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From: Bloomberg BNA
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EHS Federal Regulatory Alert

June 05, 2017 - Number 106

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Summaries

AIR

Oil and Natural Gas Sector NSPS/Methane and VOC Emissions

AIR

Notice of the EPA announces a grant of reconsideration and the stay of portions of a June 3, 2016, final rule (81 FR 35824) that amended regulations under 40 CFR 60.17 and 60.5360 through 60.5430 (Subpart OOOO) and adopted regulations under 40 CFR 60.5360a through 60.5499a (Subpart OOOOa) to revise the NSPS for the oil and natural gas sector. The rule establishes standards for reducing methane and volatile organic compound (VOC) emissions from certain new, modified and reconstructed equipment, processes and activities across the oil and natural gas source category. The notice stays the effectiveness of the fugitive emissions requirements, the standards for pneumatic pumps at well sites, and the certification by a professional engineer requirements in response to a reconsideration of issues related to low-production well sites, technical infeasibility exemptions, new construction known as "greenfield" and alternative means of emission limitation. The stay is effective June 2, 2017, and expires Aug. 31, 2017. Contact: Peter Tsirigotis; EPA, Sector Policies and Programs Division; 888-627-7764; airaction@epa.gov

82 FR 25730 (06/05/2017)

Regulatory Update

AIR

Solid Waste Incineration Unit Negative Declarations/EPA Region 8

AIR

Direct final rule of the EPA amends regulations under 40 CFR 62.1370 through 62.12630 (nonconsecutive) and adopts regulations under 40 CFR 62.1400 through 62.12660 (nonconsecutive) to approve negative declarations for several categories of solid waste incineration units in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. The negative declarations address small municipal waste combustor (MWC) units, large MWC units, commercial industrial solid waste incineration units, and other solid waste incineration units. The negative declarations certify that there are no designated facilities subject to emissions

guidelines currently operating in these states. The rule is effective Aug. 4, 2017, unless adverse comments are received by July 5, 2017. Contact: Gregory Lohrke; EPA Region 8, Air Program; 303-312-6396; lohrke.gregory@epa.gov

82 FR 25734 (06/05/2017)

Regulatory Update

AIR

Solid Waste Incineration Unit Negative Declarations/EPA Region 8

AIR

Proposed rule of the EPA amends regulations under 40 CFR 62.1370 through 62.12630 (nonconsecutive) and adopts regulations under 40 CFR 62.1400 through 62.12660 (nonconsecutive) to approve negative declarations for several categories of solid waste incineration units in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. The negative declarations address small municipal waste combustor (MWC) units, large MWC units, commercial industrial solid waste incineration units, and other solid waste incineration units. 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 provisions, effective Aug. 4, 2017. Comments are due July 5, 2017. Contact: Gregory Lohrke; EPA Region 8, Air Program; 303-312-6396; lohrke.gregory@epa.gov

82 FR 25753 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Alabama/I-10 Mobile River Bridge and Bayway Widening Project

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the Federal Highway Administration, in cooperation with the Alabama Department of Transportation, to prepare a supplemental environmental impact statement regarding the I-10 Mobile River Bridge and Bayway Widening Project in Baldwin and Mobile counties in Alabama. The project involves increasing the capacity of the interstate by constructing a new bridge across the Mobile River and increasing the I-10 capacity across Mobile Bay from four to eight lanes. The SEIS will evaluate new information regarding changes in project conditions that have occurred since the issuance of the July 2014 draft EIS, which identified Alternative B as the agency's preferred alternative. Issues to be addressed in the SEIS include refinements in Alternative B's storm surge analysis, public lands, bicycle/pedestrian facilities, endangered species, ecological resources and hazardous materials. Comments are requested, but a due date is not specified. Contact: Mark Bartlett; FHWA, 334-274-6350; mark.bartlett@dot.gov

82 FR 25904 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Atlantic Coast Pipeline and Supply Header Projects

GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Forest Service announces the availability of new information concerning the draft environmental impact statement and draft land and resource management plan (LRMP) amendments (82 FR 1685; 01/06/2017) for the Atlantic Coast Pipeline Project and the Supply Header Project proposed by Atlantic Coast Pipeline LLC and Dominion Transmission Inc., both of Richmond, Va. The draft EIS addressed amendments to the LRMPs for the Monongahela and George Washington national forests and the proposed authorization to construct, operate, maintain and eventually decommission a natural gas transmission pipeline that crosses National Forest System lands. The current notice specifies that in response to a Dec. 15, 2016, Department of Agriculture final rule (81 FR 90723) that amended the national forest land management planning rule, the agency has reconsidered whether a project-specific amendment would be necessary, identified the need for a project-specific amendment and determined that a management prescription reallocation is not necessary for project approval. The notice also specifies changes to the responsible officials for the LRMP amendments and to administrative review procedures. Contact: Karen Overcash; USFS; 540-265-5175; kovercash@fs.fed.us

