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From: Bloomberg BNA
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EHS Federal Regulatory Alert

August 18, 2017 - Number 159

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Summaries

AIR

Colorado SIP/Stationary Source Permitting and Air Pollutant Emission Notice Requirements AIR

Proposed rule of the EPA would approve a portion of revisions to the Colorado SIP regarding permitting of emissions of fine particulate matter (PM-2.5), air pollution emission notices (APENs), and public notice requirements. The revisions remove the significant impact levels for PM-2.5 and significant monitoring concentration provisions. The revisions also clarify that for filing a revised APEN, the thresholds determining changes are based on the emission unit's actual emissions on a pollutant-by-pollutant basis, not total facilitywide emissions. In addition, the revisions address requirements for public notices to be published in either a newspaper of general distribution in the area or through the division website. The agency is not taking action on greenhouse gas and carbon dioxide equivalent revisions, which will be addressed in a separate action. Comments are due Sept. 18, 2017. Contact: Kevin Leone; EPA Region 8, Air Program; 303-312-6227; leone.kevin@epa.gov. Citations: 40 CFR 52

82 FR 39396 (08/18/2017)

Regulatory Update

AIR

Connecticut/Clean Air Act Consent Decree AIR

Notice of the Justice Department announces a proposed consent decree in *United States v. City of Waterbury, Conn.* (Civil Action No. 2:17-cv-01377), lodged Aug. 14, 2017, with the U.S. District Court for the District of Connecticut. The consent decree would resolve claims regarding alleged Clean Air Act violations in connection with the defendants' sewage sludge incineration unit at the Waterbury Wastewater Treatment Plant. The proposed consent decree requires the defendants to pay a civil penalty of \$104,000 and to bring the unit into compliance with federal requirements for such units constructed before Oct. 14, 2010. Comments are due Sept. 18, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701. Citations: 40 CFR 62, Subpart LLL

82 FR 39457 (08/18/2017)

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 three 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 NGPL PipeCo LLC, of Tulsa, Okla.; Wildhorse Terminal LLC, of Houston; and Antioch Operating LLC, of Oklahoma City, relate to geophysical exploration (seismic) and construction, maintenance, operation, repair, decommissioning, and reclamation of oil and gas well field infrastructure and pipelines in the state. Comments are due Sept. 18, 2017. Contact: Marty Tuegel; USFWS, Environmental Review Division; 505-248-6651

82 FR 39445 (08/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Alaska/Liberty Development and Production Plan

GENERAL ENVIRONMENT AND SAFETY

Notice of the Bureau of Ocean Energy Management announces the availability of a draft environmental impact statement for the proposed Liberty Development and Production Plan in the Beaufort Sea Planning Area offshore of Alaska. The draft EIS addresses the construction of a new gravel mine west of the Kadleroshilik River, a man-made gravel production island in Foggy Island Bay, and connecting pipeline to the existing Badami Sales Oil Pipeline. Hearings are scheduled for Oct. 2, 3, 4, 5, and 10, 2017, in Nuiqsut, Fairbanks, Katkovik, Utqiagvik, and Anchorage, Alaska, respectively. Comments are due Nov. 16, 2017. Contact: Lauren Boldrick; BOEM, Alaska OCS Region; 907-334-5200

82 FR 39453 (08/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

California/Sites Reservoir Project

GENERAL ENVIRONMENT AND SAFETY

Notice of the Bureau of Reclamation announces the availability of a draft environmental impact report/environmental impact statement and draft feasibility report for the Sites Reservoir Project in Colusa and Glenn counties in California. The project would consist of a new offshore surface storage reservoir with two main dams, up to nine saddle dams, and up to three recreation areas. The reservoir would be filled via two Sacramento River diversions/canals and a new inlet/outlet structure and pipeline to allow for diversion of excess river flows. The project also would include modifications to an existing diversion facility at the Red Bluff Pumping Plant in Tehama County. Meetings are scheduled for Sept. 26 and 28, 2017, in Maxwell and Sacramento, Calif.,

respectively. Comments are due Nov. 13, 2017. Contact: Michael Dietl; Bureau of Reclamation; 916-978-5070; mdietl@usbr.gov

82 FR 39454 (08/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Environmental Impact Statements

GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the availability of environmental impact statements filed Aug. 7-11, 2017. Contact: Dawn Roberts; EPA, Office of Federal Activities; 202-564-7146. Citations: 40 CFR 1506.9

