

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

October 06, 2017 - Number 193

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California Regions

AIR

Emissions Standard for Lead California Regions AIR

Notice of the South Coast Air Quality Management District announces a hearing and comment due date for a proposed rule to amend regulations under Rule 1420 regarding lead emissions from stationary sources. The rule includes an initial ambient lead air concentration limit of 0.150 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) averaged over 30 consecutive days that will be lowered to 0.100 $\mu\text{g}/\text{m}^3$ Jan. 1, 2021. The rule also establishes provisions concerning lead point source emission control requirements, total enclosures where lead processing occurs, periodic source testing, air pollution control device monitoring, recordkeeping requirements, and conditional ambient air monitoring. The hearing is scheduled for Nov. 3, 2017, in Diamond Bar. Comments are due Oct. 24, 2017. Contact: Kennard Ellis; South Coast AQMD; 909-396-2457; kellis@aqmd.gov

—California RegionsRegulations (09/27/2017)

Regulatory Update

AIR

Odors from Animal Rendering Facilities California Regions AIR

Notice of the South Coast Air Quality Management District announces a hearing and comment due date for a proposed rule to adopt regulations under Rule 415 regarding control of odors from facilities rendering animals and animal parts. The rule requires implementation of odor best management practices, permanent enclosure or operation in a closed system and ventilation to odor control equipment, and compliance with wastewater treatment limitations. The rule also requires the installation of odor complaint contact signage near facility entrances and compliance with an odor mitigation plan if three or more confirmed odor events occur within 180 days. In addition, the rule establishes recordkeeping requirements for facilities and specifies facilities that are exempt from requirements. The hearing is scheduled for Nov. 3, 2017, in

Diamond Bar. Comments are due Oct. 24, 2017. Contact: Tracy Goss; South Coast AQMD; 909-396-3106; tgoss@aqmd.gov

—California RegionsRegulations (09/27/2017)

Regulatory Update

WATER

General Waste Discharge Requirements/Wineries
California Regions WATER

Notice of the Central Coast Regional Water Quality Control Board announces the adoption of an order concerning general waste discharge requirements for discharges of winery waste (Order No. R3-2017-0020). The order establishes a categorical waiver of waste discharge requirements and monitoring and reporting requirements. The order also waives the requirement to submit a report of waste discharges for certain small wineries. The requirements under the order are identical to those of a 2008 order, and existing dischargers enrolled under the previous order will remain active and be automatically enrolled under the new order. The order was adopted Sept. 21, 2017. Contact: Howard Kolb; Central Coast RWQCB; 805-549-3332; howard.kolb@waterboards.ca.gov

—California RegionsRegulations (10/03/2017)

Regulatory Update

Idaho

OCCUPATIONAL SAFETY AND HEALTH

Safety and Accident Reporting for Public Utilities/Natural Gas Pipelines
Idaho OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Public Utilities Commission amends regulations under IDAPA 31.11.01.201 to incorporate by reference federal standards for the construction and operation of natural gas pipelines under 18 CFR 260.9, as of April 1, 2017, and 49 CFR 191, 192, 193, 195, and 199, as of Oct. 1, 2017. The rule includes updated technical requirements of materials, installation methods and use, and expanded use of excess flow valves in gas distribution systems. Hearing requests are due Oct. 18, 2017. Comments are due Oct. 25, 2017. Contact: Brandon Karpen; Public Utilities Commission; 208-334-0357

—Idaho Administrative Bulletin (10/04/2017)

Regulatory Update

WATER

Dairy Byproduct/Phosphorus Management
Idaho WATER

Proposed rule of the Department of Agriculture amends regulations under IDAPA 02.04.14.004,

.010, and .030 and adopts regulations under IDAPA 02.04.14.031 regarding dairy byproduct to establish standards for phosphorus management. The rule requires dairy farms to use either phosphorus indexing or the phosphorus threshold to manage nutrient application and requires phosphorus indexing after June 30, 2023. The rule also incorporates by reference the Phosphorus Site Index; the Natural Resources Conservation Service (NRCS) Web Soil Survey Database; and the NRCS Part 630 Hydrology National Engineering Handbook, Chapter 7. The rule is issued in response to a petition from the Idaho Dairyman's Association. Hearing requests are due Oct. 18, 2017. Comments are due Oct. 25, 2017. Contact: Scott Leibsle; Department of Agriculture, Division of Animal Industries; 208-332-8540; scott.leibsle@isda.idaho.gov

