

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

July 27, 2017 - Number 143

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Alaska

WATER

APDES General Permit for Aquaculture Facilities

Alaska WATER

Notice of the Department of Environmental Conservation announces the availability of a preliminary draft Alaska Pollutant Discharge Elimination System (APDES) general permit for discharges from aquaculture facilities. The general permit applies to all commercial and noncommercial concentrated aquatic animal production facilities that produce, hold, or contain 20,000 pounds or more of aquatic animals per year in ponds, raceways, or similar structures; feed 5,000 pounds or more of food during a calendar month; and discharge at least 30 days per year. The permit authorizes and sets conditions on the discharge of pollutants from these facilities, which include total suspended and settled solids, pH, ammonia, dissolved oxygen, and chlorine. The permit also limits the types and amounts of pollutants that may be discharged, provides best management practices, and requires effluent and receiving water monitoring. Comments are due Aug. 9, 2017. Contact: Angela Hunt; DEC; 907-269-7599; angela.hunt@alaska.gov

—Alaska Regulations (07/25/2017)

Regulatory Update

Colorado

OCCUPATIONAL SAFETY AND HEALTH

Railroads, Rail Fixed Guideways, Transportation by Rail, Rail Crossings

Colorado OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Public Utilities Commission amends regulations under 4 CCR 723-7, Rules 7000 through 7327 (nonconsecutive), regarding railroads, rail fixed guideways, transportation by rail,

and rail crossings. The rule incorporates by reference the state Transportation Commission's 2009 Manual on Uniform Traffic Control Devices and the state supplement to the Federal Manual on Uniform Traffic Control Devices 2009, as updated Feb. 26, 2016. The rule also adds temporary safety measures and minimum crossing safety requirements, revises application requirements so only necessary information is provided by type of authority being sought, and adds definitions. The rule is effective Aug. 14, 2017. Contact: Pam Fischhaber; PUC; 303-894-2529; Pamela.Fischhaber@state.co.us

—Colorado Register (07/25/2017)

Regulatory Update

WATER

Water and Wastewater Facility Operators Certification
Colorado WATER

Final rule of the Department of Public Health and Environment, Water and Wastewater Facility Operators Certification Board, amends regulations under 5 CCR 1003-2, Regulation 100.9.7, regarding certification requirements for owners and operators of water treatment facilities, domestic or industrial wastewater treatment facilities, wastewater collection systems, and water distribution systems. The rule requires hearing requests for specified notices of violation and related civil penalty assessments to be submitted to the Water Quality Control Division rather than the board. The rule corrects a Dec. 25, 2016, final rule to align requirements with statute. The rule is effective Aug. 31, 2017. Contact: Jackie Whelan; DPHE; 303-692-3617; jackie.whelan@state.co.us

—Colorado Register (07/25/2017)

Regulatory Update

Florida

SOLID WASTE

Solid Waste Grants Program
Florida SOLID WASTE

Notice announces the intention of the Department of Environmental Protection to amend regulations under FAC 62-716.300 through .500 (nonconsecutive) to revise required data collection and reporting methods, including forms, related to the Solid Waste Grants Program. A workshop is scheduled for Aug. 10, 2017, in Tallahassee, and via teleconference and webinar. A comment due date is not specified. Contact: Henry Garrigo; DEP; 850-245-8822; henry.garrigo@dep.state.fl.us

—Florida Administrative Weekly (07/25/2017)

Regulatory Update

Nevada

AIR

Air Pollution Control Devices for Mobile Sources

Nevada AIR

Proposed rule of the State Environmental Commission amends regulations under NAC 445B.575 concerning air pollution control devices for mobile sources. The rule provides an exemption for motor vehicles subject to a settlement agreement entered into by the state from the requirement that vehicles equipped with devices to control pollution must have those devices correctly installed and in good operating condition. The proposal currently is in effect as a temporary rule, effective June 1, 2017. A meeting is scheduled for Sept. 13, 2017, in Carson City. Comments are due Sept. 8, 2017. Contact: Valerie King; SEC; 775-687-9374

—Nevada Register (07/25/2017)

Regulatory Update

Oregon

GENERAL ENVIRONMENT AND SAFETY

Renewable Energy Certificate System/Stranded Thermal Generation

Oregon GENERAL ENVIRONMENT AND SAFETY

Temporary rule of the Department of Energy amends regulations under OAR 330-160-0015 to extend until Jan. 1, 2018, the deadline for stakeholders to apply for thermal renewable energy certificates associated with qualifying “stranded” thermal generation, as established in a Feb. 1, 2017, final rule. The current rule also deletes the deadline for facilities to register with the Western Renewable Energy Generation Information System (WREGIS). The rule retains the requirement for facilities to report thermal generation to WREGIS within six months of gaining approval from the department. The rule is issued because WREGIS has experienced delays in its ability to handle registration and the department has revised the application and application process. The rule is effective July 24, 2017, and expires Jan. 19, 2018. Contact: Elizabeth Ross; DOE; 503-378-8534; elizabeth.ross@oregon.gov

—Oregon Bulletin (07/24/2017)

Regulatory Update

Texas

AIR

Control of Air Pollution from Visible Emissions and Particulates/Outdoor Burning

Texas AIR

Final rule of the Texas Commission on Environmental Quality amends regulations under 30 TAC 111.203 and adopts regulations under 30 TAC 111.217 regarding outdoor burning. The rule adds requirements for prescribed burning when conducted under the direction of a certified and insured prescribed burn manager (CPBM). The rule also defines CPBM and revises the definitions of “landclearing operation” and “prescribed burn.” The rule will be submitted to the EPA as a revision to the state implementation plan. The rule is effective Aug. 3, 2017. Contact: Amancio Gutierrez; TCEQ, Program Support Section; 512-239-3770

—Texas Register (07/28/2017)

Regulatory Update

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