82 FR 39424 (08/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Massachusetts/Nonotuck and Albion Mill Projects

GENERAL ENVIRONMENT AND SAFETY

Notice of FERC announces the receipt of an application from the City of Holyoke Gas & Electric Department to surrender licenses for the Albion Mill Project No. 2766, Albion Mill Project No. 2768, and Nonotuck Mill Project No. 2771 at the Holyoke Canal in Hampden County, Mass. The city has determined that repair costs for the projects are economically unfeasible and proposes to shut and secure all gated intake rack structures, permanently close all tailgate area gates, and disconnect all generating equipment from the projects. Protests and motions to intervene are due Sept. 13, 2017. Contact: David Rudisail; FERC; 202-502-6376; david.rudisail@ferc.gov

82 FR 39419 (08/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Oregon/Coos Bay Channel Modification Project

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the U.S. Army Corps of Engineers, Portland District, to prepare a draft environmental impact statement concerning the Oregon International Port of Coos Bay's (OIPCB) proposed Coos Bay Channel Modification Project. The project involves widening and deepening the Coos Bay Federal Navigation Project from the ocean to river mile 8.2 to improve navigation efficiency, to reduce shipping transportation costs, and to help with the shipping industry's transition to larger and more efficient vessels. The federal navigation project includes two entrance jetties, two navigation channels, two turning basins, and pile dikes. A meeting is scheduled for Sept. 13, 2017, in Coos Bay. Comments are due Oct. 3, 2017. Contact: Ann Hodgson; USACE; 503-808-4663; coosbaychannelmodEIS@usace.army.mil

82 FR 39417 (08/18/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Withdrawal of Approval of New Drug Application/Baycol

GENERAL ENVIRONMENT AND SAFETY

Notice of the FDA announces the withdrawal of approval of a new drug application for Baycol (cerivastatin sodium) tablets, 0.05 milligrams (mg), 0.1 mg, 0.2 mg, 0.3 mg, 0.4 mg, and 0.8 mg, held by Bayer Healthcare Pharmaceuticals, of Seattle. The applicant requested the withdrawal due to an increase in reports associating cerivastatin with rhabdomyolysis, a potentially fatal condition involving muscle weakness. The withdrawal is effective Aug. 18, 2017. Contact: Kristiana Brugger; FDA, Center for Drug Evaluation and Research; 301-796-3600. Citations: 21 CFR 314.150

82 FR 39442 (08/18/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Grain Handling Facilities

OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of OSHA to seek OMB approval for a continuing information collection request regarding the grain handling facilities standard. The collection concerns requirements for grain handling facilities to develop and implement emergency action plans; to provide employee training; and to issue permits for entering bins, silos, and tanks. The collection also addresses requirements for facilities to de-energize, disconnect, lockout and tag, block off, or otherwise prevent operation of equipment that presents a danger to employees in grain storage structures; to inform contractors of known potential fire and explosion hazards; to develop and implement written housekeeping programs; and to implement preventive maintenance procedures. Comments are due Oct. 17, 2017. Contact: Todd Owen; OSHA, Directorate of Standards and Guidance; 202-693-2222. Citations: 29 CFR 1910.272

82 FR 39459 (08/18/2017)

Regulatory Update

PESTICIDES

Antimicrobial Pesticides Data Requirements

PESTICIDES

Proposed rule of the EPA would correct the antimicrobial pesticides data requirements to clarify that the 200 parts per billion registration level for antimicrobial pesticides is based on total estimated daily dietary intake for an individual and not on the amount of residue present on a single food. The revision is consistent with FDA policy and is a condition of a 2013 settlement agreement between the EPA and the American Chemistry Council. Comments are due Oct. 17, 2017. Contact: Cameo Smoot; EPA, Office of Pesticide Programs; 703-305-5454; smoot.cameo@epa.gov. Citations: 40 CFR 158.2230(d)

82 FR 39399 (08/18/2017)

Regulatory Update

RADIATION

ACRS Reliability and PRA Subcommittee Meeting

RADIATION

Notice of the NRC announces a meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Reliability and Probabilistic Risk Assessment (PRA) to review the update plan for Regulatory Guidance 1.174 on an approach for using PRA in risk-informed decisions on plant-specific changes to the licensing basis. The meeting is scheduled for Aug. 24, 2017, in Rockville, Md. Comments are due Aug. 24, 2017. Contact: Quynh Nguyen; NRC; 301-415-5844; Quynh.Nguyen@nrc.gov

