

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Bloomberg BNA  
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**Subject:** July 10 -- EHS State Regulatory Alert



## **EHS State Regulatory Alert**

July 10, 2017 - Number 130

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### California Regions

*AIR*

#### Health Risk Assessment Methodology California Regions AIR

Notice of the Mojave Desert Air Quality Management District announces an interim policy concerning health risk assessments and the calculation of maximum individual cancer risk under Rules 1320 and 1520, which address toxic air contaminants. The district is decreasing the exposure duration used for estimating cancer risk at the maximum exposed individual resident from 70 years to 30 years and the off-site worker exposure duration from 46 to 25 years. The interim policy aligns the district's calculation methodology with the California Air Resources Board and California Air Pollution Control Officers Association risk management guidance for stationary sources of air toxics and the Office of Environmental Health Hazard Assessment's 2015 health risk assessment methodology. The district intends to amend Rules 1320 and 1520 at a later date. Contact: Mojave Desert AQMD, Engineering/Permitting Department; 760-245-1661; [engineering@mdaqmd.ca.gov](mailto:engineering@mdaqmd.ca.gov)

—California RegionsRegulations (07/06/2017)

#### Regulatory Update

*WATER*

#### Municipal Wastewater Dischargers California Regions WATER

Notice of the Central Valley Regional Water Quality Control Board announces a tentative general order regarding water discharge requirements for municipal waste dischargers that meet specified objectives and criteria at the point of discharge to surface water. The order permits discharges of secondary and tertiary treated wastewater under specified conditions; includes site-specific limitations; and sets forth additional requirements for low volume, existing, new or increased, and ultraviolet light disinfection dischargers. Coverage under the order serves as a national pollutant discharge elimination system permit. The order is proposed to be effective Dec. 1, 2017, and expire Nov. 30, 2022. A hearing is scheduled for Aug. 10-11, 2017, in Rancho

Cordova. Comments are due Aug. 4, 2017. Contact: David Kirn; Central Valley RWQCB; 916-464-4761; david.kirn@waterboards.ca.gov

—California Regions Regulations (07/05/2017)

Regulatory Update

**Delaware**

**AIR**

New Source Performance Standards/Municipal Solid Waste Landfills

**Delaware AIR**

Final rule of the Department of Natural Resources and Environmental Control, Division of Air Quality, amends regulations under 7 DEAC 1120 regarding new source performance standards. The rule incorporates by reference federal requirements concerning volatile organic compound and methane emissions from municipal solid waste landfills (40 CFR 60, Subparts Cf and XXX). The rule also expands the applicability of new source performance standards to both existing and new municipal solid waste landfills and revises the state plan for such facilities. The state plan will be submitted to the EPA for approval. The rule is effective July 11, 2017. Contact: Jim Snead; DNREC; 302-323-4542; jsnead@state.de.us

—Delaware Register of Regulations (07/01/2017)

Regulatory Update

**WATER**

Licensing Operators of Wastewater Facilities

**Delaware WATER**

Proposed rule of the Department of Natural Resources and Environmental Control, Division of Water, amends regulations under 7 DEAC 7204 regarding licensing operators of wastewater facilities. The rule updates the treatment plant classification process, modifies licensing requirements, and adds a temporary level I operator-in-training license. The rule also specifies that results for the licensing examination are valid for three years, reorganizes provisions and renumbers provisions, and reflects the reorganization of the Board of Certification. A hearing is scheduled for Aug. 10, 2017, in Dover. Comments are due July 31, 2017. Contact: Bryan Ashby; DNREC; 302-739-9946; Bryan.Ashby@state.de.us

—Delaware Register of Regulations (07/01/2017)

Regulatory Update

**WATER**

Nutrient Management Certification Regulations

**Delaware WATER**

Proposed rule of the Department of Agriculture amends regulations under 3 DEAC 1201

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regarding nutrient management certification standards. The rule incorporates by reference state technical standards for nutrient applications, development, and implementation of nutrient management and animal waste management plans, concentrated animal feeding operations (CAFOs), and siting new CAFO facilities. Comments are due July 31, 2017. Contact: Chris Brosch; DDA, Nutrient Management Program; 302-698-4555; [chris.brosch@state.de.us](mailto:chris.brosch@state.de.us)

—Delaware Register of Regulations (07/01/2017)

