

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Anna Palmer and Jake Sherman
Sent: Thur 6/8/2017 5:54:45 PM
Subject: Playbook Power Briefing: COMEY: 'I was honestly concerned that [Trump] might lie,' hopes that there are tapes -- RYAN defends POTUS: 'The president's new at this' -- TRUMP silent on testimony -- HIS MOOD as he watched Comey: 'light'

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QUICK TAKEAWAYS -- No, **PRESIDENT DONALD TRUMP** is not under investigation. **PRESIDENT DONALD TRUMP**'s May 12th tweet -- "James Comey better hope that there are no 'tapes' of our conversations before he starts leaking to the press!" -- prompted him to leak information about an Oval Office conversation, which he hoped would cause the appointment of a special counsel. Comey said he thought it was a "significant fact" that the president kicked everyone out of the Oval Office to speak to him. **AND** he said there should be "no fuzz" -- Russians intervened in the election.

NO ONE really challenged Jim Comey's testimony or recollection of events.

WHY COMEY WROTE MEMOS -- "I WAS HONESTLY CONCERNED THAT [TRUMP] MIGHT LIE ..."

-- **ON THE RUSSIAN INTERFERENCE IN U.S. ELECTIONS** -- "They'll be back ... They're going to come for whatever party they chose to work on behalf of ... They're about their own advantage."

Good Thursday afternoon. JAMES COMEY has finally spoken.

THE BIG MOMENTS ...

-- **COMEY TO HIS FORMER FBI COLLEAGUES:** "The administration then chose to defame me and more importantly the FBI by saying that the organization was in disarray, that it was poorly led, that the workforce had lost confidence in its leader. Those were lies, plain and simple. And I am so sorry that the FBI workforce had to hear them, and I'm so sorry that the American people were told them."

-- **ON WHY HE WAS FIRED:** "I guess I don't know for sure. I believe -- I take the president at his word, that I was fired because of the Russia investigation. Something about the way I was conducting it, the president felt created pressure on him they wanted to relieve. Again, I didn't know that at the time. I watched his interview. I read the press accounts of his conversations. I take him at his word there. Now look, I could be wrong. Maybe he's saying something that's not true. But I take him at his word, at

least based on what I know now."

-- **ON TAPES:** "Look, I've seen the tweet about tapes. Lordy, I hope there are tapes. I remember saying, 'I agree he is a good guy,' as a way of saying, I'm not agreeing with what you asked me to do."

-- **COMEY ON RUSSIAN INTERFERENCE:** "There should be no fuzz on this whatsoever. The Russians interfered in our election during the 2016 cycle. They did it with purpose. They did it with sophistication. They did it with overwhelming technical efforts. It was an active measures campaign driven from the top of that government. There is no fuzz on that. ... That's about as unfake as you can possibly get."

-- **ON THE FEB. 14 ONE-ON-ONE WITH TRUMP IN THE OVAL:** "My impression was something big is about to happen. I need to remember every single word that is spoken. And again, I could be wrong, but I'm 56 years old, I've been, seen a few things, my sense was the attorney general knew he shouldn't be leaving which was why he was lingering and I don't know Mr. Kushner well but I think he picked up on the same thing, so I knew something was about to happen that I needed to pay very close attention to."

-- **ON HOW CONTENTS OF A MEMO BECAME PUBLIC:** "I asked -- the president tweeted on Friday after I got fired that I better hope there's not tapes. I woke up in the middle of the night on Monday night because it didn't dawn on me originally, that there might be corroboration for our conversation. There might be a tape. My judgement was, I need to get that out into the public square. I asked a friend of mine to share the content of the memo with a reporter. Didn't do it myself for a variety of reasons. I asked him to because I thought that might prompt the appointment of a special counsel. I asked a close friend to do it." He said it was not Benjamin Wittes, the editor in chief of Lawfare, but it was a "close friend who is a professor at Columbia law school."

-- **ON WHY HE DIDN'T GIVE THE MEMO TO THE MEDIA HIMSELF:** "Because I was weary [of] the media [that] was camping at the end of my driveway at that point. I was actually going out of town with my wife to hide. I worried it would be feeding seagulls at the beach, if it was I who gave it to the media."

-- **ON CLINTON'S EMAILS:** The former FBI director said he did not regret his handling of the investigation into Hillary Clinton's private email server: "It caused a whole lot of personal pain for me but as I look back, given what I knew at the time and even what I've learned since, I think it was the best way to try to protect the justice institution, including the FBI." He also said that the meeting between Attorney General Loretta Lynch and former President Bill Clinton on an airport tarmac was the "conclusive" reason he went public with the investigation. He also said that Lynch at one point "directed me not to call it an investigation, but instead to call it a matter, which confused me and concerned me."

-- **ON IF HE'D BE FIRED IF CLINTON WAS PRESIDENT:** "That's a great question. I don't know. I don't know. ... I might have been. I don't know. Look, I've said before, that

was an extraordinarily difficult and painful time. I think I did what I had to do. I knew it was going to be very bad for me personally. And the consequence of that might have been if Hillary Clinton was elected I might have been terminated. I don't know. I really don't."

ASKED IF DONALD TRUMP COLLUDED WITH RUSSIA, Comey said he should not answer that in an open setting.

