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From: Bloomberg BNA
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EHS Federal Regulatory Alert

June 13, 2017 - Number 112

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Summaries

AIR

Alaska SIP/Minor Source Permitting, Transportation Conformity

AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the Alaska SIP. The revisions update the version of incorporated federal regulations, update minor source permitting requirements, and remove obsolete source-specific requirements. The revisions also update certain general conformity provisions and transportation conformity provisions concerning interagency consultation and public involvement. Comments are due July 13, 2017. Contact: Randall Ruddick; EPA Region 10, Office of Air and Waste; 206-553-1999; ruddick.randall@epa.gov

82 FR 27031 (06/13/2017)

Regulatory Update

AIR

Alaska/Clean Air Act Consent Decree

AIR

Notice of the Department of Justice announces the extension of the comment period for a consent decree (82 FR 18928; 04/24/2017) in *United States v. Westward Seafoods Inc.* (Civil Action No. 3:17-cv-00087-TMB), lodged April 17, 2017, with the U.S. District Court for the District of Alaska. The consent decree resolves claims regarding alleged Clean Air Act violations at Westward's seafood processing facility in Dutch Harbor, Alaska, and claims for stipulated penalties for violations of a 2010 consent decree (75 FR 21349). The consent decree requires the defendant to pay \$1.3 million in penalties and to perform injunctive relief concerning improved operation and maintenance procedures and employee training. The consent decree also subjects the defendant to third-party verification of compliance with the decree and the Clean Air Act permit and requires the defendant to implement two mitigation projects. Comments now are due July 3, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 27079 (06/13/2017)

Regulatory Update

AIR

Clean Air Act Settlement Agreement

AIR

Notice of the EPA announces the reopening of the comment period for a proposed settlement agreement (82 FR 6532; 01/19/2017) in *Sierra Club v. EPA* (Civil Action No. 16-1158) lodged with the U.S. District Court for the District of Columbia. The agreement resolves a petition for judicial review of a March 28, 2016, EPA final rule (81 FR 17248) regarding revisions to ambient monitoring quality assurance. The agreement requires the EPA to issue two nonbinding guidance documents regarding recommendations for public inspection of proposed monitoring plans and recommendations for stakeholder notification of submitted monitoring plan approvals and disapprovals. The agreement also requires the U.S. to pay Sierra Club's claim for fees and costs. Comments now are due July 13, 2017. Contact: Jonathan Skinner-Thompson; EPA, Office of General Counsel; 202-564-0291; skinner-thompson.jonathan@epa.gov

82 FR 27063 (06/13/2017)

Regulatory Update

ENDANGERED SPECIES

New Mexico, Texas/Plant Designations

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the reopening of the comment period for five proposed rules to reclassify four plants and to designate critical habitat under 50 CFR 17.12. The notice addresses a rule to list the Guadalupe fescue, a plant species from the Chihuahuan Desert of west Texas and Mexico as endangered (82 FR 62450; 09/09/2016) and to designate critical habitat for the plant in Big Bend National Park, in Brewster County, Texas (81 FR 62455; 09/09/2016). The notice also addresses a rule to reclassify the Tobusch fishhook cactus, found in Texas, from endangered to threatened (81 FR 95932; 12/29/2016). In addition, the notice addresses a rule to reclassify the Kuenzler hedgehog cactus, found in New Mexico, from endangered to threatened (82 FR 1677; 01/06/2017). Finally, the notice addresses a rule to remove the gypsum wild-buckwheat, found in New Mexico, from the list of endangered and threatened plants due to recovery (82 FR 1657; 01/06/2017). Comments now are due July 13, 2017. Contact: Adam Zerrenner; USFWS, Austin Ecological Services Field Office; 512-490-0057

82 FR 27033 (06/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

CPSC Priorities for 2018-2019

GENERAL ENVIRONMENT AND SAFETY

Notice of the Consumer Product Safety Commission announces a hearing regarding the agency's agenda and priorities for fiscal years 2018 and 2019. The hearing is scheduled for July 26, 2017, in Bethesda, Md. Comments are due July 12, 2017. Contact: Todd Stevenson; CPSC, Office of the

Secretary; 301-504-7923; cpsec-os@cpsec.gov

82 FR 27045 (06/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

California/Feather River Hydroelectric Project

GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the filing of an application by the California Department of Water Resources for a noncapacity amendment of license regarding the Feather River Hydroelectric Project, on the Feather River in Butte County, Calif. The applicant requests approval to restore project function following extensive erosion to the service and emergency spillways at the Oroville Dam during February 2017 flood events. The applicant proposes to permanently relocate approximately two miles of the 230-kilovolt transmission lines onto lands across the Feather River from the damaged spillways outside the current project boundary to avoid future damage to the transmission lines, facilitate reconstruction of the spillways, and restore a reliable route for electricity to and from the dam's power plant.

