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EHS Federal Regulatory Alert

December 05, 2017 - Number 232

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Summaries

AIR

Massachusetts SIP/Logan Airport Parking Freeze

AIR

Proposed rule of the EPA would approve a revision to the Massachusetts SIP to increase the total number of commercial parking spaces allowed in the Logan Airport Parking Freeze Area by 5,000 parking spaces. The revision is intended to reduce carbon monoxide and nitrogen oxide emissions by reducing vehicle miles traveled resulting from insufficient available parking. Comments are due Jan. 4, 2018. Contact: Anne McWilliams; EPA Region 1, Air Quality Planning Unit; 617-918-1697; mcwilliams.anne@epa.gov. Citations: 40 CFR 52

82 FR 57415 (12/05/2017)

Regulatory Update

AIR

New York SIP/Cross-State Air Pollution Rule

AIR

Final rule of the EPA conditionally approves portions of revisions to the New York SIP regarding Cross-State Air Pollution Rule (CSAPR) federal trading programs. The revisions replace default allowance allocations of the federal trading programs for annual nitrogen oxide (NOx) and sulfur dioxide emissions for the state's large electric generating units for the control periods in 2017 and beyond with state-determined allocations. The revisions leave the corresponding CSAPR federal implementation plans and all other provisions of the trading programs in place. No action is being taken on the proposed revision addressing NOx ozone season emissions. The approval is conditioned on the state correcting certain regulatory deficiencies by Dec. 29, 2017. The rule is effective Dec. 5, 2017. Contact: Kenneth Fradkin; EPA Region 2, Air Programs Branch; 212-637-3702; fradkin.kenneth@epa.gov. Citations: 40 CFR 52.38, 52.39, 52.1670

82 FR 57362 (12/05/2017)

Regulatory Update

AIR

West Virginia SIP/2015 Ozone NAAQS

AIR

Notice of the EPA announces the withdrawal of an Oct. 16, 2017, direct final rule (82 FR 47981) that would have approved revisions to the West Virginia SIP to incorporate the 2015 ozone NAAQS. The revisions address the 2015 ozone monitoring reference and equivalent methods pertaining to fine particulate matter, carbon monoxide, and coarse particulate matter. The revisions also update the ozone monitoring season, the federal reference and equivalent methods, and the photochemical assessment monitoring stations network. In addition, the revisions replace a reference to the "West Virginia Department of Environmental Protection" with the "Division of Air Quality." The withdrawal is in response to adverse comments. The agency will proceed with a final rule based on the related proposed rule (82 FR 48033; 10/16/2017). The withdrawal is effective Dec. 5, 2017. Contact: Joseph Schulingkamp; EPA Region 3; 215-814-2021; schulingkamp.joseph@epa.gov. Citations: 40 CFR 52.2520

82 FR 57362 (12/05/2017)

Regulatory Update

AIR

West Virginia SIP/Source-Specific Emissions Control

AIR

Proposed rule of the EPA would approve revisions to the West Virginia SIP concerning source-specific SIP requirements to achieve various NAAQS. The revisions remove source-specific requirements relating to the following five sources in Brooke, Hancock, and Marshall counties, that have permanently ceased operation: Columbian Chemicals Co., Follansbee Steel Corp., International Mill Service Inc., Mountaineer Carbon Co., and Standard Lafarge. Comments are due Jan. 4, 2018. Contact: Irene Shandruk; EPA, 215-814-2166; shandruk.irene@epa.gov. Citations: 40 CFR 52, Subpart XX

82 FR 57418 (12/05/2017)

Regulatory Update

ENDANGERED SPECIES

Oklahoma/American Burying Beetle Incidental Take Permits

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of two applications for incidental take permits under the amended oil and gas industry conservation plan in Oklahoma for the endangered American burying beetle. The applications, from XTO Energy Inc., of Fort Worth, Texas, and Tall Oak Woodford LLC, of Edmond, Okla., relate to geophysical exploration and construction, maintenance, operation, repair, decommissioning, and reclamation of oil and gas well field infrastructure and pipelines in the state. Comments are due Jan. 4, 2018. Contact: Marty Tuegel; USFWS, Environmental Review Division; 505-248-6651

82 FR 57465 (12/05/2017)

Regulatory Update

FOOD SAFETY

Genetically Engineered Cotton/Determination of Status

FOOD SAFETY

Notice of the Animal and Plant Health Inspection Service announces the receipt of a petition from Texas A&M AgriLife Research, of College Station, Texas, requesting a determination of nonregulated status of cotton designated as event TAM66274, which has been genetically engineered for ultra-low gossypol levels in the cottonseed. Comments are due Feb. 5, 2018. Contact: John Turner; APHIS, Biotechnology Regulatory Services; 301-851-3954; john.t.turner@aphis.usda.gov. Citations: 7 CFR 340

82 FR 57426 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Biological Control of Hoary Cress

GENERAL ENVIRONMENT AND SAFETY

Notice of the Animal and Plant Health Inspection Service announces the availability of an environmental assessment concerning a permit to release the *Aceria drabae* mite for biological control of hoary cress invasive weed infestations in the continental U.S. Comments are due Jan. 4, 2018. Contact: Colin Stewart; APHIS; 301-851-2237; Colin.Stewart@aphis.usda.gov

82 FR 57424 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Categorization of Investigational Device Exemption Devices for Coverage Decisions