DON JR. WEIGHS IN -- President Trump's son Donald Trump Jr. was active on Twitter (@DonaldJTrumpJr) during the hearing, rebutting the negative parts of Comey's testimony. One sampling on Trump's conversations with Comey over Flynn: "Flynn stuff is BS in context 2 guys talking about a guy they both know well. I hear 'I hope nothing happens but you have to do your job' ... very far from any kind of coercion or influence and certainly not obstruction! ... Knowing my father for 39 years when he 'orders or tells' you to do something there is no ambiguity, you will know exactly what he means ... Hoping and telling are two very different things, you would think that a guy like Comey would know that. #givemeabreak"

BAD DAY for former Attorney General Loretta Lynch, who, according to Comey, requested that he not call the Clinton investigation, well, an investigation.

THE LOYAL OPPOSITION -- The DNC emailed Democratic operatives Thursday morning who may be going on TV or doing press about Comey to invite them to a "post-hearing top talkers" call at 1:30 p.m.

BACKING POTUS -- "Ryan defends Trump on Comey: 'The president's new at this,'" by Rachael Bade: "Speaker Paul Ryan on Thursday defended President Donald Trump's communications with ex-FBI director James Comey, saying Trump wasn't "steeped in the long-running protocols" of how to interact with law enforcement. 'The president's new at this,' Ryan said at a news conference. 'He's new at government.'

"**The Wisconsin Republican also expressed sympathy** for Trump's frustration with the Russia investigation, noting that Comey testified before the Senate Intelligence Committee that Trump was not the subject of the probe. 'I think the American people now know why he was frustrated.'" <http://politi.co/2sHx8jK>

HOW TRUMP REACTED -- "**Aide: Trump's mood 'light' as Comey testimony unfolds,**" y Tara Palmeri: "President Donald Trump decided the night before former FBI director James Comey's Senate testimony that he would not live-tweet his rebuttal, according to two White House officials. 'Why would I?' Trump told aides on Wednesday night, according to a senior White House official.

"**Trump watched the hearings** from the White House dining room surrounded by aides and lawyers who went in and out of the room as the hearing went on. A senior aide described Trump's mood during the hearing as 'light.'" <http://politi.co/2sHyR8l>

ALL QUIET FROM THE PRESIDENT -- Trump did not address the testimony during his speech at the Faith and Freedom Coalition conference. From our colleague Eliana Johnson (@elianayjohnson), who was on the scene: "Trump's speech here at Faith and Freedom Coalition conference feels a world removed from Capitol Hill. Not a single mention of Comey." He also did not tweet.

-- @costareports: "WH sources add that Trump was kept busy this morning w/ Mattis, Tillerson, McMaster convos + prep for Faith & Freedom lunchtime speech."

-- **THE VICE PRESIDENT** also did not address Comey's testimony during remarks in the Indian Treaty Room.

FROM THE WHITE HOUSE -- "Sarah Sanders: 'The president is not a liar,'" by Tara Palmeri: "White House deputy press secretary Sarah Huckabee Sanders said 'the president is not a liar' after former FBI director James Comey blasted the White House for telling 'lies, plain and simple' about the circumstances surrounding his firing last month. 'No, I can definitively say the president is not a liar,' Sanders told reporters at the White House during an off-camera briefing Thursday. 'It's frankly insulting that that question would be asked.'" ... At the White House, Sanders also said the president still has confidence in his Cabinet members." <http://politi.co/2s87FCM>

FOR YOUR RADAR -- @kylegriffin1: "Brian Williams on @MSNBC says a source tells him and @NicolleDWallace they're not sure Trump knew there were Americans stationed in Qatar."

FIRST IN PLAYBOOK: THE OTHER THING HAPPENING TODAY -- THE PRESIDENT and VICE PRESIDENT are hosting eight governors and roughly 30 government and private-sector leaders to discuss infrastructure. **WHO IS ATTENDING: GOVS.:** Kay Ivey of Alabama, Doug Ducey of Arizona, Rick Scott of Florida, Eric Holcomb of Indiana, Sam Brownback of Kansas, Phil Bryant of Mississippi, Doug Burgum of North Dakota and Chris Sununu of New Hampshire. **MAYORS:** Lenny Curry (Jacksonville, Florida), Steve Hogan (Aurora, Colorado), Mick Cornett (Oklahoma City), Nate Robinson (Fayetteville, North Carolina), Sheldon Day (Thomasville, Alabama), Acquanetta Warren (Fontana, California), Richard Berry (Albuquerque), Lydia Mihalik (Findlay, Ohio) and Andrew Ginther (Columbus, Ohio).

OTHER LEADERS: Bucks County, Pennsylvania Commissioner Rob Loughery; Leon County, Florida Commissioner Bryan Desloge; Waukesha County, Wisconsin Executive Paul Farrow; Macomb County, Michigan Public Works Commissioner Candice Miller; DeKalb County, Georgia Vice Chairman Nancy Jester; Jefferson County, Colorado Commissioner Libby Szabo; Mandan, Hidatsa and Arikara Nation Tribe Vice Chairman Randy Phelan; Southern Ute Tribe, Colorado Councilman Kevin Frost; Louisiana Agriculture Commissioner Mike Strain; South Carolina Agriculture Commissioner Hugh Weathers, Springfield, Massachusetts Public Works Director Christopher Cignoli.