—Idaho Administrative Bulletin (10/04/2017)

Regulatory Update

New York

WATER

Susquehanna River Basin Commission Meeting Actions New York WATER

Notice of the Susquehanna River Basin Commission announces actions taken at its Sept. 7, 2017, meeting in Elmira. The commission approved and postponed several project applications and grants, postponed the action to amend commission by-laws, and adopted guidelines for preparing an alternatives analysis to provide clarity to project sponsors. The commission also released a proposed rule to codify and strengthen the commission's access to records policy; extended the terms of emergency certificates for Sunset Golf Course, Sunoco Pipeline LP, and Furman Foods Inc.; and approved a report on delegated settlements with several sponsors. In addition, the commission approved waiver requests from Carrolltown Borough Municipal Authority and Middletown Borough. Contact: Jason Oyler; SRBC; 717-238-2436; joyler@srbc.net

—New York State Register (10/04/2017)

Regulatory Update

Oregon

AIR

Particulate Matter Emissions, Preconstruction Permitting/Lane Regional Air Protection Agency Oregon AIR

Proposed rule of the Department of Environmental Quality amends regulations under OAR 340-200-0040 to incorporate the Lane Regional Air Protection Agency's revised particulate matter emission standards and the preconstruction permitting program into the state implementation plan. The rule deletes certain greenhouse gas permitting requirements, increases preconstruction permitting flexibility for small facilities, and specifies small source permitting

exemptions. The rule also updates air quality provisions and particulate matter emission standards, revises permitting requirements for emergency generators and small natural gas or oil-fired equipment, and establishes the “sustainment” and “re attainment” new state air quality area designations. In addition, the rule designates Oakridge as a state reattainment area while retaining its federal nonattainment designation, revises the new source review preconstruction permitting program, and revises industrial and commercial activity levels below which certain categories of sources are exempt from permitting. Finally, the rule deletes an unused category, increases air contaminant discharge permit fees by 10 percent, and revises the annual increase from the consumer price index to 4 percent. A hearing is scheduled for Nov. 9, 2017, in Springfield. Comments are due Nov. 9, 2017. Contact: Meyer Goldstein; DEQ; 503-229-6478

—Oregon Bulletin (10/01/2017)

Regulatory Update

WATER

Maintenance, Repair, and Deepening of Water Supply Wells/Back-Siphon Prevention Devices
Oregon WATER

Final rule of the Water Resources Department amends regulations under OAR 690-215-0017 regarding back-siphon prevention devices. The rule clarifies requirements for installation of down well water treatment systems and for back-siphon prevention device testing, adds information regarding other agencies that also have backflow assembly requirements, and specifies the department's authority to require back-siphon prevention devices on any water supply well. The rule also clarifies back-siphon prevention device options for irrigation wells when a mainline diameter is less than, or larger than, four inches when used to apply chemicals or fertilizers through an irrigation system, and specifies options for using other methods to prevent backflow when using chemigation or fertigation. In addition, the rule establishes requirements for bypass piping installed around approved back-siphon prevention devices. The rule is effective Aug. 25, 2017. Contact: Diana Enright; WRD; 503-986-0874

—Oregon Bulletin (10/01/2017)

Regulatory Update

WATER

Well Supply Well Construction Bonds and Permits
Oregon WATER

Proposed rule of the Water Resources Department amends regulations under OAR 690-205-0005, -205-0175, -240-0035, -240-0055, and -240-0340 regarding water supply well construction. The rule increases the bond to \$20,000 for water well constructors and to \$10,000 for landowner water well construction. The rule also increases the well construction permit application fee to \$500 for landowners who are not licensed to construct wells and clarifies when a landowner well construction permit is required. A hearing is scheduled for Oct. 27, 2017, in Salem. Comments are due Nov. 3, 2017. Contact: Diana Enright; WRD; 503-986-0874

—Oregon Bulletin (10/01/2017)

Regulatory Update

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