#### Regulatory Update

## Kansas

### **WATER**

#### Surface Water Quality Standards

#### **Kansas WATER**

Proposed rule of the Department of Health and Environment amends regulations under KAR 28-16-28b, -28d, -28e, and -28f and adopts regulations under KAR 28-16-28h regarding surface water quality standards. The rule incorporates the March 2, 2017, version of the Kansas Surface Water Quality Standards: Tables of Numeric Criteria, which include a new reference for the ammonia aquatic life criteria, add a total ammonia acute criterion, and provide new total ammonia chronic criterion, among other changes. The rule also revises the process for variances allowing for individual and multiple discharger variances. In addition, the rule adds the Kansas Surface Water Quality Standards Variance Register to document surface water quality standard variances that have been approved by the agency and made available to the public. Finally, the rule adds definitions, including for the terms discharger, highest attainable condition, interim criterion, interim designated use, multiple-discharger variance, pollutant minimization plan, and reconfiguration activities, and revises numerous other definitions. A hearing is scheduled for Oct. 3, 2017, in Topeka. Comments are due Oct. 3, 2017. Contact: Julia Young; DHE, Bureau of Water; 785-296-5508

—Kansas Register (07/06/2017)

#### Regulatory Update

## Mississippi

### **OCCUPATIONAL SAFETY AND HEALTH**

#### Safety Conveyance Act

#### **Mississippi OCCUPATIONAL SAFETY AND HEALTH**

Proposed rule of the Insurance Department amends regulations under Title 19, Part 8, Chapter 1, regarding the Safety Conveyance Act. The rule updates provisions to prevent the retroactive application of the 2011 National Safety Code for Existing Elevators and Escalators (American Society of Mechanical Engineers A.17.3). The rule also requires that certain hydraulic elevators have the hydraulic jacks pressure tested annually and specifies that those with jacks determined

to be leaking underground must be immediately shut off until the jack unit is replaced. Comments are due July 30, 2017. Contact: Daniel Bradshaw; Insurance Department; 601-359-1074; daniel.bradshaw@mid.ms.gov

—Mississippi Regulations (07/05/2017)

Regulatory Update

## Montana

### **HAZARDOUS MATERIALS TRANSPORTATION**

#### Motor Carrier Safety/Farm Vehicles

### **Montana HAZARDOUS MATERIALS TRANSPORTATION**

Proposed rule of the Department of Transportation amends regulations under ARM 18.8.1501 and .1502 regarding motor carrier safety requirements. The rule clarifies the incorporated federal definitions of “farm vehicle,” “covered farm vehicle,” and “farmer” under 49 CFR 390.5. Comments and hearing requests are due Aug. 4, 2017. Contact: Dennis Hult; DOT, Motor Carrier Services Division; 406-444-9237; dhult@mt.gov

—Montana Administrative Register (07/07/2017)

Regulatory Update

## New York

### **GENERAL ENVIRONMENT AND SAFETY**

#### Floodplain Management Regulations Development Permits

### **New York GENERAL ENVIRONMENT AND SAFETY**

Proposed rule of the Department of Environmental Conservation amends regulations under 6 NYCRR 371.1 through 703.6 (nonconsecutive) and repeals regulations under 6 NYCRR 500 to delete obsolete provisions and references concerning floodplain management regulations development permits. The rule also updates references to 6 NYCRR 750 relating to the state pollutant discharge elimination system program for wastewater and stormwater discharges. Comments are due Aug. 19, 2017. Contact: Michelle Tompkins; DEC, Division of Water; 518-402-8221; Michelle.Tompkins@dec.ny.gov

—New York State Register (07/05/2017)

Regulatory Update

## Virginia

**WATER**

Chesterfield/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 Dupont Teijin Films LP for alleged State Water Control Law violations concerning effluent discharges into the James River from the company wastewater treatment system in Chesterfield and for failure to comply with permit conditions. The consent order requires the settling party to pay a civil penalty of \$28,000. Comments are due Aug. 12, 2017. Contact: Frank Lupini; DEQ; 804-698-4000; frank.lupini@deq.virginia.gov

—Virginia Register (07/10/2017)

Regulatory Update

**WATER**

Lawrenceville/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 the town of Lawrenceville for alleged State Water Control Law violations concerning discharges of treated sewage and municipal waste into Roses Creek from the Lawrenceville Wastewater Treatment Plant and for failure to comply with permit conditions. The consent order requires the settling party to pay a civil penalty of \$5,600. Comments are due Aug. 12, 2017. Contact: Frank Lupini; DEQ; 804-698-4000; frank.lupini@deq.virginia.gov

—Virginia Register (07/10/2017)

Regulatory Update

**WATER**

Richmond/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 Verizon Virginia LLC for alleged State Water Control Law violations associated with the unauthorized discharge of approximately 4,000 gallons of diesel fuel into building basements in Richmond. The consent order requires the settling party to pay a civil penalty of \$13,330. Comments are due Aug. 9, 2017. Contact: Lee Crowell; DEQ; 804-698-4450; lee.crowell@deq.virginia.gov

—Virginia Register (07/10/2017)

Regulatory Update

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