildlife management area, clarifies the hunting season and requirements for dogs in the Vermillion Highlands wildlife management area, and updates provisions concerning several state game refuges. The rule also updates requirements for open sanctuary areas and for overnight use of wildlife management areas, reduces the white-tailed jackrabbit daily and possession limit, and updates registered furbearer bag limits and registration procedures. In addition, the rule adds a season and bag limit for short- and long-tailed weasels and revises provisions concerning the fall turkey season, pelt tagging and

registration, and the take of fisher and pine marten. The rule is effective Aug. 21, 2017, and expires Jan. 31, 2018. Contact: Tom Landwehr; DNR; 651-296-6157; info.dnr@state.mn.us

—Minnesota State Register (08/21/2017)

Regulatory Update

ENDANGERED SPECIES

Wildlife Management Areas

Minnesota ENDANGERED SPECIES

Emergency rule of the Department of Natural Resources amends regulations under MNR 6234.0300, 6237.0400, and 6237.0550 and adopts regulations under MNR 6230.0400 regarding wildlife management areas. The rule specifies the trapping season for the Butterball and Little Rice game refuges in St. Louis County to reflect beaver population management efforts. The rule also specifies the harvest zones and the open season for sharp-tail grouse. In addition, the rule specifies the harvest zones, open areas, open season, and permit areas for prairie chickens. The rule is effective Aug. 21, 2017, and expires Dec. 31, 2017. Contact: Tom Landwehr; DNR; 651-296-6157; info.dnr@state.mn.us

—Minnesota State Register (08/21/2017)

Regulatory Update

Nevada

AIR

Inspection Procedures for Certain Older Model or Heavy-Duty Motor Vehicles

Nevada AIR

Notice announces the intention of the Department of Motor Vehicles to amend regulations under NAC 445B.580 concerning inspection procedures for certain motor vehicles of model year 1995 or older and heavy-duty vehicles of model year 1996 or newer. The rule requires reinspection of vehicles that have failed an inspection for an improper gas or fuel cap. A comment due date is not specified. Contact: DMV; 775-684-4549

—Nevada Register (08/23/2017)

Regulatory Update

AIR

Local Agency Motor Vehicle Pollution Control Grants

Nevada AIR

Notice announces the intention of the Department of Motor Vehicles to repeal regulations under NAC 445B.859 through .873 to delete provisions concerning local air pollution control grants. A comment due date is not specified. Contact: DMV; 775-684-4549

—Nevada Register (08/23/2017)

Regulatory Update

AIR

Testing of Certain Motor Vehicles Powered by Diesel Engines

Nevada AIR

Notice announces the intention of the Department of Motor Vehicles to amend regulations under NAC 445B.589 concerning testing of certain motor vehicles powered by diesel engines. The rule requires reinspection of vehicles that have failed an inspection for an improper gas or fuel cap. A comment due date is not specified. Contact: DMV; 775-684-4549

—Nevada Register (08/23/2017)

Regulatory Update

Oregon

AIR

Monetary Offset Rate for Nongenerating Energy Facilities

Oregon AIR

Proposed rule of the Department of Energy, Energy Facility Siting Council, amends regulations under OAR 345-024-0580 and -0620 regarding the monetary offset rate for carbon dioxide (CO₂) emissions from nongenerating energy facilities. The rule increases the the monetary offset rate to \$1.90 per ton of CO₂ and specifies that the rate would remain the same for at least two years following the rule's effective date. The rule also increases the methane equivalency weight to 25 pounds of CO₂ and the nitrous oxide equivalency rate to 298 pounds of CO₂. A hearing is scheduled for Sept. 21, 2017, in Boardman. Comments are due Sept. 21, 2017. Contact: Jason Sierman; DOE, Energy Facility Siting Council; 503-378-4040

—Oregon Bulletin (08/23/2017)

Regulatory Update

ENDANGERED SPECIES

Cougar Management

Oregon ENDANGERED SPECIES

Proposed rule of the Department of Fish and Wildlife amends regulations under OAR 635-180 to update the cougar management plan. The rule incorporates various management objectives into the plan. A hearing is scheduled for Oct. 13, 2017, in Prineville. Comments are due Oct. 13, 2017. Contact: Michelle Tate; DFW; 503-947-6044

—Oregon Bulletin (08/23/2017)

Regulatory Update

ENDANGERED SPECIES

Fish and Wildlife/Administrative Fees

Oregon ENDANGERED SPECIES

Proposed rule of the Department of Fish and Wildlife amends regulations under OAR 635-001 through -200 (nonconsecutive) to increase certain hunting, angling, and commercial fishing fees, effective Jan. 1, 2018. The rule increases the fees for wildlife site inspection, falconry, cervid propagation, hide and antler dealer permits, and wild bird seals. The rule also increases fees for bobcat and otter record cards, wildlife area parking, taking permits, and various hunting and fishing activities. A hearing is scheduled for Oct. 13, 2017, in Prineville. Comments are due Oct. 13, 2017. Contact: Michelle Tate; DFW; 503-947-6044; michelle.l.tate@state.or.us

—Oregon Bulletin (08/23/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Energy, Waste Disposal Facility Site Certificates

Oregon GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Energy, Energy Facility Siting Council, amends regulations under OAR 345-021-0010, -022-0020, -027-0020, and -050-0060 regarding the structural, geologic, and seismic related issues and hazards the council considers when issuing site certificates or amendments to site certificates for energy facilities and waste disposal facilities. The rule clarifies the relationship and consultation requirements between applicants and the Department of Geology and Mineral Industries (DOGAMI). The rule also adds factors for applicants to consider in their assessments and explanations of how they will design, engineer, construct, and operate a facility to avoid related issues and hazards. Such factors include the environment, resiliency, rapid recovery, future climate conditions, and tsunami hazards. A hearing is scheduled for Sept. 21, 2017, in Boardman. Comments are due Sept. 21, 2017. Contact: Jason Sierman; DOE, Energy Facility Siting Council; 503-378-4040

—Oregon Bulletin (08/23/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Motor Carrier Safety/Transportation of Hazardous Materials

Oregon HAZARDOUS MATERIALS TRANSPORTATION

Final rule of the Department of Transportation, Motor Carrier Transportation Division, amends regulations under OAR 740-100-0010 through -110-0010 (nonconsecutive) regarding motor carrier safety and hazardous materials transportation. The rule updates the version of the federal and international standards incorporated by reference, including federal motor carrier safety and hazardous materials transportation standards and international standards for driver, vehicle, and hazardous materials out-of-service requirements. The rule is effective July 25, 2017. Contact: Lauri Kunze; DOT, Motor Carrier Transportation Division; 503-986-3171

—Oregon Bulletin (08/23/2017)

Regulatory Update

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