

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

June 09, 2017 - Number 110

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### Summaries

*AIR*

Texas SIP/Mobile Source Incentive Programs

**AIR**

Direct final rule of the EPA amends regulations under 40 CFR 52.2270 to approve revisions to the Texas SIP regarding mobile source incentive programs. The revisions update the diesel emissions reduction program for on-road and nonroad vehicles to remove the maximum cost-effectiveness limit of \$15,000 per ton of emissions of nitrogen oxides reduced for a project, allow the Texas Commission on Environmental Quality to set cost-effectiveness limits for projects, and add Wise County to the list of counties eligible for the program. The revisions also address the extension of the Texas Clean School Bus Program to Aug. 31, 2019, update the Texas Clean Fleet Program to provide eligibility for certain projects related to agricultural product transportation, and add a new maximum grant amount for vehicle replacement. In addition, the revisions add the Drayage Truck Incentive Program, that provides financial incentives for replacement of drayage trucks with pre-2007 model engines. The rule is effective Sept. 7, 2017, unless adverse comments are received by July 10, 2017. Contact: Randy Pitre; EPA Region 6; 214-665-7299; pitre.randy@epa.gov

82 FR 26754 (06/09/2017)

### Regulatory Update

*AIR*

Texas SIP/Mobile Source Incentive Programs

**AIR**

Proposed rule of the EPA amends regulations under 40 CFR 52.2270 to approve revisions to the Texas SIP regarding mobile source incentive programs. The revisions update the diesel emissions reduction program for on-road and nonroad vehicles to remove the maximum cost-effectiveness limit of \$15,000 per ton of emissions of nitrogen oxides reduced for a project, allow the Texas Commission on Environmental Quality to set cost-effectiveness limits for projects, and add Wise County to the list of counties eligible for the program. The revisions also address the

extension of the Texas Clean School Bus Program to Aug. 31, 2019, update the Texas Clean Fleet Program to provide eligibility for certain projects related to agricultural product transportation, and add a new maximum grant amount for vehicle replacement. In addition, the revisions add the Drayage Truck Incentive Program, that provides financial incentives for replacement of drayage trucks with pre-2007 model engines. A concurrent direct final rule adopts the provisions, effective Sept. 7, 2017. Comments are due July 10, 2017. Contact: Randy Pitre; EPA Region 6; 214-665-7299; pitre.randy@epa.gov

82 FR 26762 (06/09/2017)

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 May 29-June 2, 2017, under 40 CFR 1506.9. Contact: Dawn Roberts; EPA, Office of Federal Activities; 202-564-7146

82 FR 26791 (06/09/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**

Local Government Advisory Committee Meetings

**GENERAL ENVIRONMENT AND SAFETY**

Notice of the EPA announces meetings of the Local Government Advisory Committee (LGAC) and the Small Communities Advisory Subcommittee (SCAS). The subcommittee meeting agenda includes recommendations regarding environmental issues affecting small communities and on revising the definition of "waters of the U.S" under the Clean Water Act. The committee meeting agenda includes recommendations of the LGAC work group and on revising the definition. The meetings are scheduled for June 29, 2017, via teleconference. Comments are requested, but a due date is not specified. Contact: Frances Eargle; EPA; 202-564-3115; eargle.frances@epa.gov

82 FR 26790 (06/09/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**

Minnesota/Superior National Forest Hi Lo Project

**GENERAL ENVIRONMENT AND SAFETY**

Notice announces the intention of the U.S. Forest Service to prepare an environmental impact statement concerning the Hi Lo Project in the Kawishiwi Ranger District of the Superior National Forest in Minnesota. The project involves moving the area towards vegetation and landscape ecosystem conditions that were described in the 2004 Superior National Forest Land and Resource Management Plan. Proposed activities include management of forest vegetation composition, structure, and spatial patterns; prescribed burning; and modifications to the transportation system associated with such activities. Comments are due July 10, 2017. Contact:

Linda Merriman; USFS; 218-365-2095; lmerriman@fs.fed.us

82 FR 26772 (06/09/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**

Montana/Gold Butterfly Project

**GENERAL ENVIRONMENT AND SAFETY**

Notice announces the intention of the U.S. Forest Service to prepare an environmental impact statement for the Gold Butterfly Project in the Stevensville Ranger District of the Bitterroot National Forest in Montana. The project involves timber harvest, noncommercial thinning, and other treatment methods on approximately 10,495 acres of forest land designated as part of the insect and disease treatment program under the Healthy Forest Restoration Act. Comments are due July 10, 2017. Contact: Sara Grove; USFS; 406-375-2608; sgrove@fs.fed.us

