

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Bloomberg BNA  
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**Subject:** July 07 -- EHS State Regulatory Alert



## **EHS State Regulatory Alert**

July 07, 2017 - Number 129

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### Florida

#### *GENERAL ENVIRONMENT AND SAFETY*

#### Environmental Resource Permitting/Northwest Florida Water Management District Florida GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of Environmental Protection announces a workshop on proposed amendments to regulations under FAC 62-330.010 through .635 (nonconsecutive) and the Applicant's Handbook Volumes I and II regarding environmental resource permitting within the Northwest Florida Water Management District. The amendments would clarify regulatory processes and modify the application and notice form. The amendments also would provide exemptions for certain de minimis activities and remove duplicate submittal requirements. The workshop is scheduled for July 25, 2017, via webinar. Contact: Heather Mason; DEP; 850-245-8480; Heather.Mason@dep.state.fl.us

—Florida Administrative Weekly (07/03/2017)

#### Regulatory Update

#### **WATER**

#### Innovative Nutrient and Sediment Reduction and Conservation Pilot Project Program Florida WATER

Final rule of the Department of Environmental Protection adopts regulations under FAC 62-570.100, .200, and .300 to establish procedures for participation in the Innovative Nutrient and Sediment Reduction and Conservation Pilot Project program. The program funds pilot projects to test the effectiveness of innovative or existing nutrient reduction or water conservation technologies, programs, or practices designed to minimize nutrient pollution or restore flows in state bodies of water. The rule also sets forth provisions concerning definitions, general program requirements, and project selection criteria. The rule is effective July 17, 2017. Contact: Kate Merchant; DEP, Division of Water Restoration Assistance; 850-245-2952

—Florida Administrative Weekly (07/05/2017)

## Regulatory Update

### **WATER**

#### State Revolving Fund Program for Drinking Water Facilities Florida WATER

Final rule of the Department of Environmental Protection amends regulations under FAC 62-552.200 through .800 (nonconsecutive) and repeals regulations under FAC 62-552.350 through .900 (nonconsecutive) regarding the Drinking Water State Revolving Fund Program. The rule provides principal forgiveness funding to more communities to align with standards under FAC 62-503 concerning the Clean Water State Revolving Fund. The rule also adds exceptions to program requirements and establishes requirements for the department to perform an environmental review for each project to be funded. In addition, the rule revises construction and procurement requirements; general program information; and provisions concerning loan applications and agreements, planning, design, and required audits. Finally, the rule removes provisions concerning preconstruction loans and grants, program administration costs, project lists, priority determinations, program forms, and project allowances. The rule is effective July 17, 2017. Contact: Paul Brandl; DEP; 850-245-2986; paul.brandl@dep.state.fl.us

—Florida Administrative Weekly (07/05/2017)

## Regulatory Update

## **New Hampshire**

### **WATER**

#### Drinking Water Programs/Grants for Public Water Systems New Hampshire WATER

Proposed rule of the Department of Environmental Services amends regulations under NHAR Env. Dw 1002 regarding the Water Supply Land Protection Grant Program. The rule provides that match property does not have to be located in the same source water protection area as the grant property or in a protection area for another source serving the same grantee. The rule also updates the scoring system to address applicants that already have authorized funds and specifies that the history of land use runs from the present back to the property's first developed use or 1940, whichever is earlier. In addition, the rule requires annual stewardship reports to include a map or sketch and updates required contact information. A hearing is scheduled for July 27, 2017, in Concord. Comments are due Aug. 11, 2017. Contact: Holly Green; DES; 603-271-3114; Holly.Green@des.nh.gov

—New Hampshire Rulemaking Register (07/06/2017)

## Regulatory Update

## **Texas**

**WATER**

**Clean Water/Drinking Water State Revolving Fund Intended Use Plans**  
**Texas WATER**

Notice of the Water Development board announces a hearing on the draft Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP) and the draft Drinking Water State Revolving Fund (DWSRF) IUP for state fiscal year 2018. The IUPs both contain a list of prioritized projects to be considered for funding, with the CWSRF IUP containing wastewater projects and the DWSRF IUP containing drinking water projects. The hearing is scheduled for July 28, 2017, in Austin. Comments are requested, but a due date is not specified. Contact: Mark Wyatt; TWDB, Program Administration and Reporting; 512-463-7052; mark.wyatt@twdb.texas.gov

