

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
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Subject: Aug. 16 -- EHS State Regulatory Alert



EHS State Regulatory Alert

August 16, 2017 - Number 157

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Alaska

AIR

Fairbanks North Star Borough Nonattainment Area Alaska AIR

Notice of the Department of Environmental Conservation announces the cancellation of two hearings on a July 19, 2017, proposed rule to amend regulations under 18 AAC 50.075, .077, and .990; adopt regulations under 18 AAC 50.079; and repeal and readopt regulations under 18 AAC 50.030 regarding air quality improvement in the Fairbanks North Star Borough (FNSB) nonattainment area. The rule incorporates local ordinances enacted by the FNSB Assembly and revisions to the state air quality control plan. The rule also establishes nonattainment area permit requirements and visible emissions standards, deletes obsolete language, and adds definitions. In addition, the rule addresses heating device test methods and requirements for wood-fired and coal-fired heating devices. The two hearings, scheduled for Aug. 18, 2017, in Anchorage and Juneau, have been canceled because a hearing request was not received. Two additional hearings are still scheduled for Aug. 18, 2017, in Fairbanks. Contact: Cindy Heil; DEC, Division of Air Quality; 907-269-7579; dec.air.comment@alaska.gov

—Alaska Regulations (08/14/2017)

Regulatory Update

California Regions

AIR

Architectural Coating VOC Emissions California Regions AIR

Proposed rule of the Ventura County Air Pollution Control District amends regulations under Rule 74.2 concerning architectural coatings to implement Control Measure R-333-2107 from the

district's 2016 air quality management plan. The rule reduces reactive organic compound emissions from the application of architectural coatings. The rule also establishes new test methods for waterborne coatings with volatile organic compound content (VOC) less than 150 grams per liter. In addition, the rule allows coating manufacturers to continue using formulation data to determine VOC content. A meeting is scheduled for Sept. 28, 2017, in Ventura. Comments are requested, but a due date is not specified. Contact: Stan Cowen; Ventura County APCD; 805-645-1408; stan@vcapcd.org

—California RegionsRegulations (08/10/2017)

Regulatory Update

WATER

NPDES General Permit/Groundwater Treatment Facilities
California Regions WATER

Notice of the San Francisco Regional Water Quality Control Board announces the availability of a draft NPDES general permit (Order No. R2-2017-00XX) for groundwater treatment facilities in accordance with the Clean Water Act and Porter-Cologne Water Quality Control Act. The permit covers discharges associated with the extraction and treatment of groundwater impacted by volatile organic compounds, fuel leaks, fuel additives, and related wastes in the San Francisco Bay region. A meeting is scheduled for Nov. 8, 2017, in Oakland. Comments are due Sept. 11, 2017. Contact: Marcos De la Cruz; San Francisco RWQCB; 510-622-2365; marcos.delacruz@waterboards.ca.gov

—California RegionsRegulations (08/15/2017)

Regulatory Update

Illinois

AIR

Definition of Volatile Organic Material
Illinois AIR

Notice of the Pollution Control Board announces an extension of the deadline for final action on proposed amendments to regulations under 35 IAC 211.7150 regarding the definition of volatile organic material. The amendments would align provisions with the federal exemption of hydrofluoroether compound from the definition of volatile organic compound under 40 CFR 51.100. The notice includes a schedule for the rulemaking and specifies that additional time is needed due to unavoidable delays in preparing the proposal. The board extends the deadline for final action until Nov. 30, 2017. Contact: Michael McCambridge; PCB; 312-814-6924; michael.mccambridge@illinois.gov

—Illinois Register (08/11/2017)

Regulatory Update

AIR

National Ambient Air Quality Standards
Illinois AIR

Notice of the Pollution Control Board announces an extension of the deadline for final action on concurrently proposed amendments to regulations under 35 IAC 243 regarding national ambient air quality standards to align with federal requirements under 40 CFR 50. The revisions implement the 2012 primary annual NAAQS for particulate matter (PM-2.5) and modify requirements for handling monitoring data influenced by exceptional events. The revisions also incorporate a technical correction to an equation used for calculating compliance with PM-2.5 NAAQS in ambient air, the designation of one new federal equivalent method for nitrogen dioxide in ambient air, and updates to the list of designated reference and equivalent methods. The notice includes a schedule for the rulemaking and specifies that additional time is needed due to unavoidable delays in preparing the proposal. The board extends the deadline for final action until Nov. 30, 2017. A hearing is scheduled for Sept. 21, 2017, in Chicago and Springfield via teleconference. Contact: Michael McCambridge; PCB; 312-814-6924; michael.mccambridge@illinois.gov