-- **THE NATIONAL ASSOCIATION OF MANUFACTURERS'** executive committee is in

town this week and meeting with Senate Majority Leader Mitch McConnell (R-Ky.) to talk about the chamber's legislative agenda. Treasury Secretary Steven Mnuchin will discuss tax reform with the group. Commerce Secretary Wilbur Ross joined a reception Wednesday night, where he talked about the future of trade deals, trade enforcement and the upcoming report on regulations impacting the manufacturing sector.

ROCK AND A HARD PLACE -- "Paul Ryan's debt ceiling conundrum," by Rachael Bade: "The House GOP conference -- from Freedom Caucus hardliners to mainstream Republicans allied with leadership -- are balking at the Trump administration's request for a 'clean' debt ceiling hike without spending cuts. The disagreement puts Ryan in an awkward situation of having to choose between his conference's desires and those of the White House. GOP insiders concede it could even force the Wisconsin Republican to, for the first time, violate the so-called Hastert rule, an unofficial GOP understanding that bills should be supported by a 'majority of the majority.' ...

"Relying on Democrats to carry major fiscal legislation has been common in recent years. But it ultimately helped drive out ex-Speaker John Boehner (R-Ohio) and would be problematic for Ryan in the eyes of the conference. One Republican close with leadership told POLITICO 'Ryan is going to be in trouble if the White House makes him do this.' A senior House Republican staffer likewise said leaders - and the White House - will 'get completely crushed by not just angry members but the outside groups will go crazy.'" <http://politi.co/2s7EdwH>

AL GORE ON CLIMATE CHANGE -- The former Veep sat for interview with Nick Haramis for Interview Magazine: "There are people who say, 'God is in complete control of everything that happens, and if the earth is getting warmer, then maybe god intends that.' well, no. God intends for us to take responsibility for how we treat God's creation." <http://bit.ly/2r8QVGF>

CONGRESSMAN PENCE, PART II? -- "Is Vice President Mike Pence's brother considering a run for Congress?," by the Indianapolis Star's Tony Cook and Kaitlin Lange: "Greg Pence, the vice president's older sibling, isn't ruling it out and a source close to the Pence family said this week that a group of Republican donors is encouraging him to run for the seat once held by his brother.

"Greg Pence, who once ran the family's Kiel Bros. Oil Co. gas station and convenience store business, has been a close confidant to the vice president, frequently traveling with him during last year's presidential campaign. And Greg Pence recently took his first formal step into the political arena earlier this year when he became statewide finance chairman for U.S. Rep. Luke Messer, who is expected to run for Indiana's U.S. Senate seat in 2018. That would leave Indiana's predominately Republican 6th District House seat vacant. Stretching from Muncie to Madison, it's the same district Mike Pence represented for 12 years and one where he continues to enjoy wide support." <http://indy.st/2s7Tz4A>

MEDIAWATCH -- ASHLEY PARKER has been named a contributing editor at Glamour,

covering Washington, D.C. and politics. Ashley, who has contributed to Glamour since 2015, is currently a White House reporter at WaPo (where she will remain) and was at NYT before that. <http://politi.co/2sHtPsN>

DOWN IN GEORGIA -- "Georgia House candidates debate in Comey's shadow," by Elena Schneider: "President Donald Trump and former FBI Director James Comey loomed large over the second debate here between Republican Karen Handel and Democrat Jon Ossoff in their closely watched race for a Georgia congressional seat.

"Ossoff and Handel debated Thursday morning for the second time in three days - this time in a meeting sponsored by an Atlanta public radio station that was also streamed online - mostly sparring over health care, taxes and foreign policy. But with the debate beginning just an hour before Comey appeared on Capitol Hill, both candidates were pressed on Comey's advance testimony, which was released on Wednesday. Both candidates deflected and said the investigations should continue." <http://politi.co/2s8leIE>

-- **"Ossoff raised \$15M in last two months,"** by Elena <http://politi.co/2sHtM09>

COMING ATTRACTIONS -- WATERGATE REUNION -- The remaining staff of the Senate Watergate "Select Committee" are reconvening in Washington on June 17 for panel discussions at the Watergate hotel moderated by journalist Lesley Stahl. They will be joined by former Sen. Lowell Weicker (R-Conn.). The event has been organized by former Committee staffers Gordon Freedman and Elisabeth DeMarse. Alex Slater and Clyde Group are promoting.

THE AMERICAN FUTURE FUND is today announcing a letter with 10 other conservative groups to Speaker Ryan to oppose legislation now before the House which would impose caps on medical malpractice awards. The vote is expected next week. They say in the letter that the bill "advances the disturbing trend toward the 'federalization' of state tort law that is contrary to constitutional principles and represents an undue restriction on freedom." *The letter* <http://politi.co/2rYKmdL>

WELCOME TO THE WORLD - WSJ management reporter **Rachel Feintzeig** and **Dr. David Bennett**, a nephrologist in Bridgeport, Connecticut, post on Instagram: "Welcome to the world, Tuck. We are so happy you're here. //Theodore (Tuck) Feintzeig Bennett - June 7, 2017 - 2:46 a.m. - 7 lbs, 5 oz//". *Instapic* <http://bit.ly/2sWYemc>

OUT AND ABOUT -- Sen. Tom Cotton (R-Ark.) was the special guest at a reception last night at the American Beverage Association in honor of Paul Mango, a Republican candidate for Governor of Pennsylvania. **SPOTTED:** Susan Neely, Jim Nicholson, David Urban, Lisa Gable, Steve Hart, Rep. Lloyd Smucker (R-Pa.), Susan Nelson, Larry Rouvelas.