Comments are due June 22, 2017. Contact: John Aedo; FERC; 415-369-3335; john.aedo@ferc.gov

82 FR 27059 (06/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Florida/Wekiva Parkway Relocation Project

GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the availability of the schedule of environmental review for the Wekiva Parkway Relocation Project in Lake and Seminole counties in Florida. The project, proposed by Florida Gas Transmission Co., of Houston, includes the abandonment, relocation, and replacement of portions of the Sanford lateral pipe and Sanford lateral loop pipeline by installing replacement lines adjacent to each other in a new right of way. The project would resolve conflicts between the existing pipelines and construction of the Florida Department of Transportation's new State Road 429. The issuance of the environmental assessment is scheduled for July 28, 2017, and the 90-day federal authorization decision is due Oct. 26, 2017. Contact: FERC, Office of External Affairs; 866-208-3676; FERCOnlineSupport@ferc.gov

82 FR 27060 (06/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Ohio/Lead Cascade Facility

GENERAL ENVIRONMENT AND SAFETY

Notice of the Nuclear Regulatory Commission announces the availability of an environmental assessment and finding of no significant impact regarding a request from American Centrifuge Operating LLC, of Bethesda, Md., for the Lead Cascade Facility (LCF), in Piketon, Ohio, under

NRC License SNM-7003. The request is for authorization to ship solid radioactive waste, liquid radioactive waste, and solid low level mixed waste from the LCF to the Nevada National Security Site where it will be permanently buried. Contact: Jean Trefethen; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-0867; Jean.Trefethen@nrc.gov

82 FR 27088 (06/13/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Recall Effectiveness Workshop

GENERAL ENVIRONMENT AND SAFETY

Notice of the Consumer Product Safety Commission announces a workshop on potential ways to improve the effectiveness of consumer product recalls from the public announcement to product correction stage. The workshop will address topics such as hazard communication, consumer motivation, in-store notification, use of social media, and other forms of notice. Comments are requested on additional discussion topics. The workshop is scheduled for July 25, 2017, in Bethesda, Md. Topic suggestions are due June 23, 2017. Contact: Joseph Williams; CPSC; Office of Compliance and Field Operations; 301-504-7585; jfwilliams@cpsc.gov

82 FR 27046 (06/13/2017)

Regulatory Update

PESTICIDES

Pesticide Tolerance Exemption/Cumene Sulfonic Acid

PESTICIDES

Final rule of the EPA amends regulations under 40 CFR 180.920 and 180.930 to establish an exemption from the requirement of a tolerance for residues of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium, and zinc salts when used as an inert ingredient in pesticide formulations applied to growing crops and to animals. The rule eliminates the need to establish a maximum permissible level for the residues when used in accordance with approved conditions. The rule is issued in response to a petition filed by Huntsman Petrochemical LLC, of the Woodlands, Texas. The rule is effective June 13, 2017. Objections and hearing requests are due Aug. 14, 2017. Contact: Michael Goodis; EPA, Office of Pesticide Programs; 703-305-7090; RDFRNotices@epa.gov

82 FR 27021 (06/13/2017)

Regulatory Update

TOXIC SUBSTANCES

Draft Toxicological Profiles

TOXIC SUBSTANCES

Notice of the Agency for Toxic Substances and Disease Registry announces the availability of four draft toxicological profiles of priority hazardous substances. The profiles contain information on hazardous substances commonly found at facilities on the National Priorities List and that pose a significant potential threat to human health. The notice addresses updated

profiles for antimony; 2, 4-D; molybdenum; and silica. The agency requests additional information or reports on studies about the health effects of the substances for review and potential inclusion in the profile. Comments are due Sept. 11, 2017. Contact: Jessilyn Taylor; ATSDR, Division of Toxicology and Human Health Sciences; 770-488-3313; jxt1@cdc.gov

82 FR 27066 (06/13/2017)

Regulatory Update

WATER

Delaware River Basin Commission/Fees, Water Charges

WATER

Final rule of the Delaware River Basin Commission amends regulations under 18 CFR 401.43 and 420.41 to revise the regulatory program fees and schedule of water charges for the fiscal year beginning July 1, 2017, to reflect an increase in the consumer price index (CPI). The rule also corrects references to a CPI data series. The rule is effective July 1, 2017. Contact: Elba Deck; Delaware River Basin Commission; 609-883-9500

82 FR 26989 (06/13/2017)

Regulatory Update

WATER

Payments for Benefits from Headwater Improvements

WATER

Notice of the Federal Energy Regulatory Commission announces the withdrawal of a June 7, 2017, notice (82 FR 26476) announcing the submission of a continuing information collection request to the OMB regarding payment for benefits from headwater improvements, which provide additional energy production from the regulation of river flows by an upstream storage reservoir (FERC-521; 18 CFR 11, Subpart B). The collection addresses data reporting requirements for downstream federal and nonfederal hydropower project owners. The data also is used to determine annual charges for nonfederal hydropower projects. Contact: Ellen Brown; FERC; 202-502-8663; DataClearance@FERC.gov

82 FR 27055 (06/13/2017)

Regulatory Update

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