

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

September 27, 2017 - Number 186

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### **Alaska**

#### **WATER**

#### **APDES General Permit/Suction Dredges**

#### **Alaska WATER**

Notice of the Department of Environmental Conservation announces the availability of a draft Alaska Pollutant Discharge Elimination System (APDES) general permit for wastewater discharges from small suction dredges. The permit applies to suction dredges that process gold placer ores and have intake diameters of less than or equal to six inches and horsepower less than or equal to 18 for fresh waters or 23 for marine waters. Comments are due Oct. 9, 2017. Contact: Nick Dallman; DEC; 907-451-2142; nicholas.dallman@alaska.gov

—Alaska Regulations (09/25/2017)

[Regulatory Update](#)

### **Arkansas**

#### **SOLID WASTE**

#### **Used Tire Recycling and Accountability Program**

#### **Arkansas SOLID WASTE**

Emergency rule of the Department of Environmental Quality, Pollution Control and Ecology Commission, adopts Regulation 36 to implement the Used Tire Recycling and Accountability Program. The rule addresses the electronic uniform used tire manifest system, used tire program accountability and business plans administration, and administrative procedures for tire generators. The rule also addresses rim removal fees, commercial generator fees, and import fees; disbursements from the Used Tire Recycling Fund; and definitions. The program begins Jan. 1, 2018. The rule is effective Aug. 25, 2017, and expires Feb. 21, 2018. Contact: DEQ, Pollution Control and Ecology Commission; 501-682-7890

—Arkansas Register (09/25/2017)

Regulatory Update

**California Regions**

**AIR**

Air Toxics Hot Spots Program

**California Regions AIR**

Notice of the San Diego County Air Pollution Control District announces the availability of the draft 2016 Air Toxics "Hot Spots" Program report. The report summarizes the elements and the current status of the district's program, provides stationary and mobile source emission estimates, and specifies emission reduction efforts. The report also summarizes the status of public notifications and risk reduction plans. A workshop is scheduled for Oct. 10, 2017, in San Diego. Comments are due Oct. 24, 2017. Contact: Archi dela Cruz; San Diego APCD; 858-586-2732; archi.delacruz@sdcountry.ca.gov

—California RegionsRegulations (09/21/2017)

Regulatory Update

**AIR**

Permit and Air Monitoring Fees

**California Regions AIR**

Proposed rule of the North Coast Unified Air Quality Management District amends regulations under Rules 405, 406, and 410 regarding stationary and portable source permit fees, federal operating permit fees, and air monitoring fees. The rule establishes exemptions from the greenhouse gas emission surcharge, certain federal operating permit fees, and the facility surcharge for air curtain incinerators. The rule also relocates payment due dates for air monitoring fees and aligns the federal operating permit fee payment terms, timetable, and late penalties with other district fees. In addition, the rule increases the air monitoring fee for four Title V sources within the district by between 1 and 4 percent. A hearing is scheduled for Nov. 9, 2017, in Eureka. Comments are due Nov. 9, 2017. Contact: Jason Davis; North Coast Unified AQMD; 707-443-3093; support@ncuaqmd

—California RegionsRegulations (10/01/2017)

Regulatory Update

**WATER**

NPDES General Permit/Limited Threat Discharges to Surface Water

**California Regions WATER**

Notice announces the intention of the Central Valley Regional Water Quality Control Board to amend an Oct. 14, 2016, final order (R5-2016-0076) that revised the National Pollutant Discharge

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Elimination System (NPDES) general permit and waste discharge requirements for limited threat discharges to surface water. The final order addressed discharges of treated or untreated groundwater from cleanup sites, wastewater from superchlorination projects, and other limited threat wastewaters to surface waters and revises permit eligibility requirements to allow usage by low-threat dischargers and hard rock mines. The order also establishes new discharge tiers and specifies effluent limitations and monitoring and reporting requirements for permittees. The amendments would authorize the executive director to waive the salinity evaluation and minimization plan requirement in the notice of applicability under limited circumstances and add effluent and receiving water temperature limitations. The amendments also would clarify that screening levels for iron and manganese are evaluated as dissolved metals and that reasonable potential analyses may be conducted based on the annual average effluent concentration. In addition, the amendments would remove the requirement to submit acute whole effluent toxicity data with notice of intent applications for Tier 2 discharges. A hearing is scheduled for Dec. 7-8, 2017, in Rancho Cordova. Comments are due Oct. 27, 2017. Contact: Jim Marshall; Central Valley RWQCB; 916-464-4772; [jdmarschall@waterboards.ca.gov](mailto:jdmarschall@waterboards.ca.gov)

—California RegionsRegulations (09/19/2017)