HIGH TIMES -- Fenton CEO **Michael Huttner** is launching Powerplant Strategies, a Denver-based PR and public affairs firm focused on the marijuana industry. Others

joining the firm include: Alex Howe in Los Angeles, Ellen Mellody, in Philadelphia and New York and Leland Radovanovic in New York.

SPOTTED: Ernest Moniz on the 7:30 a.m. shuttle from DCA-BOS in first class ... At the Four Seasons this morning, at separate tables: Linda Douglass and Melissa Moss, Heather Podesta, Alan Fleischmann and TJ Ducklo, Evan Ryan, Jonathan Swan.

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EHS Federal Regulatory Alert

June 06, 2017 - Number 107

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Summaries

AIR

California SIP/South Coast AQMD

AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve revisions to the South Coast Air Quality Management District portion of the California SIP regarding nitrogen oxide (NOx) emissions from facilities that emit four or more tons per year of NOx or sulfur oxides (SOx). The rule approves revisions to the district's Regional Clean Air Incentives Market (RECLAIM) program that lower the NOx emission cap, allow electric generating facilities to exit RECLAIM, add provisions regarding facility shutdowns, and create a regional new source review holding account for existing electricity generating facilities constructed after 1993. Revisions regarding reasonable available control technology will be evaluated in a separate proposed rule. Comments are due July 6, 2017. Contact: Nicole Law; EPA Region 9; 415-947-4126; law.nicole@epa.gov

82 FR 25996 (06/06/2017)

Regulatory Update

AIR

Colorado SIP/2010 SO2 NAAQS, 2012 PM-2.5 NAAQS

AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve portions of revisions to the Colorado SIP regarding infrastructure requirements for the 2010 sulfur dioxide (SO2) and 2012 fine particulate matter (PM-2.5) NAAQS. The EPA is taking no action on portions of the state's SIP submittal concerning interstate transport prongs 1 and 2 for the 2010 SO2 and 2012 PM-2.5 NAAQS. Comments are due July 6, 2017. Contact: Abby Fulton; EPA Region 8, Air Programs Branch; 303-312-6563; fulton.abby@epa.gov

82 FR 25999 (06/06/2017)

Regulatory Update

AIR

Connecticut SIP/Single-Source Orders

AIR

Final rule of the EPA corrects a May 1, 2017, direct final rule (82 FR 20262) that amended regulations under 40 CFR 52.370 and 52.385 to approve revisions to the Connecticut SIP regarding single-source orders. The revisions establish volatile organic compound reasonably available control technology requirements for Mallace Industries in Clinton and Hamilton Sundstrand in Windsor Locks. The revisions also remove previously approved single-source orders for Pfizer Global Manufacturing, Coats North America, Uniroyal Chemical Co., Watson Laboratories, Pratt & Whitney Aircraft, Dow Chemical and Sikorsky Aircraft. The current action corrects the amendatory instructions for 40 CFR 52.370. The rule is effective June 30, 2017. Contact: Bob McConnell; EPA Region 1, Air Programs Branch; 617-918-1046; mcconnell.robert@epa.gov

82 FR 25969 (06/06/2017)

Regulatory Update

AIR

Hazardous Air Pollutants Petitions/N-Propyl Bromide

AIR

Notice of the EPA announces an additional extension of the comment period for a Jan. 9, 2017, notice (82 FR 2354) regarding the draft rationale for granting petitions requesting amendments under 40 CFR 63 to add the chemical n-propyl bromide to the list of hazardous air pollutants (HAP) in Clean Air Act Section 112(b)(1). The petitions (80 FR 6676; 02/06/2015) were filed by the Halogenated Solvent Industry Alliance and the New York State Department of Environmental Conservation. Comments now are due Oct. 1, 2017. Contact: Elineth Torres; EPA, Office of Air Quality Planning and Standards; 919-541-4347; torres.elineth@epa.gov

82 FR 26091 (06/06/2017)

Regulatory Update

AIR

Idaho, Utah/Logan PM-2.5 Nonattainment Area Extension of Attainment Dates

AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to grant two, one-year extensions to the moderate attainment date for the Logan, Utah-Idaho, 2006 24-hour fine particulate matter (PM-2.5) NAAQS nonattainment area. In response to requests from Idaho and Utah, the rule extends the attainment date from Dec. 31, 2015, to Dec. 31, 2016, and then to Dec. 31, 2017. The rule also provides that the nonattainment area will remain a moderate PM-2.5 area, with a moderate area attainment date of Dec. 31, 2017. In addition, the rule specifies that Idaho and Utah will not have to submit additional planning requirements for serious PM-2.5 nonattainment areas unless there is a failure to attain the moderate standard by the extended date and the area is reclassified to a serious nonattainment area. The EPA will make a determination regarding attainment within six months of the applicable attainment date. Comments are due July 6, 2017. Contact: Crystal Ostigaard; EPA Region 8; 303-312-6602; ostigaard.crystal@epa.gov