—Illinois Register (08/11/2017)

Regulatory Update

AIR

Ozone State Implementation Plan/Definition of Volatile Organic Material
Illinois AIR

Notice announces the intention of the Pollution Control Board to revise the ozone state implementation plan and regulations under 35 IAC 211.7150 to align with the federal exemption of hydrofluoroether compound from the definition of volatile organic material under 40 CFR 51.100. If adopted, the amendment will be submitted to the U.S. EPA. A hearing is scheduled for Sept. 21, 2017, in Chicago and Springfield via teleconference. Comments are due Sept. 25, 2017. Contact: Michael McCambridge; PCB; 312-814-6924; michael.mccambridge@illinois.gov

—Illinois Register (08/11/2017)

Regulatory Update

AIR

State Implementation Plan/National Ambient Air Quality Standards
Illinois AIR

Notice announces the intention of the Pollution Control Board to revise the state implementation plan for national ambient air quality standards and regulations under 35 IAC 243 to align with federal requirements under 40 CFR 50. The revisions implement requirements for the 2012 primary annual NAAQS for particulate matter (PM-2.5) and modify requirements for handling monitoring data influenced by exceptional events. The revisions also incorporate a technical correction to an equation used for calculating compliance with PM-2.5 NAAQS in ambient air, the designation of one new federal equivalent method for nitrogen dioxide in ambient air, and updates to the list of designated reference and equivalent methods. If adopted, the amendment will be submitted to the U.S. EPA. A hearing is scheduled for Sept. 21, 2017, in Chicago and Springfield via teleconference. Comments are due Sept. 25, 2017. Contact: Michael McCambridge; PCB; 312-814-6924; michael.mccambridge@illinois.gov

—Illinois Register (08/11/2017)

Regulatory Update

OIL AND GAS INDUSTRY

Minimum Safety Standards for Transportation of Gas and Gas Pipeline Facilities
Illinois OIL AND GAS INDUSTRY

Final rule of the Commerce Commission amends regulations under 83 IAC 590.10 and .20 to incorporate federal minimum safety standards for transportation of gas and gas pipeline facilities, as of April 14, 2017. The rule also requires gas transportation companies and pipeline facilities operators to file with the commission federal reports required under 49 CFR 191.29 regarding the National Pipeline Mapping System. The rule is effective July 26, 2017. Contact: Brian Allen; Commerce Commission, Office of General Counsel; 217-558-2387

—Illinois Register (08/11/2017)

Regulatory Update

New York

WATER

Susquehanna River Basin Commission/Projects Approved for Consumptive Water Uses
New York WATER

Notice of the Susquehanna River Basin Commission announces a list of projects approved for consumptive use of water during the period June 1-30, 2017. The notice addresses 13 projects approved for consumptive use, including uses related to unconventional natural gas and other hydrocarbon development. Contact: Jason Oyler; SRBC; 717-238-0423; joyler@srbc.net

—New York State Register (08/09/2017)

Regulatory Update

Washington

GENERAL ENVIRONMENT AND SAFETY

Department of Ecology Rulemaking Agenda
Washington GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Ecology announces the availability of the semiannual rulemaking agenda for July through December 2017. The topics to be addressed include air quality, hazardous waste and toxics reduction, shoreland and environmental assistance, the toxics cleanup program, water resources, water quality, and department administration. Contact: Bari Schreiner; Department of Ecology; 360-407-6998; Bari.Schreiner@ecy.wa.gov

—Washington State Register (08/16/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Department of Ecology/Public Records Fees

Washington GENERAL ENVIRONMENT AND SAFETY

Emergency rule of the Department of Ecology adopts regulations under WAC 173-03-9000E to provide that the calculation of actual costs of producing copies of public records would be unduly burdensome due to a lack of funds. The rule also specifies that the agency will calculate fees under the statutory fee schedule. The rule is effective July 23, 2017, and expires Nov. 20, 2017. Contact: Department of Ecology; 360-407-6000

—Washington State Register (08/16/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Department of Ecology/Hazardous Waste Cleanup Grants and Loans

Washington HAZARDOUS WASTE MANAGEMENT

Notice announces the intention of the Department of Ecology to adopt regulations under WAC 173-323-010 through -120 to establish standards and procedures for hazardous waste cleanup grants and loans under the Model Toxics Control Act. The rule establishes requirements for loans for covered activities, including air quality, shoreline, oil spill, and water quality programs. The rule addresses standards for applications, evaluations, awards, performance, reimbursement, agreement, and agreement modification. Contact: Bari Schreiner; Department of Ecology; 360-407-6998; rulemaking@ecy.wa.gov