82 FR 25756 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Idaho/Stibnite Gold Project

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the U.S. Forest Service, in cooperation with the U.S. Army Corps of Engineers, to prepare an environmental impact statement for the Stibnite Gold Project Plan of Restoration and Operations, submitted by Midas Gold Idaho Inc., of Donnelly, Idaho. The EIS will analyze the plan for economic development and operation of a mine and the provision of environmental restoration of impacts related to mining activities at the East Fork of the South Fork of the Salmon River drainage in Valley County, Idaho. The EIS will also address required amendments to the Payette and/or Boise national forest land and resource management plans to resolve inconsistencies between the submitted plan and existing management plans. Comments are due July 20, 2017. Contact: Brian Harris; USFS; 208-634-0784; bdharris@fs.fed.us

82 FR 25759 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Mountain Valley and Equitrans Expansion Projects

GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Forest Service announces the availability of new information concerning the draft environmental impact statement and draft associated land and resource management plan amendments (81 FR 71041; 10/14/2016) for the Mountain Valley Project (MVP) and the Equitrans Expansion Project. The projects involve the construction and operation of natural gas pipeline facilities by Mountain Valley Pipeline LLC in Virginia and West Virginia and Equitrans LP in Pennsylvania and West Virginia. The draft EIS identified project-specific plan amendments that would be necessary for the construction and operation of the MVP that otherwise could not meet certain standards in the Jefferson National Forest's LRMP. The current notice specifies that in response to a Dec. 15, 2016, Department of Agriculture final rule (81 FR 90723) that amended the national forest land management planning rule, the agency has reconsidered whether a project-

specific amendment would be necessary, identified the need for a project-specific amendment and determined that a management prescription reallocation is not necessary for project approval. The notice also specifies changes to the responsible officials for the LRMP amendments and to administrative review procedures. Contact: Karen Overcash; USFS; 540-265-5175; kovercash@fs.fed.us

82 FR 25761 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

New York/Rio, Mongaup Falls and Swinging Bridge Hydroelectric Projects

GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the receipt of a notice of intent from Eagle Creek Hydro LLC, of Morristown N.J., to file a license application for new licenses and commence the pre-filing process for the Rio, Mongaup Falls and Swinging Bridge hydroelectric projects on the Mongaup River in Orange and Sullivan counties in New York. The agency is initiating consultation with the U.S. Fish and Wildlife Service and/or NOAA. An environmental site review will be conducted June 21, 2017. Meetings are scheduled for June 22, 2017, in Monticello, N.Y. Comments are due July 29, 2017. Contact: Quinn Emmering; FERC; 502-6382; quinn.emmering@ferc.gov

82 FR 25787 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Texas/Lone Star Project

GENERAL ENVIRONMENT AND SAFETY

Notice of the Federal Energy Regulatory Commission announces the availability of an environmental assessment for the Lone Star Project proposed by Tennessee Gas Pipeline Co., of Houston. The project involves the construction and operation of compressor stations in Jackson and San Patricio counties in Texas to provide firm incremental transportation service of up to 300,000 dekatherms of natural gas per day to Corpus Christi Liquefaction LLC. Comments are due June 26, 2017. Contact: FERC; 866-208-3676; FERCOOnlineSupport@ferc.gov

82 FR 25785 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Texas/Rio Grande Canalization Project

GENERAL ENVIRONMENT AND SAFETY

Notice of the U.S. Section of the International Boundary and Water Commission announces the availability of a draft supplemental environmental assessment and mitigated finding of no significant impact for flood control improvements to the Rio Grande Canalization Project (RGCP) in El Paso County, Texas. The proposed project includes the construction of a new flood control structure to address deficiencies in portions of the RGCP protective levee system, to maintain

design flood capacity of the levee system, and to obtain accreditation of levees by the Federal Emergency Management Agency. Comments are due July 5, 2017. Contact: Elizabeth Verdecchia; USIBWC; 915-832-4701; Elizabeth.Verdecchia@ibwc.gov