82 FR 25992 (06/06/2017)

Regulatory Update

AIR

Oregon/Oakridge-Westfir 2006 PM-2.5 NAAQS Maintenance Plan

AIR

Notice of the EPA announces a finding that the motor vehicle emissions budgets in the Oregon SIP concerning the Oakridge-Westfir 2006 particulate matter (PM-2.5) NAAQS maintenance plan are adequate for transportation conformity purposes. The notice also specifies that the area must use the budgets for future conformity determinations. The finding is effective June 21, 2017. Contact: Karl Pepple; EPA Region 10; 206-553-1778; pepple.karl@epa.gov

82 FR 26090 (06/06/2017)

Regulatory Update

AIR

PSD Final Determinations

AIR

Notice of the EPA announces the issuance of four prevention of significant deterioration of air quality (PSD) final determinations under 40 CFR 52.21 issued between Oct. 2, 2015, and April 11, 2017. The notice specifies that the EPA Region 2 office issued one final agency action and the New Jersey Department of Environmental Protection issued three final agency actions. Petitions for judicial review are due Aug. 7, 2017. Contact: Frank Jon; EPA Region 2, Air Programs Branch; 212-637-4085

82 FR 26101 (06/06/2017)

Regulatory Update

AIR

SAB Risk and Technology Review Screening Methods Panel Meeting

AIR

Notice of the EPA announces a meeting of the Science Advisory Board Risk and Technology Review Methods Panel to peer review the draft report on screening methodologies to support risk and technology reviews. The report is a review of the methods for conducting risk and technology review assessments that evaluate the effects of industrial emissions of hazardous air pollutants on public health and the environment. The meeting is scheduled for June 29-30, 2017, in Arlington, Va. Comments are due June 23, 2017. Contact: Bryan Bloomer; EPA; 202-564-4222; bloomer.bryan@epa.gov

82 FR 26100 (06/06/2017)

Regulatory Update

AIR

Solid Waste Incinerator Negative Declarations/EPA Region 1

AIR

Direct final rule of the EPA amends regulations under 40 CFR 62.7325, 62.7455, 62.9825, 62.9990 and 62.11480 and adopts regulations under 40 CFR 62.1750 to approve negative declarations for commercial and industrial solid waste incinerators in Connecticut, New Hampshire, Rhode Island, and Vermont; approve negative declarations for hospital/medical/infectious waste incinerators in Rhode Island; and revise the state plan for existing large and small municipal waste combustors in New Hampshire. The negative declarations certify that there are no designated facilities subject to emissions guidelines currently operating in these states. The rule is effective Aug. 7, 2017, unless adverse comments are received by July 6, 2017. Contact: Patrick Bird; EPA Region 1; 617-918-1287; bird.patrick@epa.gov

82 FR 25969 (06/06/2017)

Regulatory Update

AIR

Solid Waste Incinerator Negative Declarations/EPA Region 1

AIR

Proposed rule of the EPA amends regulations under 40 CFR 62.7325, 62.7455, 62.9825, 62.9990 and 62.11480 and adopts regulations under 40 CFR 62.1750 to approve negative declarations for commercial and industrial solid waste incinerators in Connecticut, New Hampshire, Rhode Island, and Vermont; approve negative declarations for hospital/medical/infectious waste incinerators in Rhode Island; and revise the state plan for existing large and small municipal waste combustors in New Hampshire. The negative declarations certify that there are no designated facilities subject to emissions guidelines currently operating in these states. A concurrent direct final rule adopts the revisions, effective Aug. 7, 2017. Comments are due July 6, 2017. Contact: Patrick Bird; EPA Region 1; 617-918-1287; bird.patrick@epa.gov

82 FR 26016 (06/06/2017)

Regulatory Update

AIR

South Dakota SIP/Infrastructure Requirements

AIR

Proposed rule of the EPA amends regulations under 40 CFR 52 to approve portions of revisions to the South Dakota SIP concerning infrastructure requirements for the 2010 sulfur dioxide (SO₂) and 2012 fine particulate matter (PM-2.5) NAAQS. The rule takes no action on revisions regarding 2010 SO₂ or 2012 PM-2.5 NAAQS (prongs 1 and 2), which will be addressed in a separate action. Comments are due July 6, 2017. Contact: Abby Fulton; EPA Region 8, Air Program; 303-312-6563; fulton.abby@epa.gov

82 FR 26007 (06/06/2017)

Regulatory Update

AIR

Texas SIP/Houston-Galveston-Brazoria Ozone Nonattainment Area

AIR

Notice of the EPA announces a finding that the 2017 motor vehicle emissions budgets in the Houston-Galveston-Brazoria, Texas, reasonable further progress SIP revision for the 2008 eight-hour ozone NAAQS are adequate for transportation conformity purposes. The notice also specifies that the area must use the budgets for future conformity determinations. The finding is effective June 21, 2017. Contact: Jeffrey Riley; EPA Region 6; 214-665-8542; Riley.Jeffrey@epa.gov