82 FR 39463 (08/18/2017)

Regulatory Update

RADIATION

ACRS Subcommittee on Northwest Medical Isotopes Meeting

RADIATION

Notice of the NRC announces a meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Northwest Medical Isotopes to discuss the construction permit application preliminary safety analysis report and the draft NRC safety evaluation reports for a Mo99 radioisotope production facility. The meeting is scheduled for Aug. 22-23, 2017, in Rockville, Md. Comments are due Aug. 22, 2017. Contact: Kathy Weaver; NRC; 301-415-6236; Kathy.Weaver@nrc.gov

82 FR 39462 (08/18/2017)

Regulatory Update

RADIATION

ACRS Subcommittees on Thermal Hydraulic Phenomena

RADIATION

Notice of the NRC announces a meeting of the Advisory Committee on Reactor Safeguards Subcommittee on Thermal Hydraulic Phenomena. The subcommittee will review AREVA Inc.'s new transient code suite AURORA-B concerning an evaluation model for boiling water reactors. The subcommittee will also hear presentations by and hold discussions with the licensee. The meeting is scheduled for Aug. 21, 2017, in Rockville, Md. Comments are due Aug. 21, 2017. Contact: Zena Abdullahi; NRC; 301-415-8716; Zena.Abdullahi@nrc.gov

82 FR 39462 (08/18/2017)

Regulatory Update

RADIATION

Oregon/Trojan Nuclear Power Plant Spent Fuel License Renewal

RADIATION

Notice of the NRC announces the receipt of a license renewal application from the Portland General Electric Co., of Portland, Ore., to receive, possess, transfer, and store spent fuel from Trojan Nuclear Power Plant in the Trojan Independent Spent Fuel Storage Installation (ISFSI) in Columbia County, Ore. The renewal license would allow for continued storage of spent fuel in the ISFSI for 40 additional years beyond the current March 31, 2019, license expiration date. The application contains sufficient information for the agency to begin its technical review, and the agency will issue a subsequent notice upon its determination that preparation of an environmental impact statement or an environmental assessment is warranted. Hearing requests and petitions to intervene are due Oct. 17, 2017. Contact: Christopher Markley; NRC, Office of Nuclear Safety and Safeguards; 301-415-6293; christopher.markley@nrc.gov. Citations: 10 CFR 72

82 FR 39463 (08/18/2017)

Regulatory Update

TOXIC SUBSTANCES

Chemical Data Reporting/Inorganic Byproduct Chemical Substances

TOXIC SUBSTANCES

Notice of the EPA announces additional meetings of the negotiated rulemaking committee established to develop a proposed rule to limit chemical data reporting requirements for manufacturers of inorganic byproduct chemical substances when such byproducts are subsequently recycled, reused, or reprocessed. The negotiated rule process is mandated by 2016 amendments to TSCA that require a proposed rule to limit such reporting requirements to be published by June 22, 2019. The meetings are scheduled for Sept. 13-14 and Oct. 25-26, 2017, in Washington, D.C. Comments for consideration at the meetings are due Sept. 6 and Oct. 18, 2017, respectively. Comments also will be accepted throughout the advisory process. Contact: Susan Sharkey; EPA, Office of Pollution Prevention and Toxics; 202-564-8789; Sharkey.susan@epa.gov. Citations: 40 CFR 711

82 FR 39402 (08/18/2017)

Regulatory Update

WATER

Water Management Programs to Reduce Legionella Growth and Transmission

WATER

Notice of the CDC requests information regarding effective methods for achieving implementation of water management programs (WMPs) intended to reduce Legionella growth and transmission in buildings at increased risk. WMPs are used to identify hazardous conditions and take steps to minimize the growth and spread of Legionella and other waterborne pathogens in building water systems. The CDC requests comments regarding prevention strategies, stakeholder engagement, costs and feasibility of WMP implementation, and the availability of effective communication strategies. The CDC also requests comments regarding the influence of local regulations, the reasons why a WMP was not adopted, and the possible impact of proposed solutions. The information collected will inform the CDC's efforts to prevent Legionnaires' disease and other diseases due to opportunistic waterborne pathogens. Comments are due Oct. 17, 2017. Contact: Laura Cooley; CDC, National Center for Immunization and Respiratory Diseases; 404-639-2215; travellegionella@cdc.gov

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Regulatory Update

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