

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Bloomberg BNA  
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**Subject:** Oct. 23 -- EHS State Regulatory Alert



## **EHS State Regulatory Alert**

October 23, 2017 - Number 203

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### Indiana

*AIR*

#### **Attainment Status Designation/Lawrenceburg Township Ozone Area** **Indiana AIR**

Emergency rule of the Department of Environmental Management, Air Pollution Control Division, amends regulations under 326 IAC 1-4-16 to add the federal redesignation for Lawrenceburg Township in Dearborn County to attainment of the 2008 eight-hour ozone standard. The rule is effective Oct. 16, 2017, and expires Jan. 14, 2018. Contact: Keelyn Walsh; DEM, Office of Legal Counsel; 317-232-8229; kwalsh131@idem.in.gov

—Indiana Register (10/18/2017)

[Regulatory Update](#)

### Louisiana

#### ***ENDANGERED SPECIES***

#### **Saltwater Sport and Commercial Fishery/Female Blue Crabs** **Louisiana ENDANGERED SPECIES**

Proposed rule of the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, amends regulations under 76 LAC VII.346 regarding the harvest of female blue crabs. The rule prohibits the commercial harvest of female blue crabs during March and April of 2018 and 2019. The rule also allows a legally licensed commercial crab fisherman to harvest female blue crabs during the prohibited time frame as long as the blue crabs do not exceed 2 percent of the fisherman's total number of crabs harvested. Comments are due Nov. 30, 2017. Contact: Peyton Cagle; DWF, Office of Fisheries; 225-491-2587; peyton.cagle@la.gov

—Louisiana Register (10/20/2017)

## Regulatory Update

### **ENDANGERED SPECIES**

#### Saltwater Sport and Commercial Fishery/Removal of Abandoned Crab Traps Louisiana ENDANGERED SPECIES

Proposed rule of the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, amends regulations under 76 LAC VII.367 regarding the removal of abandoned crab traps. The rule temporarily closes a portion of state inside waters to the use the crab traps in order to facilitate the removal of abandoned crab traps. Comments are due Nov. 30, 2017. Contact: Peyton Cagle; DWF, Office of Fisheries; 225-491-2587; peyton.cagle@la.gov

—Louisiana Register (10/20/2017)

## Regulatory Update

### **GENERAL ENVIRONMENT AND SAFETY**

#### Confidential Information Regulations Louisiana GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Department of Environmental Quality, Office of the Secretary, amends regulations under 33 LAC I.501 regarding the scope of confidentiality information standards. The rule clarifies the delivery methods and locations of requests for confidentiality of information and records. A hearing is scheduled for Nov. 29, 2017, in Baton Rouge. Comments are due Dec. 6, 2017. Contact: Deidra Johnson; DEQ; 225-219-3168; deidra.johnson@la.gov

—Louisiana Register (10/20/2017)

## Regulatory Update

### **HAZARDOUS WASTE MANAGEMENT**

#### Hazardous Waste Louisiana HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Office of the Secretary, amends regulations under 33 LAC V.108 through .4301 (nonconsecutive) regarding hazardous waste. The rule corrects and clarifies hazardous waste generator requirements for conditionally exempt small-quantity generators, generators, pre-transport, recordkeeping, hazardous waste exports, and tanks. The rule also addresses land disposal restrictions, recyclable materials, and interim status. A hearing is scheduled for Nov. 29, 2017, in Baton Rouge. Comments are due Dec. 6, 2017. Contact: Deidra Johnson; DEQ; 225-219-3168; deidra.johnson@la.gov

—Louisiana Register (10/20/2017)

## Regulatory Update

## **Nevada**

**AIR**

**Pollution Control, Inspection of Motor Vehicles**  
**Nevada AIR**

Notice of the Department of Motor Vehicles announces an additional workshop and rescheduling of the hearing on a Sept. 18, 2017, proposed rule to amend regulations under NAC 445B.579, .580, .585, .598, .590, and .850 and rescind regulations under NAC 445B.859 through .873 concerning motor vehicle emissions inspection requirements. The rule requires reinspection of certain motor vehicles that have failed an inspection for an improper gas or fuel cap. The rule also removes provisions concerning a program for awarding grants from the Pollution Control Account for projects related to the improvement of air quality. The workshop is scheduled for Nov. 6, 2017, in Carson City and via teleconference in Las Vegas. The hearing now is scheduled for Dec. 4, 2017, in Carson City and via teleconference in Las Vegas. Comments now are due Nov. 3, 2017. Contact: DMV; 775-684-4549

—Nevada Register (10/18/2017)