—Texas Register (07/07/2017)

**Regulatory Update**

**Washington**

**AIR**

**Radiation Protection/Sources of Radionuclide Emissions**  
**Washington AIR**

Final rule of the Department of Health amends regulations under WAC 246-247-035 to update the incorporation by reference of national emissions standards for radionuclide emissions under 40 CFR 61, as of July 1, 2017. The rule is effective July 14, 2017. Contact: John Martell; DOH; 509-946-3798

—Washington State Register (07/05/2017)

**Regulatory Update**

**GENERAL ENVIRONMENT AND SAFETY**

**Energy Facility Site Evaluation Council/Rulemaking Agenda**  
**Washington GENERAL ENVIRONMENT AND SAFETY**

Notice of the Utilities and Transportation Commission, Energy Facility Site Evaluation Council, announces the availability of a semiannual rulemaking agenda for July 1 through Dec. 31, 2017. The council will address solid waste collection companies, gas companies, liquefied natural gas, air and water quality permitting, hazardous liquid pipelines, and enforcement and appeals. Contact: Paige Doyle; UTC, Energy Facility Site Evaluation Council; 360-664-1140; pdoyle@utc.wa.gov

—Washington State Register (07/05/2017)

**Regulatory Update**

**OCCUPATIONAL SAFETY AND HEALTH**

Board of Boiler Rules/Inspection, Examination, and Certificate Fees  
Washington OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Labor and Industries, Board of Boiler Rules, amends regulations under WAC 296-104-700 to increase boiler and pressure vessel inspection, examination, and certificate fees by 4.16 percent for fiscal year 2018. The rule is effective July 31, 2017. Contact: Tony Oda; DLI; 360-902-5270

—Washington State Register (07/05/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**

Electric Power Generation, Transmission, and Distribution  
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Labor and Industries to amend regulations under WAC 296-45 regarding electric power generation, transmission, and distribution to conform with the Division of Occupational Safety and Health eRules initiative. The rule also corrects provisions concerning hard hats and updates various provisions. Comments are requested, but a due date is not specified. Contact: Cynthia Ireland; DLI, Division of Occupational Safety and Health; 360-902-5522; cynthia.ireland@lni.wa.gov

—Washington State Register (07/05/2017)

Regulatory Update

**OCCUPATIONAL SAFETY AND HEALTH**

Manufactured Homes Installer Training and Certification Program  
Washington OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Labor and Industries to amend regulations under WAC 296-150I regarding the Manufactured Home Installer Training and Certification Program. The rule replaces the mandatory \$1,000 penalty for infractions with discretionary authority to issue a monetary penalty of up to \$250 for a first penalty and \$1,000 for subsequent infractions. Comments are requested, but a due date is not specified. Contact: Alicia Curry; DLI; 360-902-6244; Alicia.Curry@Lni.wa.gov

—Washington State Register (07/05/2017)

Regulatory Update

**OIL AND GAS INDUSTRY**

Gas Companies—Safety  
Washington OIL AND GAS INDUSTRY

Notice of the Utilities and Transportation Commission announces the withdrawal of a March 2, 2016, notice of intent to amend regulations under WAC 480-93-240 regarding annual pipeline safety fees for gas companies. The rule would have addressed the methodology for allocating the annual overhead charge, accounting for penalty money collected under the state dig law, and consideration of federal fund proceeds received that are different than projected. The rule also

would have provided for assessment of an annual fee for jurisdictional master meter operators. The withdrawal is dated June 9, 2017. Contact: Alan Rathbun; UTC; 360-664-1219

—Washington State Register (07/05/2017)

Regulatory Update

**OIL AND GAS INDUSTRY**

Hazardous Liquid Pipelines—Safety

**Washington OIL AND GAS INDUSTRY**

Notice of the Utilities and Transportation Commission announces the withdrawal of a March 2, 2016, notice of intent to amend regulations under WAC 480-75-240 regarding annual pipeline safety fees for hazardous liquid pipeline companies. The rule would have addressed the methodology for allocating the annual overhead charge, accounting for penalty money collected under the state dig law, and consideration of federal fund proceeds received that are different than projected. The rule also would have provided for assessment of an annual fee for jurisdictional master meter operators. The withdrawal is dated June 9, 2017. Contact: Alan Rathbun; UTC; 360-664-1219

—Washington State Register (07/05/2017)

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