

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
Sent: Tue 8/15/2017 12:19:47 PM
Subject: Aug. 15 -- EHS Federal Regulatory Alert



EHS Federal Regulatory Alert

August 15, 2017 - Number 156

You can create a report customized by topic, jurisdiction, and date range by using the [Regulatory Summaries Report Tool](#). The report can be generated in Excel, Word, or PDF.

Summaries

AIR

Alabama SIP/Prevention of Significant Deterioration Permitting Program

AIR

Proposed rule of the EPA would approve portions of revisions to the Alabama SIP regarding the prevention of significant deterioration (PSD) permitting program. The revisions address changes to plantwide applicability limits for greenhouse gases (GHGs) and the discontinuation of the regulation of GHGs as an air pollutant for determining whether a source is a major source in PSD. The revisions also address Title V permitting requirements for sources emitting lower levels of GHG emissions. The agency will act on the transportation conformity revisions in a separate action. Comments are due Sept. 14, 2017. Contact: Andres Febres; EPA Region 4, Air Planning and Implementation Branch; 404-562-8966; febres-martinez.andres@epa.gov. Citations: 40 CFR 52

82 FR 38660 (08/15/2017)

Regulatory Update

AIR

California SIP/Placer County APCD

AIR

Final rule of the EPA approves revisions to the Placer County Air Pollution Control District (APCD) portion of the California SIP. The revisions concern the district's demonstration regarding reasonably available control technology (RACT) requirements for the 1997 and 2008 eight-hour ozone NAAQS and negative declarations for the polyester resin control techniques guidelines for the 2008 eight-hour ozone standard. The rule is effective Sept. 14, 2017. Contact: Nicole Law; EPA Region 9; 415-947-4126; law.nicole@epa.gov. Citations: 40 CFR 52.220, 52.222

82 FR 38604 (08/15/2017)

Regulatory Update

AIR

Georgia SIP/New Source Review, Miscellaneous Permitting

AIR

Direct final rule of the EPA approves revisions to the Georgia SIP regarding new source review and miscellaneous permitting requirements. The revisions address prevention of significant deterioration of air quality requirements and general permitting program requirements applicable to the construction and modification of any major stationary source in areas designated as attainment or unclassifiable. The revisions also address general permitting program requirements that apply to the construction and modification of any major stationary sources in nonattainment areas. The EPA is not taking action on additional SIP submittals that were previously approved or that were withdrawn by the state. The rule is effective Oct. 16, 2017, unless adverse comments are received by Sept. 14, 2017. Contact: Brad Akers; EPA Region 4, Air Planning and Implementation Branch; 404-562-9089; akers.brad@epa.gov. Citations: 40 CFR 52.570

82 FR 38605 (08/15/2017)

Regulatory Update

AIR

Georgia SIP/New Source Review, Miscellaneous Permitting

AIR

Proposed rule of the EPA would approve revisions to the Georgia SIP regarding new source review and miscellaneous permitting requirements. The revisions address prevention of significant deterioration of air quality requirements and general permitting program requirements applicable to the construction and modification of any major stationary source in areas designated as attainment or unclassifiable. The revisions also address general permitting program requirements that apply to the construction and modification of any major stationary sources in nonattainment areas. The EPA is not proposing to take action on additional SIP submittals that were previously approved or that were withdrawn by the state. A concurrent direct final rule adopts the revisions, effective Oct. 16, 2017. Comments are due Sept. 14, 2017. Contact: Brad Akers; EPA Region 4, Air Planning and Implementation Branch; 404-562-9089; akers.brad@epa.gov. Citations: 40 CFR 52.570

82 FR 38646 (08/15/2017)

Regulatory Update

AIR

Georgia SIP/Regional Haze Progress Report

AIR

Proposed rule of the EPA would approve a revision to the Georgia SIP regarding the state's regional haze progress report. Under the rule, the agency would approve the state's determination that the regional haze plan is adequate to meet the reasonable progress goals for the first implementation period through 2018 and does not currently require substantive revisions. Comments are due Sept. 14, 2017. Contact: Michele Notarianni; EPA Region 4, Air Planning and Implementation Branch; 404-562-9031; notarianni.michele@epa.gov. Citations: 40