82 FR 26091 (06/06/2017)

Regulatory Update

AIR

Texas/Clean Air Act Consent Decree

AIR

Notice of the Department of Justice announces a proposed consent decree in United States v. Alon USA LP, (Case No.1:17-cv-00087), lodged on May 30, 2017, with the U.S. District Court for the Northern District of Texas, Abilene Division. The consent decree resolves Clean Air Act claims against the defendant regarding emissions of benzene and volatile organic compounds at its petroleum refinery in Big Spring, Texas. The consent decree also addresses emissions from refinery devices, including heaters and boilers, flares, and a fluidized catalytic cracking unit. The consent decree requires the defendant to pay a civil penalty of \$456,250 and to perform a supplemental environmental project to reduce emissions of nitrogen oxides. Comments are due July 6, 2017. Contact: DOJ, Environment and Natural Resources Division; 202-514-2701

82 FR 26119 (06/06/2017)

Regulatory Update

AIR

Utah/McElmo Creek Unit Oil Production Facility Permit

AIR

Notice of the EPA announces issuance of a final permit decision to Resolute Natural Resources Co. to amend the prevention of significant deterioration permit (No. NU 05-01) for the McElmo Creek Unit Oil Production Facility on the Navajo Nation Indian Reservation near Aneth, Utah. The amendments incorporate pollution limits, terms, and conditions for the already existing main flare, including best available control technology emission limitations for nitrogen oxides, carbon monoxide, sulfur dioxide, and volatile organic compounds. The amendments also remove and update other applicable requirements to reflect equipment that has been shut down and removed from the site. The permit is effective Nov. 30, 2016. Petitions for judicial review are due Aug. 7, 2017. Contact: Shaheerah Kelly; EPA Region 9, Air Division; 415-947-4156; kelly.shaheerah@epa.gov

82 FR 26096 (06/06/2017)

Regulatory Update

ENDANGERED SPECIES

California/Marine Mammals Incidental Take

ENDANGERED SPECIES

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Services, announces the receipt of a request from the California Department of Transportation for authorization to take small numbers of six species of marine mammals incidental to the dismantling of the original East Span of the San Francisco-Oakland Bay Bridge in the San Francisco Bay. The authorization would allow take in the form of level B harassment of listed species between Sept. 1, 2017, and Aug. 31, 2018, through the use of highly controlled demolitions. Comments are due July 6, 2017. Contact: Dale Youngkin; NMFS, Office of Protected Resources; 301-427-8401

82 FR 26063 (06/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

California/Otay Water Pipeline Presidential Permit

GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of State announces the issuance of a presidential permit to the Otay Water District to construct, connect, operate, and maintain cross-border water pipeline facilities to import desalinated seawater at the international boundary between the U.S. and Mexico in San Diego County, Calif. The permit includes mitigation measures set forth in the final environmental impact statement and associated biological opinion from the U.S. Fish and Wildlife Service. It requires written notice to the State Department when construction has begun. The permit expires in five years if construction has not begun by that date. The permit is effective May 16, 2017. Contact: Department of State, Office of Mexican Affairs; 202-647-9894; WHABorderAffairs@state.gov

82 FR 26207 (06/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

EPA Science Advisory Board Meeting

GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA Science Advisory Board Staff Office announces a meeting of the chartered SAB regarding planned actions for the fall 2016 semiannual regulatory agenda. The meeting will include discussion of recommendations and information concerning the adequacy of the science supporting the planned actions. The meeting is scheduled for June 29, 2017, via teleconference. Comments are due June 22, 2017. Contact: Thomas Carpenter; EPA, Science Advisory Board; 202-564-4885; carpenter.thomas@epa.gov

82 FR 26085 (06/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Mid- and South Atlantic OCS/Marine Mammals Incidental Take

GENERAL ENVIRONMENT AND SAFETY

Notice of the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, announces the receipt of five requests for authorizations to take marine mammals incidental to conducting geophysical survey activity off the Atlantic coast of the U.S. The proposed survey activity would take place within the Bureau of Ocean Energy Management's Mid-Atlantic and South Atlantic Outer Continental Shelf planning areas ranging from Delaware to Cape Canaveral, Fla., and out to 350 nautical miles. The joint notice specifies the agency's proposal to issue incidental harassment authorizations to incidentally take marine mammal species during the applicants' proposed activities, which consist of deep penetration seismic surveys using airgun arrays as an acoustic source. The proposed authorization includes mitigation, monitoring, and reporting requirements. Comments are due July 6, 2017. Contact: Ben Laws; NMFS, Office of Protected Resources; 301-427-8401

82 FR 26244 (06/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Utah/Cross-Media Electronic Reporting

GENERAL ENVIRONMENT AND SAFETY

Notice of the EPA announces the approval of a request from Utah concerning cross-media electronic reporting requirements. The approval authorizes the state to revise its EPA-authorized programs to allow electronic reporting for its NPDES permit program (40 CFR 123), pretreatment regulations for existing and new sources of pollution (40 CFR 403) and sludge management program regulations (40 CFR 501). The approval is effective June 6, 2017. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov

