

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Bloomberg BNA  
**Sent:** Thur 9/7/2017 4:11:12 PM  
**Subject:** Sep. 07 -- EHS State Regulatory Alert



## **EHS State Regulatory Alert**

September 07, 2017 - Number 172

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### Maryland

#### *WATER*

#### Susquehanna River Basin Commission Meeting Maryland WATER

Notice of the Susquehanna River Basin Commission announces a meeting to discuss the adoption of alternatives analysis guidance, amendment of delegation authority to the executive director, a report on delegated settlements, and amendments to bylaws. The agenda also includes discussion of waiver requests submitted by Middletown Borough, Peak Resorts Inc./Greek Peak Mountain Resort, and the Carrolltown Borough Municipal Authority. In addition, the agenda includes discussion of requests for extension of emergency certificates for Sunset Golf Course, Sunoco Pipeline LP, and Furman Foods Inc. The meeting is scheduled for Sept. 7, 2017, in Elmira, N.Y. Comments on agenda items other than the regulatory program projects, the alternatives analysis guidance, and the request for waiver by Middletown Borough, are due Aug. 31, 2017. Contact: Jason Oyler; SRBC; 717-238-0423

—Maryland Register (09/01/2017)

#### Regulatory Update

### New Jersey

#### *ENDANGERED SPECIES*

#### Division of Fish and Wildlife/Game Code New Jersey ENDANGERED SPECIES

Final rule of the Department of Environmental Protection, Division of Fish and Wildlife, amends regulations under NJAC 7:25-5.1 through -5.35 (nonconsecutive) regarding the 2017-2018 Game Code to address requirements for how game birds, game animals, and fur-bearing animals may be pursued, taken, killed, or possessed. The rule revises season opening and closing dates and

bag limits and establishes requirements for apprentice licenses. The rule also prohibits the liberation of northern bobwhite quail by private individuals in certain wildlife management areas. The rule is effective Sept. 5, 2017. Contact: DEP, Division of Fish and Wildlife; 609-292-2965

—New Jersey Register (09/05/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**  
Department of Environmental Protection Organization  
New Jersey GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Protection readopts with amendments regulations under NJAC 7:1-1.3 and -1.4 concerning department organization. The rule updates organizational units and contact information. The rule is effective Aug. 10, 2017. Contact: DEP, Office of the Commissioner; 609-292-2885

—New Jersey Register (09/05/2017)

Regulatory Update

**HAZARDOUS WASTE CLEANUP**  
Proposed Consent Order/Don Longo Inc.  
New Jersey HAZARDOUS WASTE CLEANUP

Notice of the Department of Environmental Protection, Site Remediation and Waste Management Program, announces a proposed consent order with Don Longo Inc. for recovery of cleanup and removal costs associated with the County Towing 634-638 Route 46 Site in Morris County. The consent order requires the company to pay \$8,750 to settle alleged liability for past and future cleanup and removal costs at the site. The agreement also includes a covenant not to sue. Comments are due Nov. 6, 2017. Contact: Kevin Kratina; DEP; 609-292-8761

—New Jersey Register (09/05/2017)

Regulatory Update

**HAZARDOUS WASTE CLEANUP**  
Proposed Consent Order/Shell Oil Co.  
New Jersey HAZARDOUS WASTE CLEANUP

Notice of the Department of Environmental Protection, Office of Natural Resource Restoration, announces a proposed consent order in New Jersey Department of Environmental Protection v. Atlantic Richfield Co. (No. 08-CIV-00312) concerning alleged contamination of state waters with the gasoline additive methyl tertiary butyl ether. The consent decree requires Equilon Enterprises LLC, Motiva Enterprises LLC, Shell Oil Co., and related entities to pay approximately \$68.5 million to settle alleged liability for damages, past cleanup, and removal costs at over 6,000 sites. Comments are due Nov. 6, 2017. Contact: DEP, Office of Natural Resource Restoration; 609-984-5475; MTBESettlement@dep.nj.gov

—New Jersey Register (09/05/2017)