—Washington State Register (08/16/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Heating Oil Tanks

Washington HAZARDOUS WASTE MANAGEMENT

Notice announces the intention of the Pollution Liability Insurance Agency to amend regulations under WAC 374-80 to expand the program for providing technical assistance to owners and operators of petroleum storage tanks. The rule expands the scope of advice and technical assistance provided by the agency to include petroleum storage tanks identified by the Department of Ecology. The rule also clarifies the process for owners or operators of heating oil tanks to notify agency of suspected or confirmed releases, addresses the initial investigation process for heating oil tank releases, and addresses the process by which the agency issues an opinion on whether independent remedial actions to address a release from a heating oil tank or a petroleum storage tank meets the substantive requirements of the Model Toxics Control Act. A comment due date is not specified. Contact: Cassandra Garcia; PLIA; 800-822-3905; rules@plia.wa.gov

—Washington State Register (08/16/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Petroleum Underground Storage Tank Revolving Loan and Grant Program

Washington HAZARDOUS WASTE MANAGEMENT

Notice announces the intention of the Pollution Liability Insurance Agency to adopt regulations under WAC 374-90 to establish the Petroleum Underground Storage Tank Revolving Loan and Grant Program. The program will assist owners and operators of petroleum underground storage tank systems in remediating past releases; upgrading, replacing, or removing petroleum UST systems to prevent future releases; and installing new infrastructure or retrofitting existing infrastructure for dispensing renewable or alternative energy. The rule addresses eligibility for loans and/or grants, requirements for applications, and the process for funding approved loans and/or grants. A comment due date is not specified. Contact: Cassandra Garcia; PLIA; 800-822-3905; rules@plia.wa.gov

—Washington State Register (08/16/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Underground Storage Tank Community Assistance Program

Washington HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Pollution Liability Insurance Agency repeals regulations under WAC 374-60 to remove obsolete provisions regarding the Underground Storage Tank Community Assistance Program. The rule is submitted for expedited amendment. Objections are due Oct. 2, 2017. Contact: Cassandra Garcia; PLIA; 360-407-0512

—Washington State Register (08/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Board of Boiler Rules

Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Labor and Industries, Board of Boiler Rules, to amend regulations under WAC 296-104 to update and clarify board standards and procedures. The rule makes installers of boilers and pressure vessels responsible for permit requirements, fees, and civil penalties and incorporates the current edition of the National Board Inspection Code for in-service inspection and non-nuclear repairs and alterations of boilers and unfired pressure vessels. The rule also removes the permit exemption for owner/user inspection agencies and state specials and adds procedures for removing condemned boilers or unfired pressure vessels from service. In addition, the rule adds vessel usage status definitions and a definition for “installer” and makes board meetings quarterly. 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 (08/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Electrical Safety Standards, Administration and Installation/Temporary Permits
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Labor and Industries announces the withdrawal of a Dec. 7, 2016, notice of intent to adopt regulations under WAC 296-46B to establish procedures for the issuance of temporary permits in lieu of certificates of competency for electricians from other states. The rule also would have allowed Canadian Red Seal endorsed journeyman construction electricians to qualify for the state journey level electrician competency examination. The withdrawal is dated July 20, 2017. Contact: Maggie Leland; DLI; 360-902-4504

—Washington State Register (08/16/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Railroad Companies/Transportation of Employees
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Utilities and Transportation Commission to amend regulations under WAC 480-62 to remove the seating capacity threshold and require all vehicles transporting railroad employees to meet commission safety standards. A workshop is scheduled for Oct. 5, 2017, in Olympia. Comments are due Aug. 28, 2017. Contact: Mathew Perkinson; UTC; 360-664-1236; mperkinson@utc.wa.gov

—Washington State Register (08/16/2017)

Regulatory Update

WATER

Energy Facility Site Evaluation Council/NPDES Permits
Washington WATER

Notice announces the intention of the Energy Facility Site Evaluation Council to amend regulations under WAC 463-76-054 and -062 regarding schedules of compliance and modification of National Pollutant Discharge Elimination System (NPDES) permits to conform with federal standards and related requirements of the Department of Ecology. The rule revises the process for making minor revisions to NPDES permits, prohibits suspension of permits, and allows termination of permits. Comments are due Sept. 15, 2017. Contact: Jim La Spina; 360-664-1362; EFSEC; efsec@utc.wa.gov

—Washington State Register (08/16/2017)

Regulatory Update

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