82 FR 26099 (06/06/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Vermont Yankee Nuclear Power Station

GENERAL ENVIRONMENT AND SAFETY

Notice of the Nuclear Regulatory Commission announces the availability of an environmental assessment and finding of no significant impact regarding an exemption request from the Entergy Nuclear Operations Inc., of Buchanan, N.Y., for the Vermont Yankee Nuclear Power Station, in Vernon, Vt. The exemption allows Entergy to load higher enriched fuel assemblies with certain lower enriched fuel assemblies in the same HI-STORM 100 multipurpose canister using Certificate of Compliance No. 1014, Amendment No. 10. Contact: Yen-Ju Chen; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-1018; Yen-ju.Chen@nrc.gov

82 FR 26144 (06/06/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION
Hours-of-Service Drivers/Split Sleeper Berth Time Pilot Program
HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces a proposed pilot program for temporary relief to accumulate hours under commercial driver sleeper berth regulation (49 CFR 395). The program would allow a limited number of commercial drivers, who regularly use a sleeper berth, to split the required 10 hours of nonduty work status. During the pilot program, driver metrics would be collected and participants' safety performance and fatigue levels would be analyzed. Comments are due Aug. 7, 2017. Contact: Nicole Michel; FMCSA, Research Division; 202-366-4354; Nicole.michel@dot.gov

82 FR 26232 (06/06/2017)

Regulatory Update

HAZARDOUS WASTE CLEANUP
Federal Facilities List
HAZARDOUS WASTE CLEANUP

Notice of the EPA announces the availability of the 31st update of the Federal Agency Hazardous Waste Compliance Docket to identify federal facilities that manage hazardous waste or from which a reportable quantity of hazardous substances has been released. The notice identifies 33 facilities added since the Oct. 24, 2016, update (81 FR 73096) and corrections to and deletions from the list. The list of 2,338 facilities is current as of March 10, 2017. Contact: Benjamin Simes; EPA, Federal Facilities Restoration and Reuse Office; 703-603-0055; Simes.Benjamin@epa.gov

82 FR 26092 (06/06/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Advisory Committee on Construction Safety and Health
OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces a meeting of the Advisory Committee on Construction Safety and Health. The agenda includes discussion of a proposed rule to extend the enforcement date for the crane operator certification requirements in the cranes and derricks in construction standard (29 CFR 1926, Subpart CC) to Nov. 10, 2018, and to extend the existing employer duty to ensure crane operator competency for the same period. The meeting is scheduled for June 20, 2017, via teleconference. Comments are due June 9, 2017. Contact: Damon Bonneau; OSHA, Directorate of Construction; 202-693-2020; bonneau.damon@dol.gov

82 FR 26121 (06/06/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH
Respirator Program Records
OCCUPATIONAL SAFETY AND HEALTH

Notice of the Mine Safety and Health Administration announces the submission of a continuing information collection request to the OMB regarding metal and nonmetal mine operator respirator program records (30 CFR 56.5005 and 57.5005). The collection addresses requirements for operators to keep records regarding written standard operating procedures governing the selection and use of respirators, the date of issuance of respirators, fit-tested results, and findings for respirators maintained for emergency use. Comments are due July 6, 2017. Contact: Michel Smyth; Department of Labor; 202-693-8064; DOL_PRA_PUBLIC@dol.gov

82 FR 26120 (06/06/2017)

Regulatory Update

PESTICIDES

FIFRA Scientific Advisory Panel Meeting

PESTICIDES

Notice of the EPA announces a meeting of the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel to consider and review physiologically based pharmacokinetic (PBPK) modeling to address pharmacokinetic differences between and within species. The meeting will include review of PBPK and PBPK-pharmacodynamic models for the insecticides carbaryl, deltamethrin, dimethoate, malathion, and permethrin. The meeting also will include background on and discussion of the PBPK model for the fungicide acibenzolar. The EPA requests nominations of candidates with expertise in PBPK modeling, pharmacokinetics, pharmacodynamic modeling, in vitro to in vivo extrapolation, human health risk assessment, neurotoxicity, organophosphate pesticides, pyrethroids pesticides, N-methylcarbamate pesticides, fungicides, acetylcholinesterase inhibition, and exposure assessment to serve as ad hoc expert members of FIFRA SAP for this meeting. The meeting is scheduled for Oct. 24-27, 2017, in Arlington, Va., and via webcast. Nominations are due July 21, 2017. Comments are due Oct. 11, 2017. Contact: Marquee King; EPA, Office of Science Coordination and Policy; 202-564-3626; king.marqueea@epa.gov

82 FR 26086 (06/06/2017)

Regulatory Update

PESTICIDES

FIFRA Scientific Advisory Panel Meeting/Endocrine Disruption

PESTICIDES

Notice of the EPA announces a meeting of the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel to consider and review scientific issues concerning the continuing development of alternative high-throughput screens to determine endocrine disruption. The meeting will include review of the agency's proposed high-throughput computational model of androgen receptor pathway activity and discussion of development of a high-throughput model of steroidogenesis and of a proposed adverse outcome pathway-based framework for screening chemicals for potential thyroid disruption. The EPA also requests nominations of candidates with expertise in toxicology, physiology, biochemistry, endocrinology (clinical and research), and epidemiology to serve as ad hoc expert members of FIFRA SAP for this meeting. The meeting is scheduled for Nov. 28-30, 2017, in Arlington, Va., and via webcast. Nominations are due July 21, 2017. Comments are due Sept. 28, 2017. Contact: Todd Peterson; EPA, Office of Science Coordination and Policy; 202-564-6428; peterson.todd@epa.gov