## Regulatory Update

### **SOLID WASTE**

#### Sanitary Landfills

#### **New Jersey SOLID WASTE**

Final rule of the Department of Environmental Protection, Site Remediation Program, amends regulations under NJAC 7:26-1.4 through :27A-3.10 (nonconsecutive), repeals and readopts regulations under NJAC 7:26-2A.3, and adopts regulations under NJAC 7:27-7.3 regarding solid waste, recycling, air pollution control, and air administrative procedures and penalties for sanitary landfills. The rule establishes requirements for legacy landfills and closed landfill facilities that accept new materials after closure for reuse or redevelopment. The rule also addresses closure and post-closure plan requirements, state-licensed professional engineers, and municipal site plan approval. In addition, the rule addresses post-closure evaluation, financial assurance, legacy landfill escrow accounts, liability insurance, limits on ambient concentration of hydrogen sulfide gas, and definitions. The rule is effective Sept. 5, 2017. Contact: Alice Previte; DEP, Office of Legal Affairs; 609-292-9398

—New Jersey Register (09/05/2017)

## Regulatory Update

## **South Dakota**

### **WATER**

#### Surface Water Discharge, Concentrated Animal Feeding Operation Permits

#### **South Dakota WATER**

Proposed rule of the Department of Environment and Natural Resources, Water Management Board, amends regulations under ARSD 74:52:01:01 through :52:11:16 (nonconsecutive), :57:01:04, and :57:01:05 and adopts regulations under ARSD 74:52:01:02 and :52:01:05 to update surface water discharge and concentrated animal feeding operation permitting standards. The rule primarily reflects amendments to federal permitting standards as of July 1, 2016, that address the National Pollutant Discharge Elimination System, analysis of pollutants, use or disposal of sewage sludge, hazardous substances, existing and new sources of pollution, and toxic pollutant effluent standards. A hearing is scheduled for Oct. 5, 2017, in Pierre. Comments are due Oct. 4, 2017. Contact: DENR, Water Management Board; 605-773-4254

—South Dakota Register (09/05/2017)

## Regulatory Update

## **Utah**

### **AIR**

Air Quality/Nonattainment and Maintenance Areas for Particulate Matter  
Utah AIR

Final rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-309-3 through -12 and repeals regulations under R307-309-13 regarding fugitive emissions and fugitive dust in nonattainment and maintenance areas for particulate matter (PM-10) and fine particulate matter (PM-2.5). The rule clarifies that the provisions apply to fugitive dust sources one-quarter acre or more. The rule also clarifies the method for observing fugitive emissions to allow for observations at varying lengths of duration. In addition, the rule requires that sources keep compliance records for a two-year period and removes unnecessary language concerning compliance schedules. The rule is effective Aug. 4, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**AIR**  
Heavy-Duty Vehicle Tax Credit  
Utah AIR

Final rule of the Department of Environmental Quality, Division of Air Quality, amends regulations under R307-122-2 and -4 regarding general requirements for the heavy-duty vehicle tax credit. The rule adds heavy-duty vehicles that have hydrogen-electric and 100 percent electric drivetrains to the definition of a “qualified heavy duty vehicle.” The rule is effective Aug. 3, 2017. Contact: Mat Carlile; DEQ, Division of Air Quality; 801-536-4116; mcarlile@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**AIR**  
Nitrogen Oxide Emission Limits for Natural Gas-Fired Water Heaters  
Utah AIR

Final rule of the Department of Environmental Quality, Division of Air Quality, adopts regulations under R307-230-1, -2, and -3 to specify nitrogen oxide emission limits for natural gas-fired water heaters sold or installed on or after July 1, 2018. The rule is effective Aug. 3, 2017. Contact: Ryan Stephens; DEQ, Division of Air Quality; 801-536-4419; rstephens@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Class IV and VI Landfill Requirements  
Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-305-3 regarding Class IV and VI landfill requirements to align with Nov. 28, 2016, amendments to the Hazardous Waste Generator

Improvements Rule under 40 CFR 257. The rule revises definitions to change the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Hazardous Waste Generators  
Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-262-10 through -17 (nonconsecutive), adopts regulations under R315-262-1 and -230 through -265 (nonconsecutive), and repeals regulations under R315-262-12 and -34 regarding requirements for hazardous waste generators to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 262. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Hazardous Waste Management System  
Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-260-10 and -11 regarding definitions relating to the state hazardous waste management system to incorporate Nov. 28, 2016, amendments to the Hazardous Waste Generator Improvements Rule under 40 CFR 260. The rule adds and revises definitions and revises the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Hazardous Waste Permit Program  
Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-270-1 regarding the hazardous waste permit

program to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 270.1. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Hazardous Waste TSD Facilities  
**Utah HAZARDOUS WASTE MANAGEMENT**

