

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

November 02, 2017 - Number 211

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Arkansas

PESTICIDES

Pesticide Control

Arkansas PESTICIDES

Proposed rule of the Department of Agriculture, State Plant Board, adopts Regulation No. 7 under Circular 9 regarding pesticide control and registration. The rule allows the board to request additional information from applicants about a pesticide before it is registered and clarifies that the board will give higher consideration to research specific to the state. The rule also directs the board to explain in writing to the registrant if and why any research supplied is found to be insufficient and gives applicants 14 days after receiving a notification of restricted use to notify the board that they wish to dispute the decision. In addition, the rule requires the board to provide written notice to the product registrant before placing further restrictions on a product that has received federal approval and is currently registered and being used in the state. A hearing is scheduled for Dec. 12, 2017, in Little Rock. Comments are due Dec. 3, 2017. Contact: Susie Nichols; State Plant Board, Pesticide Division; 501-225-1598; Susie.Nichols@apsb.ar.gov

—Arkansas Register (10/31/2017)

Regulatory Update

Florida

WATER

NPDES E-Reporting Requirements

Florida WATER

Final rule of the Department of Environmental Protection amends regulations under FAC 62-621.250 regarding general conditions for National Pollutant Discharge Elimination System (NPDES) and non-NPDES generic permits. The rule requires the electronic submittal, via the

department's online business portal, of discharge monitoring reports by permittees covered by the generic permit for discharges from petroleum contaminated sites and the multisector generic permit for stormwater discharge associated with industrial activity. The rule is effective Nov. 16, 2017. Contact: Abel Agosto; DEP, Division of Water Resource Management; 850-245-8603; Abel.Agosto@dep.state.fl.us

—Florida Administrative Weekly (10/31/2017)

Regulatory Update

Montana

AIR

Air Quality Standards

Montana AIR

Proposed rule of the Department of Environmental Quality, Board of Environmental Review, amends regulations under ARM 17.8.102 through .1502 (nonconsecutive) to incorporate by reference federal air quality standards, as of July 1, 2016, and the 2015 edition of the U.S. Code. The rule also removes exemptions from federal standards under 40 CFR 63, Subparts JJJJJ and KKKKK, concerning brick and structural clay products manufacturing and clay ceramics manufacturing, respectively. In addition, the rule incorporates the 2017 version of the state Ambient Air Monitoring Program Quality Assurance Project Plan and 2016 revisions to federal standards under 40 CFR 50.14 regarding ambient air quality standards and monitoring. Finally, the rule updates provisions concerning the availability of referenced documents. The rule does not incorporate federal standards under 40 CFR 60, Subparts OOOOa or TTTT, concerning certain crude oil and natural gas facilities and greenhouse gas emissions from electric utility generating units due to ongoing litigation. Comments and hearing requests are due Nov. 24, 2017. Contact: Sandy Scherer; DEQ; 406-444-2630; sscherer@mt.gov

—Montana Administrative Register (10/27/2017)

Regulatory Update

PESTICIDES

Pesticide Registration Fees

Montana PESTICIDES

Final rule of the Department of Agriculture adopts regulations under ARM 4.10.710 to establish an annual pesticide registration fee of \$130 and a pesticide registration special needs fee of \$8. The rule is effective Oct. 28, 2017. Contact: Cort Jensen; Department of Agriculture; 406-444-3144; agr@mt.gov

—Montana Administrative Register (10/27/2017)

Regulatory Update

Ohio

OCCUPATIONAL SAFETY AND HEALTH

Fire Code

Ohio OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Commerce, Division of State Fire Marshal, announces the refiling of an Oct. 2, 2017, proposed rule to adopt regulations under OAC 1301:7-7-01 through -39 (nonconsecutive) to update the state fire code to reflect current national and state standards, including the Ohio Building Code. The rule addresses emergency planning and preparedness, fire and smoke protection services, interior finishing and decorative materials, fruit and crop ripening, and lumber yards and woodworking facilities. The rule also addresses manufacture of organic coatings, industrial ovens, storage of combustibles, tire rebuilding and storage, and welding. In addition, the rule addresses fire safety during construction and demolition, dry cleaning, and aviation facilities. A related rule repeals regulations under OAC 1301:7-7-01 through 46. The rule is refiled to incorporate properly formatted text. Contact: Tracie Boyd; Division of State Fire Marshal; 614-387-0106; tracie.boyd@com.state.oh.us

—Ohio Regulations (10/30/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Fire Code

Ohio OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Commerce, Division of State Fire Marshal, announces the refiling of an Oct. 2, 2017, proposed rule to adopt regulations under OAC 1301:7-7-50 through -80 (nonconsecutive) to update the state fire code to reflect current national and state standards, including the Ohio Building Code. The rule addresses hazardous materials, compressed gases, corrosive materials, cryogenic materials, explosives, and fireworks. The rule also addresses toxic materials, liquefied petroleum gases, oxidizers, organic peroxides, pyroxylin plastics, and unstable materials. A related rule repeals regulations under OAC 1301:7-7-01 through -46. The rule is refiled to incorporate properly formatted text. Contact: Tracie Boyd; Division of State Fire Marshal; 614-387-0106; tracie.boyd@com.state.oh.us

—Ohio Regulations (10/30/2017)

Regulatory Update

OCCUPATIONAL SAFETY AND HEALTH

Fire Code

Ohio OCCUPATIONAL SAFETY AND HEALTH

Notice of the Department of Commerce, Division of State Fire Marshal, announces the refiling of an Oct. 2, 2017, proposed rule to amend, adopt, repeal, and recodify regulations under OAC 1301:7-7-01 through -47 to update the state fire code to reflect current national and state standards, including the Ohio Building Code. The rule incorporates by reference standards of numerous safety organizations. The rule addresses building services and systems, motor fuel dispensing facilities and repair garages, and construction requirements for existing buildings.

The rule also addresses fire protection systems, means of egress, semiconductor fabrication facilities, fire safety during construction and demolition, and tire rebuilding and storage. Related rules adopt regulations under OAC 1301:7-7-01 through -80. The rule is refiled to incorporate properly formatted text. Contact: Tracie Boyd; Division of State Fire Marshal; 614-387-0106; tracie.boyd@com.state.oh.us

—Ohio Regulations (10/30/2017)

Regulatory Update

Oregon

GENERAL ENVIRONMENT AND SAFETY

Energy Facility Siting Council

Oregon GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Energy, Energy Facility Siting Council, amends, adopts, renumbers, and repeals regulations under OAR 345-015-0014 through -027-0100 (nonconsecutive) to revise and consolidate provisions concerning requests for amendments to site certificates. The rule establishes a Type A review process as the council's default process for reviewing types of changes proposed by energy facility site certificate holders in requests for applications. The rule also establishes Type B and Type C review processes that may be allowed upon request, a transfer process to review changes proposed by energy facility site certificate holders in a request for amendment, and a revised process to apply later-adopted laws. The rule is effective Oct. 24, 2017. Contact: Jason Sierman; Energy Facility Siting Council; 503-373-2127

—Oregon Bulletin (10/30/2017)

Regulatory Update

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