CFR 51.308, 40 CFR 52

82 FR 38654 (08/15/2017)

Regulatory Update

AIR

Incandescent Lamps Energy Conservation Standards

AIR

Notice of the Energy Department, Office of Energy Efficiency and Renewable Energy, requests information on annual domestic sales and shipment data to consider updates to standards for general service incandescent lamps and other incandescent lamps. The department also requests information regarding the energy use and end-user cost of incandescent lamps, including the percentage of each lamp category that uses standard or more efficient halogen technology and the average wattage, efficacy, lifetime, and operating hours in each lamp category for the standard technology product and more efficient version, if one is offered. The information is requested due to a statutory requirement that the department determine via rulemaking whether to revise energy conservation standards for general service lamps. Comments are due Oct. 16, 2017. Contact: Lucy deButts; Office of Energy Efficiency and Renewable Energy; 202-287-1604; ApplianceStandardsQuestions@ee.doe.gov. Citations: 10 CFR 430

82 FR 38613 (08/15/2017)

Regulatory Update

AIR

Michigan SIP/Minor New Source Review

AIR

Proposed rule of the EPA would approve portions of revisions to the Michigan SIP regarding the permit-to-install (PTI) minor new source review program. The revisions provide a waiver from the requirement to obtain a PTI prior to the start of construction for minor construction activities and activities not considered construction or reconstruction under NESHAP standards. The revisions also add several categories of exemptions from the requirement to obtain a PTI and address required application materials and the processing of applications. Revisions to the public notice requirements will be addressed in a separate action. Comments are due Sept. 14, 2017. Contact: Rachel Rineheart, EPA Region 5, Air Programs Branch; 312-886-7017; Rineheart.rachel@epa.gov. Citations: 40 CFR 52

82 FR 38651 (08/15/2017)

Regulatory Update

AIR

South Carolina SIP/Interstate Transport Prongs 1 and 2

AIR

Proposed rule of the EPA would approve a revision to the South Carolina SIP regarding the Clean Air Act interstate transport (prongs 1 and 2) infrastructure SIP requirements for the 2010 one-

hour nitrogen dioxide (NO₂) NAAQS. The agency proposes to determine that the SIP contains adequate provisions to prohibit emissions within the state from contributing significantly to nonattainment or interfering with maintenance of the 2010 one-hour NO₂ NAAQS in any other state and that the SIP meets the requirements of prongs 1 and 2. Comments are due Sept. 14, 2017. Contact: Andres Febres; EPA Region 4, Air Planning and Implementation Branch; 404-562-8966; febres-martinez.andres@epa.gov. Citations: 40 CFR 52

82 FR 38646 (08/15/2017)

Regulatory Update

ENDANGERED SPECIES

Alewife and Blueback Herring Status Review

ENDANGERED SPECIES

Notice of the National Marine Fisheries Service announces the initiation of a status review for the alewife and blueback herring, found along the Atlantic coast of North America, to determine whether either warrants listing as endangered or threatened. The agency is requesting scientific and commercial information available since the last review in 2013. Comments are due Oct. 16, 2017. Contact: Tara Trinko Lake; NMFS; 978-282-8477; tara.trinko@noaa.gov

82 FR 38672 (08/15/2017)

Regulatory Update

ENDANGERED SPECIES

California/Hollister Test Facility Incidental Take Permit

ENDANGERED SPECIES

Notice of the U.S. Fish and Wildlife Service announces the receipt of an application from BAE Systems Land and Armaments L.P., of Arlington, Va., for an incidental take permit for the endangered San Joaquin kit fox, threatened California red-legged frog, and the California tiger salamander, incidental to soil remediation activities at the Hollister Test Facility in San Benito County, Calif. The agency also has prepared a draft environmental action statement for its preliminary determination that the project is "low-effect" and is eligible for a categorical exclusion under the National Environmental Policy Act. Comments are due Sept. 14, 2017. Contact: Christopher Diel; USFWS; 805-644-1766

82 FR 38701 (08/15/2017)

Regulatory Update

FOOD SAFETY

Food Animal Biomass Denominator

FOOD SAFETY

Notice of the FDA announces the availability of a proposed method for applying a food animal biomass denominator to annual data on antimicrobials sold and distributed for use in food animals in the U.S. The method would provide the agency with estimates of annual antimicrobial drug sales adjusted for the size of the animal population, referred to as the animal biomass of each such species, potentially being treated with such drugs. Comments are due Nov. 13, 2017.