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-264-1 through -1101 (nonconsecutive) regarding standards for owners and operators of hazardous waste treatment, storage, and disposal (TSD) facilities. The rule aligns requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 264. The rule also clarifies the applicability of provisions for on-site accumulation of hazardous wastes by generators, owners or operators who ship hazardous waste generated at their facility, or operators consolidating waste from very small-quantity generators. In addition, the rule updates biennial reporting requirements for owners or operators. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**  
Identification and Listing of Hazardous Waste  
**Utah HAZARDOUS WASTE MANAGEMENT**

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-261-1, -4, -6, -33, and -420 and repeals regulations under R315-261-5 regarding the identification and listing of hazardous waste to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 261. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule also establishes personnel training requirements for proper waste handling and emergency procedures relevant to their responsibilities during normal facility operations and emergencies. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**

Industrial Solid Waste

**Utah HAZARDOUS WASTE MANAGEMENT**

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-301-2 regarding definitions relating to industrial solid waste to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 258. The rule updates definitions and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**

Industrial Solid Waste Landfills

**Utah HAZARDOUS WASTE MANAGEMENT**

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-304-3 regarding definitions relating to industrial solid waste landfill requirements to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 257. The rule revises definitions to change the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**

Interim Status Standards for TSD Facilities

**Utah HAZARDOUS WASTE MANAGEMENT**

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-265-1 regarding interim status standards for owners and operators of hazardous waste treatment, storage, and disposal (TSD) facilities. The rule incorporates by reference Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 265. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

Regulatory Update

**HAZARDOUS WASTE MANAGEMENT**

Land Disposal Restrictions

## Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-268 regarding land disposal restrictions to align Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 268. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule also addresses storage of hazardous waste restricted from land disposal and adds hazardous waste container labeling requirements. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; [rlundberg@utah.gov](mailto:rlundberg@utah.gov)

—Utah State Bulletin (09/01/2017)

### Regulatory Update

#### **HAZARDOUS WASTE MANAGEMENT**

##### Management of Specific Hazardous Wastes/Spent Lead-Acid Batteries

#### Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-266-80 regarding applicability and requirements for spent lead-acid batteries being reclaimed. The rule aligns requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 266.80 regarding spent lead-acid batteries being reclaimed. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; [rlundberg@utah.gov](mailto:rlundberg@utah.gov)

—Utah State Bulletin (09/01/2017)

### Regulatory Update

#### **HAZARDOUS WASTE MANAGEMENT**

##### Standards for Universal Waste Management

#### Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-273-8 and -81 regarding standards for universal waste management to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 273. The rule revises generator requirements and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; [rlundberg@utah.gov](mailto:rlundberg@utah.gov)

—Utah State Bulletin (09/01/2017)

### Regulatory Update

#### **HAZARDOUS WASTE MANAGEMENT**

##### Standards for the Management of Used Oil

## Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-15-1, -10, -12, -13, and -17 regarding standards for the management of used oil to align with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 279. The rule clarifies requirements for sudden accidental and nonsudden accidental releases and changes the title of the lowest category of hazardous waste generation from “conditionally exempt small quantity generator” to “very small quantity generator.” The rule also adds mixed mode transit systems to the list of North American Industry Classification System codes to allow qualifying transit systems to transport their own used oil to a permitted used oil recycler. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

### Regulatory Update

## **HAZARDOUS WASTE MANAGEMENT**

### Transfer Facility Requirements

## Utah HAZARDOUS WASTE MANAGEMENT

Final rule of the Department of Environmental Quality, Division of Waste Management and Radiation Control, amends regulations under R315-263-12 regarding hazardous waste transporters and other hazardous waste handlers to align requirements with Nov. 28, 2016, amendments to the federal Hazardous Waste Generator Improvements Rule under 40 CFR 263. The rule provides that transporters storing manifested shipments of hazardous waste that meet applicable packaging requirements at a transfer facility for 10 days or less are not subject to hazardous waste storage requirements. The rule also requires transporters, when combining and consolidating compatible hazardous wastes in containers of 119 gallons or fewer, to mark containers as hazardous waste. The rule is effective Aug. 31, 2017. Contact: Rusty Lundberg; DEQ, Division of Waste Management and Radiation Control; 801-536-4257; rlundberg@utah.gov

—Utah State Bulletin (09/01/2017)