**Regulatory Update**

**PESTICIDES**

**Industrial Hemp Pesticide Application**  
**Nevada PESTICIDES**

Notice of the Department of Agriculture announces a hearing on a Sept. 18, 2017, proposed rule to adopt regulations under NAC 557 concerning the use of certain pesticides on industrial hemp. The rule provides for creation and publication of a list of pesticides allowed for use on industrial hemp. The rule also establishes a process for requests for evaluation of a pesticide for industrial hemp application and sets fees for such evaluations. The hearing is scheduled for Nov. 29, 2017, in Sparks and via videoconference in Elko and Las Vegas. Comments are due Nov. 23, 2017. Contact: Megan Zich; Department of Agriculture; 775-353-3670 Mzich@agri.nv.gov

—Nevada Register (10/19/2017)

**Regulatory Update**

**New York**

**AIR**

**Fuel Composition and Use/Waste Oils**  
**New York AIR**

Notice of the Department of Environmental Conservation announces the expiration of an Aug. 3, 2016, proposed rule that would have amended regulations under 6 NYCRR 200 and repealed and readopted regulations under 6 NYCRR 225-2 regarding the burning of waste oils in combustion, incineration, and process sources. The rule would have established applicability criteria, composition limits, and permitting requirements for waste oils; set monitoring, recordkeeping, and reporting requirements for facilities eligible to burn waste oil; and allowed waste oil to be burned in space heaters at automotive maintenance/service facilities. The rule also would have

defined “residual oil” and updated the definition for “waste oil.” The expiration is dated Sept. 30, 2017. Contact: Michael Jennings; DEC, Division of Air Resources; 518-402-8403

—New York State Register (10/18/2017)

Regulatory Update

**WATER**

Lead Testing in School Drinking Water  
New York WATER

Emergency rule of the Department of Health adopts regulations under 10 NYCRR 67-4.1 through .9 regarding lead testing in school drinking water. The rule requires schools to test each potable water outlet for lead, specifies an action level of 15 micrograms per liter for lead in drinking water of school buildings, and establishes initial and future monitoring requirements. The rule also requires schools to develop remedial action plans if the action level is exceeded at any potable water outlet, to notify the school community of results, and to report results to the department. The rule extends a June 21, 2017, emergency rule. The rule is effective Sept. 28, 2017, and expires Nov. 26, 2017. Contact: Katherine Ceroalo; DOH, Bureau of House Counsel; 518-473-7488; reqsqna.health.ny.gov

—New York State Register (10/18/2017)

Regulatory Update

**WATER**

Susquehanna River Basin Commission Hearing  
New York WATER

Notice of the Susquehanna River Basin Commission announces a hearing to receive testimony regarding 18 projects, including new, renewed, and revised applications for groundwater and surface water withdrawals and consumptive water use. The hearing is scheduled for Nov. 2, 2017, in Harrisburg, Pa. Comments are due Nov. 13, 2017. Contact: Jason Oyler; SRBC; 717-238-0423

—New York State Register (10/18/2017)

Regulatory Update

**Rhode Island**

**SOLID WASTE**

Recycling and Litter Control Grants  
Rhode Island SOLID WASTE

Final rule of the Department of Environmental Management repeals regulations regarding recycling and litter control grants. The rule removes procedures for awarding grants from the Ocean State Cleanup and Recycling Program because the program was discontinued and all such recycling programs were transferred to the Rhode Island Resource Recovery Corp. The rule

is effective Sept. 10, 2017. Contact: Leo Hellested; DEM, Office of Waste Management; 401-222-2797; leo.hellested@dem.ri.gov

—Rhode Island Regulations (10/19/2017)

Regulatory Update

## Tennessee

### **HAZARDOUS WASTE MANAGEMENT** **Underground Storage Tank Program** **Tennessee HAZARDOUS WASTE MANAGEMENT**

Proposed rule of the Department of Environment and Conservation, Division of Underground Storage Tanks, repeals and readopts regulations under RRT 0400-18-01-.01 through -.16 concerning the underground storage tank program. The rule addresses monthly walkthrough inspections and updates requirements for periodic testing of spill and overfill equipment for calibration and tightness and airport hydrant systems to conform to federal standards. The rule also requires owners or operators of tanks in temporary closure for greater than one year to determine if a petroleum release has occurred and to conduct a tightness test before such tanks are returned to service. In addition, the rule clarifies the definition of “other responsible party” as it relates to responsibility for releases. A hearing is scheduled for Dec. 14, 2017, in Nashville and via videoconference at various locations. Comments are due Dec. 29, 2017. Contact: Rhonda Key; DEC, Division of Underground Storage Tanks; 615-532-0989; Rhonda.Key@tn.gov

—Tennessee Administrative Register (10/18/2017)

Regulatory Update

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