Regulatory Update

## Massachusetts

### **OCCUPATIONAL SAFETY AND HEALTH**

#### Board of Boiler Rules

#### **Massachusetts OCCUPATIONAL SAFETY AND HEALTH**

Proposed rule of the Department of Fire Services, Board of Boiler Rules, amends regulations under 522 CMR 1.00 through 19.00 to reflect the transfer of the board and the boiler and pressure vessel program from the Department of Public Safety to the DFS. The rule also clarifies the correct minimum boiler output threshold that triggers regulatory compliance. A hearing is scheduled for Oct. 12, 2017, in Stow. Comments are due Oct. 11, 2017. Contact: Holly Bartlett; DFS, Board of Boiler Rules; 978-567-3782; [Holly.Bartlett@massmail.state.ma.us](mailto:Holly.Bartlett@massmail.state.ma.us)

—Massachusetts Register (09/22/2017)

Regulatory Update

## Minnesota

### **GENERAL ENVIRONMENT AND SAFETY**

#### Environmental Review Program

#### **Minnesota GENERAL ENVIRONMENT AND SAFETY**

Notice announces the intention of the Environmental Quality Board to amend regulations under MNR 4410.0200, .2550, and .2600 regarding the Environmental Review Program. The rule addresses procedures for preparing, reviewing, and modifying draft environmental impact

statements and updates definitions. A similar notice was issued on Aug. 21, 2017. Comments are due Sept. 29, 2017. Contact: Erik Dahl; EQB; 651-757-2364; erik.dahl@state.mn.us

—Minnesota State Register (09/25/2017)

Regulatory Update

**Ohio**

**AIR**

Alternative Fuel Vehicle Conversion Grant Program

**Ohio AIR**

Proposed rule of the Department of Environmental Protection adopts regulations under OAC 3745-49-53, -54, and -55 to establish the Alternative Fuel Vehicle Conversion Grant program. The rule provides for reimbursement of business owners of large diesel or gasoline vehicles weighing 26,000 pounds or more for a portion of the cost of replacing or converting the vehicle to run on compressed natural gas, liquefied natural gas, or propane autogas. The rule also addresses permitted uses, eligibility, and prioritization of applications. A hearing is scheduled for Oct. 26, 2017, in Columbus. Comments are due Oct. 26, 2017. Contact: Amanda Payton; DEP; 614-644-2782; amanda.payton@epa.ohio.gov

—Ohio Regulations (09/25/2017)

Regulatory Update

**RADIATION**

Technologically Enhanced Naturally Occurring Radioactive Material

**Ohio RADIATION**

Final rule of the Department of Health, Bureau of Environmental Health and Radiation Protection, amends regulations under OAC 3701:1-43-04, -07, -08, and -12 through -17 concerning radiation control for technologically enhanced naturally occurring radioactive material. The rule clarifies provisions, updates the bureau name, and updates references. The rule is effective Sept. 28, 2017. Contact: Kaye Norton; Department of Health; 614-644-8184; Kaye.Norton@odh.ohio.gov

—Ohio Regulations (09/25/2017)

Regulatory Update

**TOXIC SUBSTANCES**

Childhood Lead Poisoning Prevention

**Ohio TOXIC SUBSTANCES**

Proposed rule of the Department of Health amends regulations under OAC 3701-30-01 concerning childhood lead poisoning prevention. The rule updates the definition of “public health lead investigator” to include licensed lead risk assessors who have completed approved training and a 40-hour internship under the supervision of a public health lead investigator. A hearing is

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scheduled for Oct. 25, 2017, in Columbus. Comments are due Oct. 25, 2017. Contact: Kaye Norton; Department of Health; 614-644-8184; Kaye.Norton@odh.ohio.gov

—Ohio Regulations (09/25/2017)

Regulatory Update

## South Carolina

### **OCCUPATIONAL SAFETY AND HEALTH**

#### Portable Fire Extinguishers and Fixed Fire Extinguishing Systems

#### **South Carolina OCCUPATIONAL SAFETY AND HEALTH**

Notice announces the intention of the Office of State Fire Marshal to amend Regulation 71-8303 concerning portable fire extinguishers and fixed fire extinguishing systems to eliminate unnecessary provisions and update formatting. The rule also updates provisions to conform to federal requirements. A comment due date is not specified. Contact: Jonathan Jones; State Fire Marshal; 803-896-9800; Jonathan.Jones@LLR.SC.GOV

—South Carolina State Register (09/22/2017)

Regulatory Update

## Virginia

### **WATER**

#### Prince William County/State Water Control Law Consent Order

#### **Virginia WATER**

Notice of the Department of Environmental Quality, State Water Control Board, announces a proposed consent order with Commonwealth Recycled Aggregates Inc. for alleged State Water Control Law violations at its facility in Bristow for unauthorized discharge of industrial stormwater to an unnamed tributary of Broad Run. The order requires the settling party to pay a civil penalty of \$2,943. Comments are due Oct. 19, 2017. Contact: Stephanie Bellotti; DEQ, Northern Regional Office; 703-583-3800; stephanie.bellotti@deq.virginia.gov

—Virginia Register (09/18/2017)

Regulatory Update

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