### Regulatory Update

## Washington

### **AIR**

### Puget Sound Clean Air Agency/Civil Penalties

## Washington AIR

Proposed rule of the Puget Sound Clean Air Agency amends Regulation I, Sections 3.11 and 3.25, regarding civil penalties and federal regulations. The rule adjusts the maximum civil penalty to account for inflation and revises the reference date for federal standards to July 1, 2017. A hearing is scheduled for Sept. 28, 2017, in Seattle. Comments are due Sept. 27, 2017. Contact: Carole Cenci; PSCAA; 206-689-4061

—Washington State Register (09/06/2017)

Regulatory Update

**COASTAL ZONE**

Shoreline Management Act

**Washington COASTAL ZONE**

Final rule of the Department of Ecology amends regulations under WAC 173-18-040 through -27-170 (nonconsecutive); adopts regulations under WAC 173-26-104, -27-044, -27-085, -27-125, and -27-215; and repeals regulations under WAC 173-22-060 through -22-0678 regarding implementation of the Shoreline Management Act. The rule clarifies the shoreline master program (SMP) review process and simplifies the process for approving minor updates to SMPs. The rule also clarifies the planning process for water-dependent uses, including salmon net pens, and adds provisions concerning coastal hazard planning. In addition, the rule updates the list of shorelines of the state and clarifies the scope of periodic review. The rule is effective Sept. 7, 2017. Contact: Tim Gates; Department of Ecology; 360-407-6522

—Washington State Register (09/06/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**

Military Department/Rulemaking Agenda

**Washington GENERAL ENVIRONMENT AND SAFETY**

Notice of the Military Department announces the availability of the semiannual rulemaking agenda for July through December 2017. The topics to be addressed include updating standards for hazardous chemical emergency response planning and community right-to-know reporting. Contact: Dan Banks; Military Department; 253-512-7065; dan.banks@mil.wa.gov

—Washington State Register (09/06/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**

Citation and Notice Appeals

**Washington OCCUPATIONAL SAFETY AND HEALTH**

Proposed rule of the Department of Labor and Industries amends regulations under WAC 296-900-17005 to update procedures for appealing a citation and notice for workplace safety and health violations. The rule increases the appeal extension period to up to 45 working days and increases the total reassumption time period to up to 75 days working days if all parties agree to the 45-day extension. The rule also allows appeals to be filed electronically. The rule is submitted for expedited amendment. Objections are due Oct. 24, 2017. Contact: Chris Miller; DLI; 360-902-5516

—Washington State Register (09/06/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**

Electrical and Telecommunications Licenses/Scope of Work  
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Labor and Industries to amend regulations under WAC 296-46B-920 to update provisions concerning electrical and telecommunications license and certificate types and scope of work. The rule will modify the scope of work for the residential specialty to allow electrical work in multifamily occupancies of buildings up to seven stories. The rule also will modify the scope of work for the sign specialty to allow energy efficient retrofitting of exterior luminaries that are mounted on a pole or other structures. The rule is issued in response to two rulemaking petitions. Comments are requested, but a due date is not specified. Contact: Alicia Curry; DLI; 360-902-6244; Alicia.Curry@Lni.wa.gov

—Washington State Register (09/06/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**  
Logging Operations Safety Standards  
Washington OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Industries amends regulations under WAC 296-54-501 through -99003 Appendix 2 (nonconsecutive); adopts regulations under WAC 296-54-520, -52001, -52003, -52005, -52007, and -99015 Appendix 6; and repeals regulations under WAC 296-54-595, -59510, -59520, -597, -59710, -59720, and -59730 to update logging operations safety standards. The rule revises standards for personal protective equipment, accident prevention, first-aid, lockout/tagout procedures, falling and bucking, rigging and anchoring, and radio signaling. The rule also adds standards for chain shot awareness, prevention, and training; cutting system inspection, maintenance, and operation; and the sample chain shot training program. In addition, the rule removes provisions concerning transportation crews; speeders and trailers; and railroad construction, maintenance, and operations. The rule is issued in response to petitions from the Washington Contract Loggers Association in 2010 and 2014. The rule is effective Oct. 22, 2017. Contact: Chris Miller; DLI, Division of Occupational Safety and Health; 360-902-5516

—Washington State Register (09/06/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**  
Manufactured Homes Installer Training and Certification Program  
Washington OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Industries amends regulations under WAC 296-150I-0210 and -3000 regarding the Manufactured Home Installer Training and Certification Program. The rule replaces the mandatory \$1,000 penalty for infractions with discretionary authority to issue a monetary penalty of up to \$250 for a first infraction and \$1,000 for subsequent infractions. A hearing is scheduled for Oct. 16, 2017, in Tumwater. Comments are due Oct. 16, 2017. Contact: Craig Sedlacek; DLI; 360-902-5218