82 FR 26773 (06/09/2017)

Regulatory Update

**GENERAL ENVIRONMENT AND SAFETY**

Reusable Medical Devices/Validated Instruction and Data Requirements

**GENERAL ENVIRONMENT AND SAFETY**

Notice of the Food and Drug Administration announces the availability of a list of reusable medical devices required to have validated instructions for use and validation data in their premarket notifications (510(k)s). The notice specifies that, in accordance with the 21st Century Cures Act, the FDA has determined the necessity for manufacturers of certain reusable medical devices with the greatest risk of infection transmission and inadequate performance to include instructions for use regarding cleaning, disinfection, and sterilization, for which a substantial equivalence determination may be based. The requirements are effective Aug. 8, 2017. Contact: Constance Soves; FDA, Center for Devices and Radiological Health; 301-796-6951

82 FR 26807 (06/09/2017)

Regulatory Update

**OIL AND GAS INDUSTRY**

OCS Oil, Gas and Sulphur Operations/Lease Continuation

**OIL AND GAS INDUSTRY**

Final rule of the Bureau of Safety and Environmental Enforcement to amend regulations under 30 CFR 250.171 and 250.180 regarding maintaining a lease for oil, gas, and sulfur operations in the Outer Continental Shelf (OCS) beyond its primary term through continuous operations. The rule extends from 180 days to a year the period of time before which a lease expires due to a cessation of operations. The rule is effective June 9, 2017. Contact: Dennis Yang; BSEE, Regulations and Standards Branch; 713-220-9203; regs@bsee.gov

82 FR 26741 (06/09/2017)

Regulatory Update

**RADIATION**

DOE Idaho Operations Office Special Nuclear Materials License Renewal

**RADIATION**

Notice of the Nuclear Regulatory Commission announces the receipt of an application from the Department of Energy's Idaho Operations Office to renew special nuclear materials license No. SNM-2508, which authorizes the licensee to receive, possess, transfer, and store radioactive material from the Three Mile Island Unit 2 (TMI-2) reactor core in the TMI-2 independent spent fuel storage installation. The renewal would allow the licensee to continue to store the radioactive material for an additional 20 years through March 19, 2029. Hearing requests and petitions for leave to intervene are due Aug. 8, 2017. Contact: Kristina Banovac; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-7116; Kristina.Banovac@nrc.gov

82 FR 26815 (06/09/2017)

Regulatory Update

**WATER**

DOE Energy-Water Nexus State Policy Database

**WATER**

Notice of the Department of Energy announces the withdrawal of a June 5, 2017, request for information (82 FR 25783) on the draft version of the DOE Energy-Water Nexus State Policy Database of state-level water policies that affect energy systems. The prior notice specified that the draft database includes over 1,700 state policies under categories including surface and groundwater rights; discharge requirements for power plant cooling water effluent, stormwater, and wastewater from oil and gas production; underground injection control; state water plans; regional watershed commissions; reservoir and river operations; and integrated energy and water policies. The prior notice also specified that the database is intended to facilitate improved policy analysis, modeling, visualization, and communication by states, industry, utilities, academia, federal agencies, and other stakeholders. The DOE is further reviewing the draft database to determine whether to reissue the request for information. The withdrawal is effective June 9, 2017. Contact: Samuel Bockenbauer; DOE, Office of Energy Policy and Systems Analysis; 202-586-9016; samuel.bockenbauer@hq.doe.gov

82 FR 26790 (06/09/2017)

Regulatory Update

**WATER**

Missouri River Recovery Implementation Committee

**WATER**

Notice of the U.S. Army Corps of Engineers announces a request for applications to fill vacant stakeholder representative member positions on the Missouri River Recovery Implementation Committee. The committee advises the USACE on the Missouri River Recovery Management Plan for the upper basin states of Montana, Nebraska, North Dakota, and South Dakota and on river recovery and mitigation activities currently underway. The committee seeks applicants from stakeholders with interests in specified categories, including agriculture, flood control, thermal

power, and water supply. Applications are due July 14, 2017. Contact: Lisa Rabbe; USACE; 816-389-3837; mrric@usace.army.mil

82 FR 26781 (06/09/2017)

Regulatory Update

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