Contact: Sujaya Dessai; FDA, Center for Veterinary Medicine; 240-402-5671; sujaya.dessai@fda.hhs.gov. Citations: 21 CFR 514.87

82 FR 38695 (08/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Food Additive Petition/Gamma-Linolenic Acid Safflower Oil

GENERAL ENVIRONMENT AND SAFETY

Final rule of the FDA updates regulations for food additives allowed in feed and drinking water of animals to provide for the safe use of oil from a variety of bioengineered safflower as a source of omega-6 fatty acids in complete dry adult maintenance dog food. The rule is issued in response to a petition submitted by Arcadia Biosciences Inc., of Davis, Calif. The rule is effective Aug. 15, 2017. Objections and hearing requests are due Sept. 14, 2017. Contact: Chelsea Trull; FDA, Center for Veterinary Medicine; 240-402-6729; chelsea.trull@fda.hhs.gov. Citations: 21 CFR 573.492

82 FR 38595 (08/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Naval Air Station Oceana Fighter Squadrons Transition

GENERAL ENVIRONMENT AND SAFETY

Notice of the Navy Department announces the redesignation of a Sept. 10, 2015, notice of intent (80 FR 54556) to prepare a draft environmental impact statement for the transition of the remaining F/A-18A/C/D (Hornet) aircraft, based at Naval Air Station Oceana, to the F/A-18E/F (Super Hornet). The Navy is changing the impact statement to a draft environmental assessment because of the similarities between Hornet and Super Hornet flight training, analysis showing that the aircraft transition will only result in minor noise increases, and findings that no significant environmental impacts were identified. Meetings are scheduled for Aug. 29 and 30, 2017, in Virginia Beach and Chesapeake, Va., respectively. Comments are due Sept. 15, 2017. Contact: Navy Department, Naval Facilities Engineering Command Atlantic; 757-322-8005

82 FR 38674 (08/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Rhode Island/Surplus Property at Naval Station Newport

GENERAL ENVIRONMENT AND SAFETY

Notice of the Navy Department announces the availability of the record of decision for the final environmental impact statement regarding the disposal by the Navy of 158 acres of surplus property at Naval Station Newport in Rhode Island and the redevelopment of the property by local municipalities. The surplus properties to be redeveloped include a lodge, a hospital, tank farms, and a pier located in three separate municipalities on Aquidneck Island. The final EIS designates Alternative 1, which would make the property available to the island communities for economic

redevelopment, as the agency's preferred alternative. Contact: Gregory Preston; Navy Department, BRAC Program Management Office East; 215-897-4900; gregory.preston@navy.mil

82 FR 38674 (08/15/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Western Arctic Bowhead Whales Catch Limits

GENERAL ENVIRONMENT AND SAFETY

Notice announces the intention of the National Marine Fisheries Service to prepare an environmental impact statement for the establishment of annual catch limits for the subsistence harvest of Western Arctic bowhead whales by Alaska natives from 2019 onward. The catch limits are subject to those established by the International Whaling Commission. Subsistence hunts are managed by the Alaska Eskimo Whaling Commission (AEWC), and the catch limits are issued through annual amendments to a cooperative agreement between the AEWC and NOAA. The administration will consider the effects of proposals to grant the AEWC an annual strike limit of 67 bowhead whales and not to exceed a total take of 336 landed whales over any six-year period. Comments are due Sept. 14, 2017. Contact: Carolyn Doherty; NMFS, Office of International Affairs and Seafood Inspection; 301-427-8385; carolyn.doherty@noaa.gov. Citations: 50 CFR 230.6

82 FR 38671 (08/15/2017)

Regulatory Update

HAZARDOUS MATERIALS TRANSPORTATION

Applications for Special Permits

HAZARDOUS MATERIALS TRANSPORTATION

Notice of the PHMSA announces an extension of the comment period for two special permit requests. The first request (81 FR 9075; 02/23/2016), from NEXUS Gas Transmission, seeks a waiver from federal odorization standards. The second request (81 FR 62796; 09/12/2016), from Magellan Midstream Partners LP, of Tulsa, Okla., seeks a waiver from federal standards concerning inspection of in-service breakout tanks to allow for a transitional staged breakout tank inspection schedule. Comments now are due Oct. 16, 2017. Contact: Steve Nanney; PHMSA; 713-628-7479; Steve.Nanney@dot.gov. Citations: 49 CFR 192.625, 195.432