—Washington State Register (09/06/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**  
**Petrochemical Refining Facilities/Process Safety Management**  
**Washington OCCUPATIONAL SAFETY AND HEALTH**

Notice announces the intention of the Department of Labor and Industries to amend and adopt regulations under WAC 296-67 to update safety standards for process safety management of highly hazardous chemicals. The rule will update provisions regarding petrochemical refining facilities to reflect current industry practices. Comments are requested, but a due date is not specified. Contact: Tari Enos; DLI; 360-902-5541; tari.enos@lni.wa.gov

—Washington State Register (09/06/2017)

**Regulatory Update**

**WATER**  
**Drinking Water State Revolving Fund Loan Program**  
**Washington WATER**

Final rule of the Department of Health amends regulations under WAC 246-296-090 regarding eligible public water systems under the drinking water state revolving fund loan program. The rule aligns provisions with federal requirements to allow tribal governments to apply for and receive a loan for water system infrastructure improvements to provide safe and reliable drinking water for communities served by state tribes. The rule is effective Sept. 22, 2017. Contact: Theresa Phillips; DOH; 360-236-3147; theresa.phillips@doh.wa.gov

—Washington State Register (09/06/2017)

**Regulatory Update**

**WATER**  
**Emergency Drought Relief**  
**Washington WATER**

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-166 regarding emergency drought relief. The rule will reflect current practice, remove provisions that conflict with statutory authority, clarify language, and update agency contact information. Comments are requested, but a due date is not specified. Contact: Rebecca Inman; Department of Ecology, Water Resources Program; 360-407-6450; Rebecca.Inman@ecy.wa.gov

—Washington State Register (09/06/2017)

**Regulatory Update**

**WATER**  
**Reclaimed Water Use**  
**Washington WATER**

Proposed rule of the Department of Ecology adopts regulations under WAC 173-219-010 through -390 regarding the production, distribution, and use of reclaimed water. The rule codifies existing practices concerning commercial and industrial uses, land applications, direct recharge,

discharge, surface percolation, wetlands, and stream flow. The rule also updates and clarifies permitting processes, replaces the 1997 water reclamation and reuse standards, and designates a lead permitting agency. The rule replaces a July 1, 2015, proposed rule. Hearings are scheduled for Sept. 27, Oct. 3, and Oct. 5, 2017, via webinar, in Spokane, and in Lacey, respectively. Comments are due Sept. 20, 2017. Contact: Jocelyn Jones; Department of Ecology; 360-407-6321; [jocelyn.jones@ecy.wa.gov](mailto:jocelyn.jones@ecy.wa.gov)

—Washington State Register (09/06/2017)

Regulatory Update

**WATER**

Surface Water Quality Standards  
**Washington WATER**

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-201A-020, -200, -210, -600, -602, -610, and -612 to update water quality standards for surface waters to conform to 2012 federal recommended recreational water quality criteria. The rule will add new recreational use indicators and numeric criteria, update recreational use categories, and update location information in the use designation tables. Comments are requested, but a due date is not specified. Contact: Bryson Finch; Department of Ecology, Water Quality Program; 360-407-7158; [bryson.finch@ecy.wa.gov](mailto:bryson.finch@ecy.wa.gov)

—Washington State Register (09/06/2017)

Regulatory Update

**WATER**

Water Pollution Control Revolving Fund, Centennial Clean Water Program  
**Washington WATER**

Final rule of the Department of Ecology amends regulations under WAC 173-95A-015 through -98-970 (nonconsecutive) and repeals regulations under WAC 173-98-130, -560, and -820 regarding the uses and limitations of the water pollution control revolving fund and the Centennial Clean Water Program. The rule revises provisions concerning loans to acquire land for constructing treatment facilities to provide for loan terms of up to 30 years. The rule also clarifies provisions and removes provisions regarding green project reserves, approval of plans and specification, and declaration of construction after project completion. In addition, the rule clarifies that the department may work with stakeholders to develop a program for the further adjustment of interest rates. The rule is effective Sept. 9, 2017. Contact: Daniel Thompson; Department of Ecology; 360-407-6510; [daniel.thompson@ecy.wa.gov](mailto:daniel.thompson@ecy.wa.gov)

—Washington State Register (09/06/2017)

Regulatory Update

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