82 FR 25810 (06/05/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

UN Biodiversity Beyond National Jurisdiction Meeting

GENERAL ENVIRONMENT AND SAFETY

Notice of the Department of State announces a meeting in preparation for a two-week meeting in July of the United Nations General Assembly Preparatory Committee concerning conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction and the draft text of a legally binding instrument on the matter. The agenda addresses topics to be discussed at the upcoming UN meeting. The meeting is scheduled for June 13, 2017, in Washington, D.C. Contact: Elizabeth Kim; Department of State; 202-647-4824

82 FR 25902 (06/05/2017)

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 5, 2017. Contact: Karen Seeh; EPA, Office of Environmental Information; 202-566-1175; seeh.karen@epa.gov

82 FR 25794 (06/05/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Motor Carriers/Financial Responsibility Requirements

HAZARDOUS MATERIALS TRANSPORTATION

Notice of the Federal Motor Carrier Safety Administration announces the withdrawal of a Nov. 28, 2014, advance notice of proposed rulemaking (79 FR 70839) that would have amended regulations under 49 CFR 387 to increase the minimum levels of financial responsibility for motor carriers, including liability coverage for bodily injury or property damage. The rule also would have implemented financial responsibility requirements for certain brokers and freight forwarders and revised requirements for self-insurance and trip insurance. The withdrawal is in response to the FMCSA determining that there is not enough data or information available to support moving forward. The withdrawal is effective June 5, 2017. Contact: Jeff Secrist; FMCSA, Registration, Licensing & Insurance Division; 202-385-2367; jeff.secrist@dot.gov

82 FR 25753 (06/05/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Gear Certification Standard

OCCUPATIONAL SAFETY AND HEALTH

Notice of OSHA announces the submission of a continuing information collection request to the OMB regarding the gear certification standard (29 CFR 1919). The collection addresses requirements for completing the OSHA 70 Form, which is the application for accreditation to test or examine certain equipment and material handling devices used in the shipyard, marine terminal and longshoring industries (29 CFR 1915, 1917 and 1918). Comments are due July 5, 2017. Contact: Michel Smyth; OSHA; 202-693-4129; DOL_PRA_PUBLIC@dol.gov

82 FR 25818 (06/05/2017)

Regulatory Update

PESTICIDES

Pollinator Health Working Group Meeting

PESTICIDES

Notice of the Department of Agriculture, National Institute of Food and Agriculture, announces a meeting of the Pollinator Health Working Group regarding the development of a national monitoring plan for native bees. The meeting will consist primarily of oral presentations by members of the public seeking to describe the importance of the plan, the data needed, and the use of such data. The meeting is scheduled for June 28, 2017, in Washington, D.C., and via webinar. Comments are requested, but a due date is not specified. Contact: Andrew Clark; USDA, National Institute of Food and Agriculture; 202-401-6550; Andrew.P.Clark@nifa.usda.gov

82 FR 25755 (06/05/2017)

Regulatory Update

TOXIC SUBSTANCES

Chemical Data Reporting/Inorganic Byproduct Chemical Substances

TOXIC SUBSTANCES

Notice of the EPA announces the establishment of a negotiated rulemaking committee to begin development of a proposed rule to amend regulations under 40 CFR 711 regarding 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 amendments to TSCA that require a proposed rule to limit such reporting requirements to be published by June 22, 2019. The notice announces the selection of Christopher Moore, Ph.D., of Collaborative Decision Resources Associates, and Laura Sneeringer, of the Consensus Building Institute, as the committee facilitators. The EPA plans to invite representatives from inorganic chemical manufacturers and processors; recyclers; industry and environmental advocacy groups; and federal, state or tribal governments to participate as members of the committee. The EPA expects to hold up to five meetings between

June and October 2017. The first meetings are scheduled for June 8-9 and Aug. 16-17, 2017, in Washington, D.C. Comments are request and will be accepted throughout the advisory process. Contact: Susan Sharkey; EPA, Office of Pollution Prevention and Toxics; 202-564-8789; Sharkey.susan@epa.gov

82 FR 25790 (06/05/2017)

Regulatory Update

WATER

DOE Energy-Water Nexus State Policy Database

WATER

Notice of the Department of Energy announces a request for information on the draft version of the DOE Energy-Water Nexus State Policy Database of state-level water policies that affect energy systems. The notice specifies 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 database is intended to facilitate improved policy analysis, modeling, visualization and communication by states, industry, utilities, academia, federal agencies and other stakeholders. Comments are due Aug. 4, 2017. Contact: Samuel Bockenbauer; DOE, Office of Energy Policy and Systems Analysis; 202-586-9016; samuel.bockenbauer@hq.doe.gov

82 FR 25783 (06/05/2017)

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