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a guidance regarding categorization of investigational device exemption (IDE) devices to assist the CMS with coverage decisions. The guidance updates current policy on categorization of IDE devices to support CMS in Medicare coverage determinations and implements a Dec. 2, 2015, memorandum of understanding that describes the efficient categorization of investigational medical devices. Comments may be submitted any time. Contact: Owen Faris; FDA, Center for Devices and Radiological Health; 301-796-6356

82 FR 57460 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Continuous Release Reporting Regulation

GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the submission of a continuing information collection request to the OMB regarding the reporting and recordkeeping requirements for compliance with the continuous release reporting regulation under CERCLA Section 103. The collection modifies the current approved collection (72 FR 55197, 09/28/2007) by adding the farms sector and associated burden and costs for release reporting. Farms may use the continuous release reporting option to report air releases of hazardous substances from animal wastes, rather than provide notification on a per-occurrence basis. Comments are due Dec. 15, 2017. Contact: Sicy Jacob; EPA, Office of Emergency Management; 202-564-8019; jacob.sicy@epa.gov. Citations: 40 CFR 302.8

82 FR 57443 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Louisiana/TransCameron Pipeline and Calcasieu Pass Terminal Projects

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of the environmental review schedule for the TransCameron Pipeline Project and the Calcasieu Pass Terminal Project, both in Cameron Parish, La. The projects, proposed by TransCameron Pipeline LLC and Venture Global Calcasieu Pass LLC, include construction and operation of nine single-mixed refrigerant liquefaction blocks, two liquid natural gas (LNG) storage tanks, a 720 megawatt electric generating plant, a marine terminal consisting of a turning basin and LNG carrier berths, LNG piping, transfer lines, and loading facilities. The projects also consist of 23.4 miles of 42-inch-diameter pipeline, one meter station, three mainline valves, one pig launcher, and one pig receiver. The system would provide 10 million tonnes of LNG annually. The issuance of the environmental assessment is scheduled for July 3, 2018, and the 90-day federal authorization decision is due Oct. 1, 2018. Contact: FERC, Office of External Affairs; 866-208-3676; FERCONlineSupport@ferc.gov

82 FR 57440 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Oklahoma/Pensacola Hydroelectric Project

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces an additional meeting on the procedure for relicensing the Grand River Dam Authority's Pensacola Hydroelectric Project, located on the Grand River in Craig, Delaware, Mayes, and Ottawa counties in Oklahoma. The meeting will provide an overview of the integrated licensing process, the schedule for the project, and how FERC assesses information needs during the study planning process. The meeting is scheduled for Dec. 13, 2017, in Miami, Okla. Contact: Rachel McNamara, FERC; 202-502-8340; rachel.mcnamara@ferc.gov

82 FR 57440 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Pennsylvania/FM100 Modernization Project
GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of FERC to prepare an environmental assessment for the FM100 Modernization Project in Cameron, Clearfield, Elk, McKean, and Potter counties in Pennsylvania. The project, proposed by National Fuel Gas Supply Corp., of Williamsville, N.Y., would involve abandonment of existing lines FM100 and FM120 and the Costello Compressor Station. The project also would include installation of new natural gas pipeline; a new compressor station; a natural gas pipeline loop; and interconnects, valves, and metering. The project would disturb approximately 369 acres of land during the construction phase, and National Fuel would maintain about 188 acres for permanent operation of project facilities. Comments are due Dec. 29, 2017. Contact: FERC, Office of External Affairs; 866-208-3372; FercOnlineSupport@ferc.gov

82 FR 57436 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Technical Considerations for Additive Manufactured Medical Devices

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the availability of a final guidance for industry regarding technical considerations for devices using additive manufacturing, the broad category of manufacturing encompassing three-dimensional printing. The guidance outlines technical considerations associated with additive manufacturing processes and testing and characterization for final finished devices fabricated using additive manufacturing. The leapfrog guidance provides the FDA's initial thoughts on technical considerations and recommendations may change as more information becomes available. Comments may be submitted at any time. Contact: Matthew Di Prima; FDA, Center for Devices and Radiological Health; 301-796-2507

82 FR 57462 (12/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Wyoming/Billy Creek Storage Field Abandonment Project

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the availability of the environmental review schedule for the Billy Creek Storage Field Abandonment Project, in Johnson County, Wyo. The project, proposed by WBI Energy Transmission Inc., of Bismarck, N.D., involves withdrawing an estimated 2.3 billion cubic feet of cushion gas from the Billy Creek Storage Field and then abandoning the storage field and related facilities in-place and by removal. The issuance of the environmental assessment is scheduled for Feb. 2, 2018, and the 90-day federal authorization decision is due May 3, 2018. Contact: FERC, Office of External Affairs; 866-208-3676; FercOnlineSupport@ferc.gov

82 FR 57438 (12/05/2017)

Regulatory Update

PESTICIDES

Pesticide Tolerance Exemption/DBDMH

PESTICIDES

Final rule of the EPA establishes an exemption from the requirement of a tolerance for residues of 1,3-dibromo-5,5-dimethylhydantoin (DBDMH) in or on food when used in antimicrobial pesticide formulations applied to food contact surfaces in public eating places, dairy processing equipment, and/or food processing equipment and utensils. The rule also establishes an exemption from the requirement of a tolerance for residues of the pesticide when used as an antimicrobial treatment solution. The rule is issued in response to a petition filed on behalf of Albemarle Corp., of Baton Rouge, La. The rule is effective Dec. 5, 2017. Contact: Steven Weiss; EPA, Office of Pesticide Programs; 703-308-6411; ADFRNotices@epa.gov. Citations: 40 CFR 180.940

82 FR 57367 (12/05/2017)

Regulatory Update

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