82 FR 38758 (08/15/2017)

Regulatory Update

OIL AND GAS INDUSTRY

OCS Oil, Gas, and Sulfur Operations

OIL AND GAS INDUSTRY

Notice of the Bureau of Safety and Environmental Enforcement announces the submission of a continuing information collection request to the OMB regarding general requirements of oil, gas, and sulfur operations in the Outer Continental Shelf (OCS). The collection addresses requirements for respondents to correct incidents of noncompliance identified during an inspection (Form BSEE-1832), reporting of hurricane and tropical storm evacuation and

production curtailment statistics in the Gulf of Mexico OCS (Form BSEE-0132), and reporting of facility and equipment damages (Form BSEE-0143). Comments are due Sept. 14, 2017. Contact: Nicole Mason; BSEE; Regulations and Standards Branch; 703-787-1607. Citations: 30 CFR 250, Subpart A

82 FR 38702 (08/15/2017)

Regulatory Update

SOLID WASTE

Coal Combustion Residuals State Permit Program Guidance

SOLID WASTE

Notice of the EPA announces the availability of interim final guidance for states on developing and submitting state coal combustion residuals (CCR) permit programs for agency approval, as provided by the Water Infrastructure Improvements for the Nation (WIIN) Act. The guidance includes an overview of the WINN Act provisions and describes the process and procedures the EPA plans to use in reviewing and making determinations on state CCR permit programs. The guidance also provides checklists of requirements of the current CCR rule and of items the EPA generally expects a state would submit when seeking approval of its CCR program. Comments are due Sept. 14, 2017. Contact: Mary Jackson; EPA, Office of Resource Conservation and Recovery; 703-308-8453; jackson.mary@epa.gov. Citations: 40 CFR 257, Subpart D

82 FR 38685 (08/15/2017)

Regulatory Update

WATER

Rainy and Namakan Lakes/Review of Emergency Levels

WATER

Notice of the State Department, International Joint Commission, announces hearings regarding emergency levels for Rainy and Namakan Lakes (Rule Curve) in U.S. and Canadian boundaries. The commission is considering proposed changes to its Orders of Approval for the emergency regulation of Rainy and Namakan Lakes that have been recommended by the International Rainy and Namakan Lakes Rule Curves Study. The proposed changes focus on high flood-risk years for Rainy Lake, an expanded role for the Water Levels Committee of the International Rainy-Lake of the Woods Watershed Board, adaptive management, stakeholder concerns, and engagement with indigenous communities. Hearings are scheduled for Aug. 16, 2017, in Fort Frances, Ontario; Aug. 17, 2017, in Kabetogama and International Falls, Minn.; and Aug. 18, 2017, in Rainy River, Ontario. Comments are due Sept. 1, 2017. Contact: Frank Bevacqua; Department of State, International Joint Commission; 202-736-9024; bevacqua@washington.ijc.org

82 FR 38755 (08/15/2017)

Regulatory Update

WATER

Texas/Galveston Area Anchorage

WATER

Proposed rule of the U.S. Coast Guard would establish a new 0.19 square mile anchorage area, known as Anchorage Area Alpha (A) East, in Bolivar Roads Channel near Galveston, Texas. The rule would provide for temporary use of the new anchorage by vessels of all types during conditions such as inclement weather and for purposes including transferring personnel. The Coast Guard specifies that the new anchorage would primarily be an overflow anchorage for vessels awaiting exam or inspection. Vessel anchoring would be restricted to prevent obstruction of the passage of other vessels proceeding to and from anchorage spaces in the area. Comments are due Oct. 16, 2017. Contact: Navin Griffin; USCG, Sector Houston-Galveston; 281-464-4736; Navin.L.Griffin@uscg.mil. Citations: 33 CFR 110.197

82 FR 38643 (08/15/2017)

Regulatory Update

[Privacy Policy](#) | [Terms of Service](#) | [Manage Your Email](#) | [Contact Us](#)

1801 South Bell Street, Arlington, VA 22202
Copyright © 2017 [The Bureau of National Affairs, Inc.](#) .
EHS Federal Regulatory Alert