82 FR 26097 (06/06/2017)

Regulatory Update

RADIATION

Licenses and Radiation Safety Requirements for Well Logging

RADIATION

Notice of the Nuclear Regulatory Commission announces the submission of a continuing information collection request to the OMB regarding licenses and radiation safety requirements for well logging (10 CFR 39). The collection addresses application, reporting, and recordkeeping requirements for specific licenses authorizing the use of radioactive material for radiography. Comments are due July 6, 2017. Contact: David Cullison; NRC, Office of the Chief Information Officer; 301-415-2084; INFOCOLLECTS.Resource@NRC.GOV

82 FR 26145 (06/06/2017)

Regulatory Update

RADIATION

List of Approved Spent Fuel Storage Casks

RADIATION

Direct final rule of the Nuclear Regulatory Commission amends regulations under 10 CFR 72.214 to revise the NAC International Passive MAGNASTOR® Transfer Cask System listing within the list of approved spent fuel storage casks. The rule adds Amendment No. 7 to the certificate of compliance (No. 1031) to incorporate revised seismic requirements to appendices of the technical specifications. The rule is effective Aug. 21, 2017, unless adverse comments are received by July 6, 2017. Contact: Keith McDaniel; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-5252; Keith.McDaniel@nrc.gov

82 FR 25931 (06/06/2017)

Regulatory Update

RADIATION

List of Approved Spent Fuel Storage Casks

RADIATION

Proposed rule of the Nuclear Regulatory Commission amends regulations under 10 CFR 72.214 to revise the NAC International Passive MAGNASTOR® Transfer Cask System listing within the list of approved spent fuel storage casks. The rule adds Amendment No. 7 to the certificate of compliance (No. 1031) to incorporate revised seismic requirements to appendices of the technical specifications. A concurrent direct final rule adopts the provisions, effective Aug. 21, 2017. Comments are due July 6, 2017. Contact: Keith McDaniel; NRC, Office of Nuclear Material Safety and Safeguards; 301-415-5252; Keith.McDaniel@nrc.gov

82 FR 25973 (06/06/2017)

Regulatory Update

WATER

Payments for Benefits from Headwater Improvements

WATER

Notice of the Federal Energy Regulatory Commission announces the submission of a continuing information collection request to the OMB regarding payment for benefits from headwater improvements, which provide additional energy production from the regulation of river flows by an upstream storage reservoir (FERC-521; 18 CFR 11, Subpart B). The collection addresses data reporting requirements for downstream federal and nonfederal hydropower project owners. The data is also used to determine annual charges for nonfederal hydropower projects. Comments are due July 6, 2017. Contact: Ellen Brown; FERC; 202-502-8663; DataClearance@FERC.gov

82 FR 26081 (06/06/2017)

Regulatory Update

WATER

Steam Electric Power Generating Point Source Category/Compliance Dates Postponement

WATER

Proposed rule of the EPA amends regulations under 40 CFR 423.10, 423.13 and 423.16 to postpone compliance dates for a Nov. 3, 2015, final rule (80 FR 67838) that revised effluent limitations guidelines and new source performance standards for wastewater discharges from the electric power generating point source category. The rule established effluent limitations and standards for wastewaters associated with specified processes or byproducts. The current rule postpones compliance dates that have not yet passed for the wastestreams fly ash transport water, bottom ash transport water, flue gas desulfurization wastewater, flue gas mercury control wastewater, and gasification wastewater, pending agency reconsideration. Comments are due July 6, 2017. Contact: Ronald Jordan; EPA, Engineering and Analysis Division; 202-564-1003; jordan.ronald@epa.gov

82 FR 26017 (06/06/2017)

Regulatory Update

WATER

Virginia/Public Water System Supervision Program.

WATER

Notice of the EPA announces the tentative approval of revisions to Virginia's public water system supervision program. The notice specifies that the state has adopted drinking water regulations for the Revised Total Coliform Rule and that the EPA has determined that the revisions are no less stringent than the corresponding federal regulations. The approval is effective July 6, 2017, unless hearing requests are received by that date. Contact: Patti Kay Wisniewski; EPA Region 3, Drinking Water Branch; 215-814-5668; wisniewski.patti-kay@epa.gov

82 FR 26089 (06/06/2017)

Regulatory Update

WATER

Washington State Public Water Supply Supervision Program

WATER

Notice of the EPA announces the tentative approval of revisions to the state of Washington's public water supply supervision primacy program. The revisions incorporate national primary drinking water regulations under the Revised Total Coliform Rule. The approval is effective July 6, 2017, unless hearing requests are received by that date. Contact: Ricardi Duvil; EPA Region 10, Drinking Water Unit; 206-553-2578, duvil.ricardi@epa.gov

82 FR 26089 (06/06/2017)

Regulatory Update

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